March 16—22, 2011

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Editorial
Let the Sun Shine in Berkeley Too

By Becky O’Malley

This week is Sunshine Week all over the United States. What, you may ask, is Sunshine Week?
It’s sponsored by American Society of Newspaper Editors, joined by the National Freedom of Information Coalition, California’s First Amendment Coalition and many other groups. Briefly summarizing, from the NFAC web page: “Sunshine Week is a national initiative to promote a dialogue about the importance of open government and freedom of information. Participants include news media, civic groups, libraries, nonprofits, schools and others interested in the public’s right to know.”
For a complete overview, there’s a website which explains it all.
Here in Berkeley, we’re proud to report that our own Dean Metzger, the indefatigable advocate for Berkeley’s Sunshine Initiative, now scheduled for the November 2012 ballot, has been cited in the Sacramento Bee, one of the participating papers, as one of six outstanding “citizen watchdogs” in California. And Dean has not been working alone—with him on the Sunshine Initiative committee there’s an unlikely assortment of Berkeleyans who seldom agree on everything, but are united in their belief that all of us deserve to know much more about what our city government is up to.

They’ve been working for a long, long time on this project. I went to some of the early organizing meetings, perhaps eight years ago or even more, but I haven’t participated since then, beyond reading the email tree accounts of what’s been happening, because I’ve been too busy with the Planet.

For a while the committee hoped to get the backing of city officials, both hired and elected, for the Berkeley City Council to pass a decent sunshine ordinance, but that was a vain quest. What they got instead was a tin fiddle: a few toothless ordinance changes lacking any meaningful enforcement mechanisms, which were easily passed unanimously at the last council meeting on the consent calendar.

(For those who aren’t familiar with that old-fashioned metaphor: a tin fiddle is a cheap imitation fiddle that looks like a real wooden one but sounds dreadful when you play it.)

Who among the councilmembers would object to something with the impressive title of “Open Government Ordinance” which does essentially nothing? What the council voted for is not a sunshine ordinance, or any kind of real open government ordinance, by any stretch of the imagination.

But between now and November 2012 (which seems far away but will be here before we know it) there’s need for a lot of public discussion of the initiative language which will appear on the ballot. The citizen drafters attempted to take the best features of the several sunshine ordinances which have been enacted in California, including several in our fellow Bay Area cities of Oakland and San Francisco. They studied the performance record of ordinances in other jurisdictions, eliminated what hasn’t worked right and added what was left out elsewhere.

It’s a cinch that local officials plan to claim that their Tin Fiddle Open Government Ordinance does the job. It doesn’t.

But the unwary might be fooled.

Case in point: It seems that the League of Women Voters chapter for Berkeley, Albany and Emeryville (LWVBAE) has already been fooled. The LWVBAE newsletter reprinted unquestioningly the Berkeley city staff’s inflated estimates of what enforcing a sunshine ordinance could cost the city of Berkeley. When the Sunshine Committee wrote to the LWVBAE challenging these calculations, the newsletter editor refused to print their letter, saying that “barring evidence to the contrary, we will accept the City’s work product. They are public employees and we trust that they do their jobs.” Unh-hunh.

A copy of the Sunshine Ordinance which the initiative will offer the voters can be found online at berkeleysunshine.org. There’s also a summary of its key points, as well as links to all sorts of other interesting information about genuine open government.

On the Sunshine Committee’s list-serv there’s been discussion of setting up some sort of online forum where information about the initiative could be presented in detail. That’s a good idea, but we’d also like to offer the Planet’s online space as a forum for public discussion both pro and con.

We’re strong believers in Justice Brandeis’s famous idea that sunshine is the best disinfectant, and we think that a vigorous debate beforehand will help people decide how they should vote a year from November.

Last week, when we received an interesting analysis of the just-released Berkeley census data, we decided to experiment with reviving our old Berkeley Free Press blog site, which we started before we took over the Planet. We hoped that it would give readers a chance to express their opinions on controversial topics more spontaneously and more interactively than the Planet’s inherited newspaper format permits.

In honor of Sunshine Week, we feature in this issue a couple of commentaries which highlight specific controversial aspects of the public’s right to know. One of them deals with the relationship between the First Amendment and “hate speech”, and the other examines privacy considerations raised by proposals for using proprietary social media like Facebook and Twitter as vehicles for dispensing governmental information. Each is followed by a link to the Berkeley Free Press blog site, and we urge readers to go to the site and express their opinions.

Coincidentally, or perhaps not, I was surprised last night to receive a reporter’s story that a meeting billed in an email as “Community Engagement Meeting Around Library Lawsuit” had been cancelled when unexpected community members showed up, since both the reporter and I had been sent invitations. I was even more surprised to learn that key officials who were present had moved to the home of a Berkeley city councilmember for a private meeting after sending the public home.

It’s possible for reasonable citizens to disagree on whether two branch libraries should be demolished and rebuilt or rehabilitated. It’s possible to differ about whether a lawsuit is the right way to settle that disagreement.

But the discussion of such topics, especially when public servants are involved, should be open and transparent, not conducted behind closed doors in private homes. That’s exactly what Sunshine Week is all about. Thanks to all involved for providing such a clear illustration of why Berkeley desperately needs a Sunshine Ordinance.

Editor’s Back Fence

Check Out These Links

Plans to site a school for students who have previously committed crimes alarm residents near the old Franklin School, reports Berkeleyside.com. Read the previous history of the Berkeley Unified School District’s plans and promise for the site as previously reported in The Planet here. There’s a meeting tonight (Wednesday).

A tip from reader Victor Herbert: about a story in the SF Chronicle: “If any of you Berkeleyans are planning to move across town, don’t try to take your home with you. Carolyn North tells what happened to someone who tried.”

What Do You Think?

You can quickly express your opinion at berkeleyfreepress.com on three provocative topics:

Sunshine Week Commentary: The U.S. is alone among western democracies in protecting “hate speech.” Chalk it up to a healthy fear of government censorship. Should the Berkeley Police Department use Facebook? The New Berkeley Census Data—What Can You Learn From It? Of course you can also still send a letter or a commentary to opinion@berkeleydailyplanet.com.
News

“Community Engagement” Meeting on Berkeley Library Lawsuit Becomes “Private”

By Steven Finacom
Tue Mar 15 21:23:00 -0700 2011

Attendees gather at the library lawsuit meeting in the Frances Albrier Community Center.

Councilmember Darryl Moore, with Councilmember Linda Maio by his side, talks to people who arrived for the meeting. The individual at center was admitted; the two others, at left and right, were told by Moore the meeting was private and they could not attend.

What were three Berkeley City Council members, the City of Berkeley Director of Library Services, two trustees of the Board of Library Trustees, and leaders of the Berkeley Public Library Foundation doing hurrying around to various locations in West Berkeley in the pouring rain Tuesday evening?

Having a “private meeting” about the Library, according to City Councilmember Darryl Moore who said he had convened the group and that it was a mistake an e-mail notice had gone out inviting the public to attend.

The group first convened at the public, City of Berkeley owned, Frances Albrier Community Center in San Pablo Park.

Then, when some members of the public arrived to attend in response to the e-mail invitation, they were blocked by Moore from approaching the meeting room. Not long thereafter the core group of those admitted by Moore scattered, apparently reconvening at the home of a Councilmember in northwest Berkeley.

I had planned to attend the “public” meeting, which had been widely publicized in e-mails sent out by some City Council offices. (Attached is a copy of the e-mail which I received. My copy had been forwarded by Councilmember Gordon Wozniak).

The announcement read, “MEETING: Community Engagement around Library Lawsuit. Tuesday, March 15th from 6 PM to 7:30 PM. Frances Albrier Auditorium, San Pablo Park. Sponsored by COUNCILMEMBERS MAX ANDERSON AND DARRYL MOORE. PLEASE PASS THIS INFORMATION ALONG!” (Emphasis in original).

The e-mail was signed with the contact information of Charlene Washington, Legislative Aide to Councilmember Anderson.

When I arrived for the meeting, however, Councilmember Darryl Moore was standing athwart the courtyard doorway of the Community Center like a latter day Horatius at the Bridge, allowing some to pass and telling others they couldn’t enter.

A man whom I took to be Ryan Lau, Moore’s City Council aide, also hovered anxiously around the entrance.

It was a “private meeting”, Moore said. The notice sent out had been in error. He told me by name that I was not permitted to enter.

“Max (Anderson) and Gordon (Wozniak) sent out an announcement to the world. This is my personal meeting”, Moore said. “Max and Gordon know what they did and they’re sorry.”

Someone familiar with the scheduling of the Community Center told me a “Ryan” had reserved the room. There’s a charge of $65 an hour, two-hour minimum, for use. I did not find out who paid for the reservation.

As Moore waited in the lobby I asked him if he had seen the designs, prepared by architect Todd Jersey on behalf of Concerned Library Users, proposing an alternative strategy for renovated parts of the South

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Gordon Wozniak, publicizing the meeting and asking recipients to “please pass this information along!”

Steven Finacom

The select depart the “private meeting” at the Community Center after a brief conference. Linda Schacht Gage at center, exiting the door; Councilmembers Max Anderson and Darryl Moore at right.

Steven Finacom

Linda Maio’s home, on Berkeley Way, where several of the meeting attendees had arrived soon after leaving the Community Center, after driving various routes across Central Berkeley. They reconvened in the lighted room at center.

Subject: Meeting Community Engagement around Library Lawsuit
From: “Gordon Wozniak” wozniak.wozniak@nlc.berkeley.ca
Date: Wed, March 9, 2011 3:59 pm
To: “Gordon Wozniak” wozniak.wozniak@nlc.berkeley.ca

> MEETING Community Engagement around Library Lawsuit
> TUESDAY, MAR 15TH from 6PM TO 7:30PM
> Frances Albrier Auditorium, San Pablo Park
> 2800 Park St between Russell and Ward Streets
> Sponsored by COUNCILMEMBERS MAX ANDERSON AND DARRYL MOORE
> PLEASE PASS THIS INFORMATION ALONG!
> Charlene Washington
> Legislative Aide, District 1
> Councilmember Max Anderson
> 2169 Milsa Street, 1st Floor
> Berkeley, CA 94704
> Tel: 510.581.7135Fax: 510.581.7139
> cawashington@berkeleylibrary.info
> ---
West branches and constructing additions. “I haven’t seen them” Moore replied.

He then added, “I have the impression they’re the exact plans the Board (of Library Trustees) has seen before when we made a decision on the alterations.”

(Moore was presumably referring to designs prepared by the Library’s own consultants in 2009 and 2010 looking at a renovation scheme for both branches. They are entirely separate plans, and considerably different designs, from the Todd Jersey plans.

Concerned Library Users is suing the City over the proposed demolition of the South and West branch library buildings, and presented the Jersey plans as an alternative approach to renovating and expanding the two structures. Councilmembers participated in a closed meeting with the City Attorney on Monday afternoon to discuss the CLU litigation, among other legal matters.

Winston Burton, an appointed member of the Board of Library Trustees arrived. I asked him if he had seen the plans? No, he said, he hadn’t seen the Jersey designs.

I then asked Judith Epstein of the Concerned Library Users group to clarify the status of the plans. She was waiting in the lobby, having been told by Moore she could not enter the meeting.

Epstein said the Jersey designs had been submitted to the City as part of the branch library EIR process, and were a matter of public record since the end of January.

As Moore waited for more attendees, I asked him if he had invited the entire Board of Library Trustees, or just Burton? Moore serves on the BOLT, with Burton.

“No”, he said. “This meeting is not a Brown Act violation,” he added. (The Brown Act prohibits non-public meetings at which a majority of the members of a government body, such as the City Council, are present.)

I started to ask him another question about the Library lawsuit.

“I’m not speaking to you, you’re the opposition”, he said.

I said that was there to do an article for the Daily Planet on the meeting.

“I’m not speaking to the press then. It would be lies”, he replied, and turned away.

Councilmember Linda Maio then appeared. I asked her what she was arriving to attend.

“As far as I’m concerned, this is a private meeting”, she answered, and went on to the meeting room after conferring privately with Moore.

Rain pounded down in the courtyard of the Community Center. The lighted meeting room was on the other side.

A resident of Otis Street, who lives around the corner from the South Branch Library, arrived and was bemused when Moore blocked her way and told her she couldn’t attend the meeting. She told me she had come in response to the e-mail from Anderson’s office, and had thought it was a public meeting.

In the lobby of the building as the invited and uninvited milled about, Linda Schacht Gage, the leading fundraiser for the non-profit Berkeley Public Library Foundation arrived and had a brief, tense, encounter with Judith Epstein.

Epstein was passing out a flyer entitled “What You Need To Know About The Branch Library Projects and the Library Lawsuit.”

Epstein told Schacht Gage that last October when they crossed paths at a public campaign event for George Beier in City Council District 7, Schacht Gage had said to Epstein, “If you go ahead with this lawsuit, I’m going to tell people that you don’t want minority neighborhoods to have new libraries.” “I never told you that”, Schacht Gage objected. “I have never told you anything like that. And if I did, I apologize because it is not true.” (Epstein told me after Schacht Gage left that she had written down the comment in October and “I expected a defamation campaign, having been warned about it by several members of the public.”) (Both Epstein and Schacht Gage live in southeast Berkeley, not far from the Claremont Library branch.)

Schacht Gage went on into the meeting room. A number of others arrived, or were visible in the room across the courtyard. Among them were Dave Snyder, the Executive Director of Berkeley Public Library Foundation, and Elizabeth Watson, the Foundation Vice President.

Watson had introduced Schacht Gage the evening before when she had received an Outstanding Woman of Berkeley award for 2011.

Councilmember Max Anderson arrived, conferred with his aide Charlene Washington outside, and then hurried through the lobby to consult with Moore in the courtyard. Washington stood in the lobby, silent and looking exasperated.

Eventually all of the attendees entered the meeting room. They appeared to talk briefly, and then all got up and left, passing again through the courtyard and lobby, where the excluded individuals were still standing.

As they went by through the lobby, I asked Moore if the meeting was cancelled, or reconvening elsewhere. He said nothing. Anderson and Maio came by, and I asked the same question.

“No meeting,” said Maio, without stopping.

Donna Corbeil, Berkeley’s Director of Library Services, hurried by from the meeting room, looking tense and tired, under a pale green umbrella.

The attendees scattered to their cars, parked in front of the Community Center. They quickly drove off in different directions, but in about 15 minutes several of them re-gathered at a private home at 1732 Berkeley Way.

The three-story brown shingle house had a prominent “Linda Maio for Council” sign displayed on the façade. It’s the building Maio identified as her residence in her campaign filings for re-election last November.

I watched from the public street as Corbeil, Moore, Schacht Gage, and several others from the aborted Community Center gathering, parked and walked through the downpour into the house.

The front room was lit and uncurtained, and from across the street the attendees could be seen there, conversing.

Presumably, though, it was just a social gathering where they all happened to end up. No meeting at all. So I went home.

(Disclaimer. The author has written commentary here in the Planet about the Library branch plans, detailing concerns about possible misuse of Measure FF money. He’s not a party to the lawsuit against the City, or a member of Concerned Library Users or the Library Users Association, the two organized groups that have been most critical of the Berkeley Public Library.)

Seven Outstanding Berkeley Women Honored

By Steven Finacom

Tue Mar 15 21:35:00 -0700 2011
A packed crowd of well wishers gathered Monday, March 14 to honor seven Berkeley women chosen as “Outstanding Women of Berkeley” for 2011.

Among those women receiving the honor were a pioneering physician / activist, a second generation Berkeley songwriter and singer, the creator of the Berkeley Parents Network, a founder of the Berkeley Farmer’s Market, and a journalist who is the leading fundraiser for the Berkeley Public Library.

The honorees were Hope McDonnell, Ginger Ogle, Dr. Vicki Alexander, Nancy Schimmel, Linda Schacht Gage, Jennifer Burke, and Suzoni Camp.

More than one hundred people crowded into the community room at the Central Berkeley Public Library for the short ceremony that featured brief award presentations, remarks by the recipients, and two songs.

Sponsored by Berkeley’s Commission on the Status of Women (COSW), the award program is in its 22nd year. Historical context was provided by keynoter Carole Kennerly who was, as Carole Davis, a member of Berkeley’s City Council and Vice Mayor in the 1970s.

“What a wonderful occasion and a tremendous gathering”, Kennerly told the group.

She described the circumstances that led to the establishment of Berkeley’s Commission on the Status of Women, the body that initiates the annual awards.

“Everything in Berkeley comes with great vigor and energy, and it was not an easy thing to create this commission.” In 1978, Kennerly said, Berkeley was shocked by a
string of assaults by a rapist termed “Stinky” because of the distinctive body odor his victims reported.

“That galvanized this city”, she said. The City Council established a Committee on Violence Against Women. Often such bodies produce recommendations then dissolve, she said. But “the women were so enraged and angry and wanted to do something, so we used that committee as a focus for this energy.”

Out of that came a citywide policy on domestic violence and the permanent Commission on the Status of Women. “It’s up to us that this Commission stays alive and vital”, Kennerly said. “It didn’t come easy.”

“Whenever we hear slurs, call it for what it is. Apathy is just as dangerous as some of the bigotry.” “Become acquainted with the inequalities in our society”, she urged the audience. “All together we can make a way out of no way.”

Yelda Bartlett, the chair of the COSOW, emceed the event, introducing each speaker and handing out both the Commission awards and proclamations from Assembly member Nancy Skinner to each honoree.

Hope McDonnell was the first woman presented with this year’s award. During nearly 40 years in Berkeley she has co-founded non-profit organizations, businesses (including Uprisings Bakery), and clinics. She was a founder of the Berkeley Farmers Market and works with the homeless, HIV+ clients, and at risk use.

“Such an appropriate name for her”, said her introducer. “Hope has chosen to dedicate her career to helping people with very little hope in their lives.” McDonnell is currently working to reduce substance abuse at Berkeley High School.

After receiving the award, she had a quiet, one sentence response. “I’m sure that every woman here is outstanding in her own right.”

The second recipient, Ginger Ogle moved to Berkeley in 1980. In the mid-1980s she enrolled in computer classes that led to graduate work at UC Berkeley. There she earned a masters in Electrical Engineering and Computer Science, met her second husband, and founded the Berkeley Parents Network.

The BPN, now with more than 28,000 members, allows participants to post and answer questions on a broad range of topics related to parenting—everything from how to get a baby to sleep, to advice on where to find a repair person, or a particular type of school.

“This is a great honor,” Ogle said, also calling it “an honor to the Berkeley Parents Network.” “I want to thank my husband for thinking I can do anything” she added, to laughter.

“I thank the University of California—the University has let us run our website and our mailing list there.”

“I’m not the one who made the website what it is, it’s all those parents”, she maintained. “I’m really like a switchboard operator.”

But, her nominator said, “she was the person who was doing it. She was writing the code, writing the software.”

“It took a woman to look at a bunch of cold data and to see community in it. Thank you”, said Bartlett, as she presented Ogle with the award.

Vicki Alexander received the second award. Alexander, a medical doctor, founded the Black Infant Health (BIH) Program in Berkeley and has been involved in numerous health and social activism causes.

“She’s the kind of physician we dream of”, said Carole Kennerly, who introduced her. “She’s concerned about the inequalities in our society.” “This lady is no conformist.”

“She works tirelessly to serve children and families”, Kennerly added. “Her life was no crystal stair. She had some splinters and tacks along the way.”

“She’s dedicated her life to cultural competency and expresses that in all aspects of her personal and professional life.”

The daughter of a shoemaker and union organizer, Alexander earned her MD degree and worked at UCSF, SF General Hospital, and Harlem Hospital, as well as serving in various health related positions with the City of Berkeley.

The Black Infant Health Program (BIH) she founded has helped more then 500 African American mothers in Berkeley in more than a decade.

“South and West Berkeley (where the BIH program is located) has a history of being the part of our city that has suffered so much in terms of allocations of resources”, Kennerly said, and one of the manifestations has been low birth weight among many African-American infants.

“She’s committed to all babies, all families, and in particular black babies,” Kennerly said.

Alexander came forward accompanied by her daughter, to receive her reward, to cheers from the crowd. “I want to thank my family”, she said. But “my family is also from the Civil Rights Movement, my family is also from the Communist Party”, she added.

“I want to thank the various movements I’ve been involved in.” “They’re all a part of us as a social change phenomena.”

“Berkeley does not have a history of doing right by black people,” she said. “We did right creating BIH.” “It’s the youth that are most important, and our babies, and young people.”

Bonnie Lockhart introduced the next recipient, Nancy Shimmel, calling her “my long term friend and co-conspirator in cultural transformation.”

Schimmel, the daughter of 1950s / 60s activist songwriter and singer Malvina Reynolds, grew up in Berkeley and built her own career around political and social activism and work as a storyteller, songwriter, and singer. She reads and sings at local schools, helped found the Threshold Choir that sings at the bedsides of people who are dying or face life threatening illnesses, and has been involved in many causes.

“She brings to her work some really important qualities”, said Lockhart. “Qualities that are endangered now and need proponents like Nancy.” “Voracious curiosity”, a “delightful, playful spirit”, and a “deep concern for all life from microbes to whales.”

After accepting her award, Schimmel told the audience “one of our most recent activities was singing at Valero oil stations, because Proposition 23 was backed by Texas oil interests.”

“I want to thank everyone who makes Berkeley such a great place to”, she added. “No where but in Berkeley would I find myself sitting next to another red diaper baby who is also being honored” she said, to laughter, indicating Alexander.

“Now is the time to come out as the daughter of Malvina Reynolds”, she continued, as the crowd laughed.

Schimmel practiced her activist spirit at the meeting, getting up at the beginning while the microphone was still being adjusted, to make a spontaneous announcement about the Centennial of Women’s Suffrage in California.

“California was not ahead of Wyoming and some other states, but certainly ahead of the East” in adopting votes for women, she said.

After receiving her award, she told the audience a brief story about a man who was renowned for answering questions accurately. Two others decided to fool him by holding a bird concealed in their hands and asking if what they held was alive or dead.
If he answered “dead”, they would release the live bird; if “alive”, they would crush it, before showing him the dead body.

“Is it alive or is it dead?” they asked. The man looked at them and answered, “It’s in your hands.”

Schimmel’s remarks were followed by a contingent from the Organic Women’s Chorus which sang two a capella songs, one inspired by the Berkeley Farmer’s Market, and the other linking gravity, life, and love.

“Thank you, Nancy, for your gifts to the community”, Bartlett said. “You should join! (the Chorus). “Be one of us”, Schimmel encouraged the audience.

“Public speaking is terrifying, but if I thought I’d have to sing I’d run in the other direction”, the next introducer, Elizabeth Watson said as she followed the Chorus at the front of the room. She was there to introduce Linda Schacht Gage, the fifth award recipient.

Gage, a local Emmy award winning television reporter who grew up in Berkeley, has worked in recent years to lead fundraising efforts for the furnishing and support of Berkeley’s public libraries.

Watson gestured around the library meeting room. “If you like the fact that you’re sitting on a chair, please thank Linda”, she said. “She’s a community activist par excellence.”

Schacht Gage is also the founding chair of the author’s dinner, a Berkeley Public Library Foundation fundraiser that is, Watson said, “The hottest ticket in town.” But her work is often the background, Watson said. “She opens her home, her guest book, and most importantly her heart.”

“You work hard for the library, but you get back so much for what you give”, said Schacht Gage after accepting the award from Bartlett. She emphasized the fact that Berkeley has “the most well used library in the State”, per capita, and provides numerous service programs including Berkeley Reads and community legal advice.

“We’re working really hard to get rebuilt libraries in the South and West of Berkeley. That’s my principal goal”, she said. “I feel so enriched, and so grateful.” “What a cool place we live in, right!” she concluded.

The sixth and seventh recipients were Jennifer Burke and Suzoni Camp. The presentations ran over the scheduled time and they were introduced after I had to leave the meeting for another commitment.

Materials handed out at the gathering noted that Burke is the founder of Berkeley’s Young Artist Workspace, which provides low-cost visual arts classes to Berkeley children. She teaches in El Cerrito and has worked with children’s theater groups and taught art classes for adults.

Camp became involved with Options Recovery Services in Berkeley while living at the Berkeley Food and Housing Project’s Dwight Way Women’s Shelter, after 20 years of drug and alcohol addiction.

She began volunteering at the program and is now a member of the staff. “She can be counted on to advocate for those willing to meet their own challenges and do the work to turn their own life around. Suzoni should be proud of who she is and what she does. In turn, Berkeley should be honored that she calls this city home”, the award citation read.

A representative of Mayor Bates brought greetings to the gathering at the beginning of the ceremony. Bartlett said that Bates and City Councilmembers couldn’t be present because they were in an emergency closed session, but hoped to join the gathering later. (The session, I was later told, involved discussion of litigation over several matters including the public library and the controversial Mitchell Kapor house proposal on Rose Street).

Councilmembers Kriss Worthington and Max Anderson did arrive at the COSW ceremony after it was underway, and were acknowledged.

Census 2010: Welcome to the Bay-Asian Area (News Analysis)

By Andrew Lam, New America Media
Tue Mar 15 15:24:00 -0700 2011

What everyone’s been saying for a while about the Bay Area, the 2010 Census has confirmed. The East is acquiring greater weight in the life of the region because the Asian American population is surging. Politically and culturally, the result is something of a rumbling mid-Richter scale earthquake.

The Asian population in many Bay Area cities has more than doubled since 2000, from 15 to 36 percent in San Ramon and 10 to 27 percent in Dublin, for example. Elsewhere Asians have become the majority. Cupertino, where whites dominated 10 years ago, has a new majority: 63 percent of the city is now Asian.

The same story is unfolding in Fremont where Asians finally reached 51 percent of all residents. In San Francisco, Asians are the fastest growing population by far, already making up 33 percent and only nine points behind whites.

Asians are increasingly organizing into formidable voting blocs. Asian mayors are even becoming the norm. Daly city has a Filipino American mayor. San Francisco, Oakland and two smaller cities, Campbell and Cupertino, all have Chinese American mayors. In San Jose, a Vietnamese American woman, once a boat person, is now vice mayor.

Enormous Cultural Shift

Besides transforming Bay Area politics, the enormous cultural shift in recent decades has made the region a cosmopolitan metropolis with a notable Asian flair.

“You know your cultural heritage is a major success when someone else is selling it back to you,” a friend of mine quipped after I noted the irony that Steven Spielberg produced Kung Fu Panda, which became one of the all-time box-office hits in China.

People here seem to be turning more Asian. All my yoga instructors are non-Asians, and the majority are whites, but as I practice, I listen to their instructions on cultivating will power and inner peace. I observe Sanskrit and Chinese tattoos etched on their alabaster skins and wonder how far we’ve come. On the Food Network, Vietnamese and Chinese dishes are commonly prepared and taught by white chefs.

At Whole Foods supermarket the other day I stood behind a young white man who was toting a bottle of fish sauce. I asked, “What are you making with that?” I couldn’t stop grinning at his answer: “Catfish in clay-pot.” My paternal grandmother made that pot.” My paternal grandmother made that dish three decades ago after we emigrated as refugees from Vietnam. Our Irish neighbors complained about a “toxic smell” and called the police. Mortified, we apologized and kept our windows closed whenever Grandma had an urge to prepare some of her favorite Vietnamese recipes.

But if I once felt ashamed of my parents’ singsong accents, my grandmother’s strong-scented cooking, or my own Vietnamese memories, I see them now as regional colors, if not assets.

In my lifetime here, I have witnessed the pressure to move toward some generic, standardized melting-pot center deflate and become something quite the opposite. The demographic shift is toward a society in which there’s no discernible majority, no dominant cultural power.

Children of the Non-Minority

Asian children growing up in the Bay Area these days do not see themselves as a
minority. If anything, they see themselves playing a central role. After all, it is quite normal to see Asian homecoming queens and football stars. They are growing up at a time when being ethnic is chic and movement and communication back and forth across the Pacific Ocean are the norm.

Evidence of Asianization is piling up. Take feng shui. An architect friend of mine spent a few years in Hong Kong to take feng shui lessons. So many of his clients believe in this art of geomancy that he had to seriously study the chi, or the flow of energy as perceived in Taoism, in order to build suburban houses for them.

I once attended a lecture in Berkeley by one of the world’s most prominent monks, Zen Master Thich Nhat Hanh. The venerable Vietnamese monk has become a major influence in the development of Western Buddhism. His teachings and practice appeal to people of various religious and spiritual backgrounds. He attracts adherents around the globe, having written nearly 100 books on mindfulness and meditation and “engaged Buddhism” or social activism. A multi-ethnic crowd tiptoed at the entrance of a jam-packed community center, straining to listen.

In the media, six newspapers now vie for the Bay Area’s Chinese readership alone. Ming Pao, World Journal, Sing Tao, Epoch Times, China Press and China Times all have offices here, and their combined readership in the Bay Area surpasses that of the largest major English language paper, the San Francisco Chronicle.

Of course, the Bay Area has always had a touch of Asia. When Gold made San Francisco famous around the world in the mid-1800s, it became known in Asia as Old Gold Mountain, a gateway to fabulous riches and fortunes.

My Mother’s Garden of Change

The world has rushed in here since then, bringing in layers upon layers of complexity. Tastes, architectures, religions, animals, plants, stories, music and languages piled in making the Bay Area postmodern in many ways, even when the rest of the globe was still struggling to enter the modern era.

When I think of how immigrants always transform their new home even as they themselves change, I’m reminded of my mother’s little garden in Milpitas, north of San Francisco.

For our first few years in America, my family and I were terribly homesick. At dinnertime, my mother would say, “Guavas back home are ripe this time of year, back at our farm.” Or someone would say, “I miss

mangosteen so much,” and we would shake our heads and sigh.

But then a friend, newly arrived in America, gave my mother some seeds and plants. Soon, Mother’s small backyard garden was redolent of lemongrass, Thai basil, Vietnamese coriander and small red chilies. Our hunger for home was satiated; home was growing, slowly but surely, on American soil.

Now, imagine my mother’s garden spreading over a large swath of California’s farmland. Southeast Asian farmers are growing large varieties of vegetables in the Central Valley, in the furrows of last century’s Japanese and South Asian farmers, and trucking them to markets all over the state.

Hmong, Filipino, Thai, Cambodian, Vietnamese, Korean, Laotian and South Asian farmers sell everything from live chickens and seafood to Thai eggplants and edible amaranth. In these farmers’ markets you’ll find hyacinth beans and hairy gourds, oriental squash and winter melons, Buddha fingers, even sugarcane.

I’ve learned not to underestimate the power of immigrant nostalgia. On visit to a local farmers’ market one sunny-day, I found fragrances and sounds so oddly familiar that, closing my eyes, I could feel myself back in my hometown, on the verdant, fog-filled plateau of Dalat, Vietnam. Our deep longings for the old home recreates it in the new landscape.

As the Asian population surges and rises, it subverts the age-old, black-white parameters of identity and race, infusing it with an even more complex model, one flavored by a trans-Pacific sensibility.

The other day on the bus, I eavesdropped on three teenagers, one white, one black and one Asian. They were talking about their favorite animes, comparing the merits of Naruto versus Bleach. Somehow the subject of reincarnation came up. There ensued a lively debate, two believers against one: The one who didn’t believe was Asian.

New America Media editor Andrew Lam is the author of Eat Eats West (Heyday Books, 2011), his new collection of 21 essays.

Berkeley Ordered to Protect San Francisco Bay from Sewage Discharges

From Mary Simms, Environmental Protection Agency

Wed Mar 16 11:19:00 -0700 2011

The U.S. Environmental Protection Agency, Justice Department, California Water Boards and San Francisco Baykeeper today lodged a stipulated order that will settle a Clean Water Act enforcement action against seven municipalities in the East Bay Municipal Utility District (EBMUD) [including Berkeley]. The settlement is part of a broader enforcement strategy to address sewage overflows to the San Francisco Bay, especially during rain events.

During this most recent rainy season, which began in October 2010, nearly 125 million gallons of untreated or partially treated sewage from EBMUD’s wet weather facilities overflowed into the San Francisco Bay during wet weather.

Among other things, the seven municipalities listed as defendants in the order have cooperatively agreed to update aging infrastructure and collection systems that have been major contributors to the overflows.

“This is great news for San Francisco Bay,” said Jared Blumenfeld, EPA’s Regional Administrator for the Pacific Southwest. “Sewer overflows are an egregious problem, and the changes these cities are making will help protect our waters. EPA’s goal is to have zero discharge of raw or improperly treated sewage into the Bay.”

Raw sewage contains pathogens that threaten public health, leading to beach closures and public advisories against fishing and swimming. This problem particularly affects older urban areas, where minority and low-income communities are often concentrated. Keeping raw sewage and contaminated stormwater out of the waters of the United States is one of EPA’s National Enforcement Initiatives for 2011 to 2013.

Today’s settlement is the latest in a series of Clean Water Act settlements that will reduce the discharge of raw sewage and contaminated stormwater into United States’ bays, rivers, streams and lakes. Other U.S. cities that have made similar improvements following a federal order include: Los Angeles, San Diego, Honolulu, Cincinnati, Washington D.C., and more than 40 more. The initiative will focus on reducing discharges from sewer overflows by obtaining cities’ commitments to implement timely, affordable solutions to these problems, including the increased use of green infrastructure and other innovative approaches.

As part of the order, Oakland, Emeryville, Piedmont, Berkeley, Alameda, Albany, and the Stege Sanitary District (which serves Kensington, El Cerrito and the Richmond Annex section of Richmond) will make substantial improvements to their wastewater collection systems to reduce sewage spills.
to the Bay. These defendants are collectively referred to as ‘satellite communities’ in the stipulated order.

After filing an initial administrative order, EPA referred this action to the Justice Department in December 2009. Following this referral, the United States filed suit against the satellite communities. The San Francisco Bay Regional Water Quality Control Board and the State Water Resources Control Board are also participating in the litigation and the settlement.

“The San Francisco Bay is a national treasure which will be protected through the implementation of the commitments made in this agreement,” said Ignacia S. Moreno, Assistant Attorney General for the Environment and Natural Resources Division of the U.S. Department of Justice. “The settlement will also result in a healthier environment for the communities that surround the Bay by improving the infrastructure and operation of the municipal sewage systems.”

As part of the settlement, the San Francisco Bay Regional Water Quality Control Board will help to oversee the satellite communities’ compliance with the stipulated order. “This settlement is a significant step in ensuring coordinated and proper investments by the east bay communities in their sewer infrastructure,” said Bruce Wolfe, Executive Officer of the San Francisco Bay Regional Water Quality Control Board. “This will result in healthier creeks and a cleaner Bay.”

San Francisco Baykeeper intervened as a plaintiff in this action, and is a party to this stipulated order. “The plans we have agreed to here will set in motion significant projects that will create green jobs and result in a cleaner Bay,” said Jason Flanders of San Francisco Baykeeper. “We look forward to working with EPA and the Waterboards to ensure that these infrastructure improvements occur expeditiously.”

The Justice Department, California Water Boards, Baykeeper, and the Satellite Communities collaborated in settlement negotiations aimed at developing initial measures that would complement the work required by a 2009 EBMUD Stipulated Order. As with the EBMUD Stipulated Order, the Satellite Communities stipulated order will provide initial relief needed to reduce the ongoing violations and assist in developing a final remedy.

In addition, each of the Satellites have specific requirements based on an inspection of each collection system previously conducted by EPA and input from Baykeeper. As in all federal Clean Water Act enforcement actions, the defendants in this case could face penalties as part of the future settlement.

College Cyclists Race Around Berkeley Art Museum

By Steven Finacom
Mon Mar 14 09:31:00 -0700 2011

Men cyclists from UC teams and Humboldt State lead the pack around the corner across from the Hearst Museum on the UC Berkeley campus.

Two women racers take the sharp corner onto Bancroft, across from the Durant Hotel.

Women cyclists line up for one of their races at the starting line on Bancroft Way.
Dozens of cyclists from several California college teams turned a block south of the UC campus into a temporary racecourse Sunday, March 13, 2011.

The Berkeley Streets Criterium featured racers from Humboldt State to UC San Diego and a variety of men’s, women’s, and alumni races.

Colorfully clad teams from UCLA, UC Santa Cruz, Stanford, USC, Sacramento State joined the field for the event, which was hosted by the Cal Cycling Team.

The racecourse centered on the block containing Berkeley Art Museum, with traffic diverted from the surrounding streets. Racers went clockwise, accelerating down College Avenue, then Durant, swooping around the corner onto Bowditch, then pumping uphill on Bowditch and Bancroft. Volunteers and UC police aides monitored traffic and kept the course clear.

Races lasted set times—30 to 60 minutes—and each group of cyclists circled the course as many times as possible in the periods allowed.

The men’s races picked up considerable speed on the down stretch. “Watching you guys was crazy, oh my God”, said one woman cyclist to a male teammate. The men tended to clump in two or more packs, while the women stretched out into lines.

“On the wheel! On the wheel!” spectators shouted to their favorites, encouraging them to get behind another cyclist and benefit from the leader cutting air resistance ahead of them.

Shifting groups of spectators scattered along the route, while bemused passersby waited for the chance to cross the streets. A small procession in vestments went by on their way to services at the Saint Joseph of Arimathea chapel as one of the women’s races pedaled past in the other direction. The plaza in front of Kroeber Hall was littered with cycling equipment and vehicles as teams set up temporary support bases.

Although the racing was competitive, the atmosphere was festive and relaxed. Friendly spectators cheered racers who seemed to be struggling. There wasn’t the raucous outward school rivalry one sees at Cal basketball or football games. I stood next to a Cal team member who encouraged a USC cyclist from the sidelines as he came uphill well behind the pack.

Straw barricades edged the course at the sharp turns. Rain threatened, but held off most of the day as the contestants powered through their races. There was wet pavement and some crashes in the final men’s race, however.

The condition of Berkeley’s streets did not excite some of the racers. “It’s a grease pit out there”, said one man as he came off the course following an early race. Others warned of small potholes at the turn from Durant to Bowditch.

“Big thanks to everyone who came out for the Cal Criterium today. Great success!” the Cal team Twittered following the event.

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A new season of five Berkeley Historical Society walking tours starting April 2 and running through early June delves into the local history of tennis, art, the UC Berkeley campus, and two north Berkeley neighborhoods.

All the walks take place on Saturday mornings from 10 – 12 and are led by knowledgeable volunteer guides from the Berkeley community. Proceeds benefit the non-profit Berkeley Historical Society.

Tours cost $8 each for BHS members, $10 for non-members. Membership costs $20 per individual, $25 per family. For this tour season there’s a special offer for new members only, of a $40 package that includes membership and tickets for all five walks, for $40.

The first, on Saturday, April 2, is led by early leader and good friend of the Historical Society, Burl Willes. Author of three books—two of them about Berkeley, particularly his own Elmwood neighborhood—Willes will lead a tour of the historic Berkeley Tennis Club where he was a junior member in the 1950s, followed by a walk through the nearby neighborhood where artists including Richard Diebenkorn, Elmer Bischoff and David Park all lived. Willes will relate stories about their life in Berkeley.

Two weeks later, on Saturday April 16, the author will lead a tour he’s entitled “A Century of UC Student Life.” The early University of California did not provide special non-academic facilities so the students made do with their own innovations, including separate social halls for men and women and, finally, full-fledged student union structures in 1923, then again in the late 1950s.

1911 is the centennial of the construction of one of those facilities, Senior Women’s Hall, the only building Julia Morgan fully designed on the campus. We’ll pass it and Senior Men’s Hall, the 1923 Stephens Union, two buildings (including the whimsical Pelican Building) built just for student publications, and finish up at the California Student Center, a five building complex that is presently slated for a major series of renovations.

Saturday, April 30, the walks go to the North Cragmont neighborhood where longtime Berkeley expert and BHS docent John Underhill will lead a wander through public parks, private gardens, and neighborhood history, including tales of spying.

Saturday, May 21, the KALA Art Institute, founded in 1974 and now located in West Berkeley, will be the featured tour destination. Executive Director Archana
Horsting, a KALA co-founder, will guide the tour through the extensive facility where printmaking, printing, and photography are practiced and taught. There’s also an art gallery at KALA.

The walkseason winds up Saturday, June 4, with a tour of Selby Trail / Summit Road Loop in the North Berkeley Hills, led by Paul Grunland. He’ll take in a Tilden Park trail and some of Berkeley’s lesser-known pathways, and well as the early history of subdivisions around the Shasta Road firehouse. The tour will reach the highest point in the Berkeley City limits, with 360-degree views.

The first two walks are wheelchair accessible; the Cragmont and Selby Trail walks are not, and the KALA Institute tour includes two interior staircases.

If you are interested in going on the tours, send a note to BHS, PO Box 1190, Berkeley California, 94701, or call 510-848-0181.

Include your name, address, the tours you’d like to go on, the number in your party, and payment (checks to Berkeley Historical Society), as well as your phone number and e-mail, if available. You’ll be notified of the starting point.

You can also drop by the Berkeley History Center, 1931 Center Street, on Thursdays through Saturdays, 1-4 pm, to sign up.

There’s a limit on the number of attendees per walk, so make your reservation soon.

Many of the tours do sell out.

The Berkeley Historical Society also has a new website at the address below, where the tour flyer, with further descriptive details, is posted.

http://www.berkeleyhistoricalsociety.org/

(The author is the First Vice President of the Berkeley Historical Society and will be leading the April 16, 2011 walk.)

Opinion

Should the Berkeley Police Department Use Facebook?

By Thomas Lord

Tue Mar 15 15:27:00 -0700 2011

Recently, the local blog Berkeleyside wondered aloud whether or not Berkeley Police should be using Facebook to communicate with the public. They cited examples of other cities that have started using Facebook and Twitter, apparently to good effect.

I’m not so enthusiastic about the idea.

It would be bad policy for Berkeley to use the social networks we’ve got if the end result was a de facto requirement: citizens who want to be well informed, say, by the police department - must sign up for Facebook and/or Twitter. Yet if the Berkeley Police’s main wide-reaching tool for publishing vital information becomes Facebook or Twitter, residents who want to be well informed will have no choice but to sign up. It will be a de facto requirement.

Whatever useful information the City might choose to provide via those social networks, it ought to take care to provide the same information in other, better ways. (I suggest email, text messages, and City web pages, for starters.)

One problem with the social networks is privacy and another is robustness.

On privacy:

To use something like Facebook raises enormous privacy concerns that most people don’t fully understand. Using Facebook makes it easier for advertisers and other firms to track what web sites you visit and when. It allows various firms to “map out” your social relations. Employers increasingly consult databases derived from social networks. Data taken from Facebook is implicated in something like 20% of all divorce filings. Facebook allows law enforcement, often with no warrant required, to examine all of your Facebook materials including records of when you use the site and from where. If they are interested in you, your friends might be searched as well. If they are interested in a friend of yours, you might be searched. In countries where the government behaves oppressively, social networks can and have been used to identify whom to crack down upon. (Facebook is one of the worst examples though all of the social networking firms have their problems.)

At all of these services, surveillance by unauthorized employees is also a very real possibility and in some cases has been documented to occur. This creates back-channels wherein neighbors may spy upon neighbors, or criminals upon snitches.

Berkeley’s own Public Policy Clinic at the University of California, Berkeley, School of Law (Samuelson Clinic), the Samuelson Law Firm and the Electronic Frontier Foundation have been investigating the privacy issues for years. For more information, here is a good place to start:

http://www.eff.org/issues/social-networks

On Robustness:

A concentration primarily on using these large social networking firms to communicate City business would be poor policy because their continued operation is not assured. At any time, the firms may choose to alter the functioning of their services in ways that negate prior investments made by “clients”. Twitter is particularly notorious for doing this, lately. These services are not purpose built for communications between government and citizens and when their business models require it, they will change as the see fit.

Joining a trend in which many urban police departments concentrate on, say, Facebook is especially foolish. A determined attacker with cause to disrupt many police communications at once has but one target (Facebook) to concentrate upon rather than many targets. That makes the attacker’s job less expensive.

In conclusion:

It’s a nice thought, Berkeleyside, but please be careful what you wish for. Trendy though it may be, the popular social networking sites are not the best tool for this job.

The robustness and privacy problems do not imply that the City must not ever make good use of social networking for communication with the public. Those concerns do mean, though, that any such communication must be secondary: a merely convenient afterthought to simpler, more robust communication solution that better respects privacy.

I should explain that I am Tom Lord and make a disclaimer. I’ve been a computer programmer for about 25 years and a user of the Internet for almost all of those years. This article is critical of the privacy practices of certain “social networking” companies, especially Facebook. You should know, therefore, that some of my current technical work is in support of something called the “Freedombox Project”.

The Freedombox project was started in response to the important role that social networking as played in a wide variety of recent historic events. The project is driven by observing the ways in which government and today’s social networking firms interact, often to the harm of ordinary people. The project is also driven by observing the way these firms conspire with other firms to systematically diminish the personal privacy of their users.

The Freedombox project is assembling technology - most of which already exists but in scattered form - to give users an alternative, more private, more robust environment for things like social networking. It is primarily a volunteer project supported by hundreds of engineers from around the
world.

Recently a non-profit organization was created to help organize and lead the project. For these reasons my criticisms of Facebook and Twitter could be criticized as self-serving. I don’t think they are. I think I would write these criticisms even if the Freedombox project did not exist. However, that is my disclaimer. I do not represent or speak for the Freedombox Foundation, but if you would like to learn more about the Freedombox project, here is a link:

To comment on this opinion or see comments, click here.

Sunshine Week Commentary: The U.S. is alone among western democracies in protecting “hate speech.” Chalk it up to a healthy fear of government censorship.

By Peter Scheer

Tue Mar 15 21:29:00 -0700 2011

An inebriated John Galliano, sitting in a Paris bar, unleashes an anti-semitic rant (“I love Hitler”) that is captured on a cellphone camera and posted on the internet. Within days the Dior designer is not only fired from his job, but is given a trial date to face criminal charges for his offensive remarks.

In the same week, the U.S. Supreme Court extends First Amendment protection to the homophobic proclamations of a fringe religious group whose founder and members, picketing near a funeral for an American soldier killed in Iraq, hold signs stating, among other things, “Thank God for Dead Soldiers,” “God hates fags” and “You’re Going to Hell.” The Court, in Snyder v. Phelps, bars a suit against the religious group for damages because the demonstrators’ message, although causing “emotional distress” to the dead soldier’s family, dealt with “matters of public concern.”

The contrast between these cases reflects fundamentally different views about the role of free speech in a democracy. France, hardly an intolerant or autocratic country, imposes criminal fines for racial epithets, Holocaust-denial, anti-immigrant advocacy and other forms of “hate speech.” And the French are not alone. To varying degrees, Germany, the Netherlands, New Zealand, South Africa and Canada—liberal democracies, all—enforce similar laws banning hate speech.

The United States is an outlier when it comes to freedom of expression. Although we share other countries’ repugnance for hate speech, particularly the race- and religion-baiting variety, the First Amendment reflects a uniquely strong aversion to government censorship of any kind. As interpreted in Supreme Court decisions going back nearly a century, the First Amendment forbids government suppression of ideas, no matter how vile, deranged or offensive—as long as the speaker doesn’t cross the line separating speech and illegal action (or succeed in inciting others to engage in violent crimes).

Galliano, if he lived in New York, could not be prosecuted for giving vent to his bigoted views. (His defenestration from Dior, on the other hand, likely would stand.) In New York he would be a free man, although there are certain neighborhoods in Brooklyn and elsewhere that Galliano would be well-advised to avoid (to paraphrase Humphrey Bogart in “Casablanca.”)

The Constitution’s protection of hateful speakers and their hateful speech is based on considerations that are fundamentally pragmatic. One is the insight that trying to block the spread of an idea is self-defeating because it serves only to give that idea legitimacy—why else would government wish to discredit it?—and, by making the idea illicit, to increase its appeal and potential audience. This hypothesis is supported by the experience of China and other autocratic governments in censoring the internet.
The First Amendment also reflects the view that the best way to neutralize a bad or dangerous idea is to force it to compete in an open “marketplace of ideas” where its defects and shortcomings will be exposed through debate. For example, blogger-critics of Galliano—whose background is Jewish and Gypsy—were quick to skewer him with the observation that his affection for Hitler would have been reciprocated, during World War II, with a one-way trip to Dachau. France’s piling on of criminal charges is hardly necessary to discredit Galliano’s views.

Still another consideration embedded in First Amendment cases is the prevention of self-censorship caused by uncertainty about what is, and isn’t, protected. The Court has sought to minimize this uncertainty by adopting rules, in the case of expression about public officials or issues of public importance, that are highly speech-protective—even to the point of protecting expression that is false or extremely hurtful.

To foreigners, America’s protection of hate speech is baffling because the rants of bigots and hate mongers are not worth protecting. Americans do not really disagree. Let’s be frank, the speech of the religious extremists in the Snyder v. Phelps case, like Galliano’s tirade in a public bar, has absolutely zero social value. We nonetheless protect such speech, not out of an excess of tolerance, but because even more than hate speech we fear a government that has the power to decide what speech to protect and what speech to ban.

Intolerance of censorship is a powerful First Amendment value. It is a value worth remembering, and honoring, during Sunshine Week.

Peter Scheer, a lawyer and journalist, is Executive Director of the First Amendment Coalition, a nonprofit organization dedicated to protecting freedom of speech and the public’s right to know. www.firstamendmentcoalition.org

To comment on this opinion or see comments, click here.

Why is the New York Times Bashing Environmentalists?
By Randy Shaw
Tue Mar 15 22:43:00 -0700 2011

With corporations and their Republican backers in an all-out push to rollback environmental protections, one would think the New York Times could be counted upon for accurate stories rebutting these attacks. Unfortunately, the Times has become an independent source of green disinformation, including two major pieces this past weekend—one on the front-page—that falsely accuse environmentalists of being green hypocrites. Is the nation’s leading newspaper now getting its environmental information from Glenn Beck?

Enviros Oppose New Light Bulb Standards?
On Saturday, March 12, the Times ran a front-page story, “Give Up a Familiar Light Bulb? Not Without a Fight, Some Say” that described a law signed by George W. Bush in 2007 that expedited the shift from traditional incandescent to fluorescent light bulbs. The article cites conservatives like Michelle Bachmann and Rand Paul opposing the shift, and says such opposition has been adopted by those associated with the Tea Party.

So far, no surprises.

But then the Times claims that “while they are not unanimous on the issue, some environmental activists counter that by saying the mercury in a single fluorescent bulb is less than what some power plants throw into the atmosphere while generating the electricity it takes to light one incandescent bulb.”

Guess how many environmentalists the Times quotes to support this claim? That’s right—zero. Not one.

But this omission does not stop the editors from using a pull quote that states, “Conservatives and environmentalists resist a 2007 law.”

Even if no environmentalists are cited (even though it is not hard to find some person claiming to be an environmentalist who is willing to say anything, regardless of their lack of credibility). The front-page placement of this outrageous story should have enviros flooding the paper’s public editor, Arthur Brisbane. He’s at public@nytimes.com

Progressive Environmentalists are Hypocrites?
The Times followed up its light bulb story with a March 13 article, “Not in My Liberal Backyard.” The goal of this piece was to depict progressive enviros as hypocrites for allegedly opposing green developments in such liberal bastions as Berkeley, Cape Cod and Park Slope.

According to the article, “policymakers in the United States have been repeatedly frustrated by constituents who profess to worry about the climate and count themselves as environmentalists, but prove unwilling to adjust their lifestyles or change their behavior in any significant way.”

Nobody from Berkeley was quoted in the story, which makes perfect sense, since the author’s claim that opposition to a full bus rapid transit system on Telegraph Avenue was a function of “nimbyism” is a bald-faced lie. There’s certainly nothing new about the mainstream media trying to find hypocrisy in the most environmentally forward thinking city in the United States, but opposition to that particular BRT route had everything to do with sound transit planning and nothing to do with nimbyism.

As for the often written about opposition to wind turbines in Cape Cod: when did Cape Codders become identified with progressive environmental activism?

The Park Slope bike lane issue, which the Times is particularly consumed with, involves a group of residents filing a lawsuit to remove a nine-month-old bike lane on Prospect Park West.

Does this lawsuit in any way mean that many, most, or even a meaningful number of Park Slope residents oppose the bike lane? No.

Does the Times provide any evidence that such is the case?
Of course not.

Better to rely on false assumptions to craft together a story that affirms the conservative view that people who care about the environment are hypocrites.

Great work, New York Times. I suppose we can now expect to read accounts from public employees in Madison who are happy they have lost collective bargaining, and about all the great work the Koch brothers are doing for humanity.

Oops! I forgot that the Times already ran such a story on March 5, “Cancer Research Before Activism, Billionaire Conservative Donor Says.” No wonder Glenn Beck’s ratings are down—who needs Beck, when you can read a puff piece on the person leading the fight to destroy the planet in the New York Times?

Randy Shaw’s most recent book is Beyond the Fields: Cesar Chavez, the UFW and the Struggle for Justice in the 21st Century. Shaw is also the author of The Activist’s Handbook. He is a Berkeley resident.

UC Berkeley : Stop Wasting City Resources on Shows of Force
By Berkeley Copwatch
Wed Mar 16 10:33:00 -0700 2011
The student protests of March 3rd 2011 in support of education were inspiring and absolutely necessary. However, as UCB alum and long time residents of Berkeley, we are troubled by the massive and disproportionate police mobilization that we saw in front of Wheeler Hall that evening. We want this action to be reviewed for a number of reasons.

While it is true that eight students had stepped onto a balcony and chained their arms together, it is also true that they posed NO RISK to anyone. In fact, there was no disruption to campus life, other than that caused by the police. We were shocked to see officers from so many different police forces gathered as if some disaster had happened. Sadly, many of our Berkeley Police officers were lined up on the steps of Wheeler Hall, contributing to the fiction that some great threat to the campus was being addressed by these armed visitors.

We object to having our scarce city resources squandered on exaggerated responses to minor campus displays of protest and dissent. We want to see an evaluation of our city’s mutual aid pact with the UC and whether we should have to spend city money on unnecessary police aid. Perhaps this exaggerated response is part of the current trend of officers assigning themselves and other officers to duties whose main purpose is to net officers additional overtime pay.

We are also concerned by the following:

- BPD officers are PROHIBITED from using pepper spray in crowd situations. Who sprayed six UC students with this dangerous chemical?
- Why were BPD officers carrying munitions when they were less than two feet from peaceful protesters?
- Why were BPD officers intentionally provoking the crowd by moving forward with their clubs into the crowd that was listening to speeches? Were they trying to start an altercation of some sort?

Ask the important questions! Don’t let UCB use city cops to fight their battles for them. If UCB wants to parade their police presence at protests, it is up to the students to consider whether we should have to spend city money for education—not police overtime!

The student protests of March 3rd 2011 in support of education were inspiring and absolutely necessary. However, as UCB alum and long time residents of Berkeley, we are troubled by the massive and disproportionate police mobilization that we saw in front of Wheeler Hall that evening. We want this action to be reviewed for a number of reasons.

While it is true that eight students had stepped onto a balcony and chained their arms together, it is also true that they posed NO RISK to anyone. In fact, there was no disruption to campus life, other than that caused by the police. We were shocked to see officers from so many different police forces gathered as if some disaster had happened. Sadly, many of our Berkeley Police officers were lined up on the steps of Wheeler Hall, contributing to the fiction that some great threat to the campus was being addressed by these armed visitors.

We object to having our scarce city resources squandered on exaggerated responses to minor campus displays of protest and dissent. We want to see an evaluation of our city’s mutual aid pact with the UC and whether we should have to spend city money on unnecessary police aid. Perhaps this exaggerated response is part of the current trend of officers assigning themselves and other officers to duties whose main purpose is to net officers additional overtime pay.

We are also concerned by the following:

- BPD officers are PROHIBITED from using pepper spray in crowd situations. Who sprayed six UC students with this dangerous chemical?
- Why were BPD officers carrying munitions when they were less than two feet from peaceful protesters?
- Why were BPD officers intentionally provoking the crowd by moving forward with their clubs into the crowd that was listening to speeches? Were they trying to start an altercation of some sort?

Ask the important questions! Don’t let UCB use city cops to fight their battles for them. If UCB wants to parade their police force, don’t make the city pay. Save the money for education—not police overtime!

Speak out at the Police Review Commission, Wed. March 23rd, 7pm, South Berkeley Senior Center, 2939 Ellis Street (Near Ashby and below MLK)

Zionist Extremist Hate Crime Against Rabbi Lerner: 3rd Attack on His Home and the limits of “freedom of the press”

From Tikkun Magazine
Wed Mar 16 10:36:00 -0700 2011

Only one day after Rabbi Lerner presented the Tikkun Award to South African Justice Richard Goldstone, at a celebration of Tikkun’s 25th Anniversary attended by over 600 people at the University of California, Berkeley, Rabbi Lerner’s home was again assaulted by extremist Zionist haters who plastered posters over his home once again. This is the 3rd assault on his home since Lerner announced the award to Justice Goldstone whose report on Israel’s human rights violations during the Israeli assault on Gaza in Dec. 2008 and Jan. 2009 was denounced by the State of Israel and by the AIPAC-dominated House of Representatives last year. You would not have known about the 2nd attack, which was reported to the police but not to the media because Lerner had been advised that not giving the attackers attention might make future attacks less likely. That strategy failed.

Each time the posters have sought to display Lerner as either a tool of an evil Goldstone trying to hurt Israel. The current posters were done more professionally than the previous ones, and present a picture of Nazi officers carrying away a Jew. Lerner’s name is put on one of the Nazis and “Islamic extremists” is written on the other Nazi, and the innocent Jew is identified as the State of Israel. The perspective of the attackers is clear: “Rabbi Lerner is a Nazi assaulting Israel.” That is why the police have labeled this a “hate crime.”

What “freedom of the press” is there if an editor is subject to this kind of personal harrassment for expressing his views in his editorials and in the gatherings sponsored by the magazine? Anyone concerned about civil liberties should be concerned about this pattern of attacks on the private home of a magazine editor. And for those who believe that there is a new tone of civility in the Jewish world, well...it obviously has not impacted on right wing Zionist extremists. Please note, however, that we do not want to imply in any way that all Zionists are responsible directly or indirectly for this attack. The Zionist community in the U.S., while often demeaning Rabbi Lerner, has not shown any tendency toward violence or physical assaults on his person or property, and in our view would not likely do so. These have been the acts of a small group of extremists, and while the demeaning of Rabbi Lerner and Tikkun may have contributed to the climate in which these extremists believed they could get away with these assaults, there is no reason to believe, and we do not believe, that American Zionists as a whole either intended or approve of this kind of activity. And the Board of Rabbis of Northern California publicly critiqued the last attack on Rabbi Lerner’s home as did other Jewish leaders.

Assaults on free speech are best met by encouraging more speech. The obvious goal of these attacks is to intimidate and silence Tikkun, and since Tikkun is the largest circulation liberal/progressive Jewish magazine on-line and in print in the entire world, silencing Tikkun would be a huge victory for these extremists. People can assure that Tikkun stays alive by subscribing to Tikkun at www.tikkun.org, joining Tikkun’s interfaith education and social action organization The Network of Spiritual Progressives at www.spiritualprogressives.org, making a tax-deductible contribution to Tikkun (checks can be sent to Tikkun, 2342 Shattuck Ave #1200, Berkeley, Ca. 94704--our mailbox, not the actual address of the magazine’s office), and/or creating a local study group to read and discuss Tikkun articles every week, every two weeks, or once a month. You can also read Tikkun-on-line by going to our new web magazine each week to read the latest articles. You can also support us by joining other organizations that seek peace and reconciliation between Israel and Palestine, including J. Street, Jewish Voices for Peace, Americans for Peace Now, The New Israel Fund and B’tselem.

Letters to the Editor

Torture; Charity; Those Old Tea Partyers; Who Pays for PGE’s Misdeeds? Union Busting; No War

Torture

Obama’s endorsement of the torture of Manning follows his order Monday to resume the drum-head military tribunals at Guantanamo and hold 48 of the 172 remaining detainees under indefinite detention without any form of legal process. He is, no less than his predecessor, an accomplice in the sadistic abuse and torture of prisoners both at Guantanamo and on the US mainland.

R.G. Davis, Ph.D.
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Charity

I keep a manila folder on my desk at all times for easy reference. It’s labeled “Charities” and fairly bulges with appeals from dozens of charitable foundations
Budget deficit came about because of cuts in corporate taxes.

This month long smackdown in Wisconsin was not really about the budget deficit, but about busting unions with an eye on the 2012 election. Walker and Republican governors from adjoining states and around the country want to crush unions because they raise money and vote predominantly Democratic. Case in point: Police and firefighter unions who backed Walker last year were exempt from his attacks. Don’t be in the wrong union.

Ron Lowe

* * *

No War

James Madison’s often quoted dictum, “No nation can preserve its freedom in the midst of continual warfare,” reflected a view that was widely shared by the Founders. That concept was a basis for our Constitution’s provision that only Congress can declare war. Yet, today, America’s presidents start wars as if they were kings in old Europe. (Those wars, it should be noted, were a major reason our forefathers risked all to leave Europe.)

United States produces 9.0% the world total oil. In 2009, the U.S. imported about 52% of the crude oil and refined petroleum products that it used. In other words, America could have saved that much oil simply by being more conservative in their consumption rather than having to go to war to try to get back. But they’d rather go to war & lose tens of thousands of lives, & all the billions of dollars a war will cost, & God only knows what else!

We take a stand for the principle in Thomas Jefferson’s first inaugural address: “Peace, commerce, and honest friendship with all nations - entangling alliances with none. Imagine how much this war is costing them! If they would double the price of gasoline for years & years, that still will only be a minute drop in the bucket to what this war is costing them.

Ted Rudow III, MA

Columnists

Dispatches From The Edge: Pakistan’s Nukes :The U.S. Connection

By Conn Hallinan

Sun Mar 13 12:08:00 -0700 2011

Washington — New American intelligence
assessments have concluded that Pakistan has steadily expanded its nuclear arsenal since President Obama came to office...for the Obama administration the assessment poses a direct challenge to a central element of the President’s national security strategy, the reduction of nuclear stockpiles around the world.”—New York Times

The above words, written this past February, were followed by a Times editorial, titled “Pakistan’s Nuclear Folly,” decrying that “the weapons buildup has gotten too little attention,” and calling on Washington to “look for points of leverage” to stop it.

Well, the administration and the Times may be unhappy about Pakistan’s nuclear buildup, but it certainly should not have come as a surprise, nor is there much of a secret to the “points of leverage” that would almost certainly put a stopper on it: scupper the so-called 1-2-3 Agreement between the U.S. and India.

Back in 2003, Douglas Feith, then Under Secretary of Defense for Policy in the Bush Administration, pulled together a meeting of the U.S.-India Defense Policy Group to map out a blueprint for pulling New Delhi into an alliance against China. The code word used during the discussions was “stability,” but as P.R. Chari of the Institute for Peace and Conflict Studies noted, “What they really mean is how to deal with China.”

The Bush administration's designation of China as a “strategic partner” to “strategic competitor,” and in its U.S.-China Security Review concluded that Beijing is “in direct competition with us for influence in Asia and beyond” and that in “the worst case this could lead to war.” Another Pentagon document revealed by Jane’s Foreign Report argued that both India and the U.S. were threatened by China, and that “India should emerge as a vital component of US strategy.”

One of the obstacles to that alliance was the Nuclear Non-Proliferation Treaty (NPT), which blocks any country that is not a signer from buying nuclear fuel on the world market. Since neither India nor Pakistan has signed the Treaty, they can’t buy fuel from the 45-member Nuclear Suppliers Group. That has been particularly hard on India because it has few native uranium sources and has to split those between nuclear energy and nuclear weapons. The ban, however, is central to the NPT, and one of the few checks on nuclear proliferation.

But the Bush administration proposed bypassing the NPT with the so-called 1-2-3 Agreement that permitted India to purchase nuclear materials even though New Delhi refused to sign the Treaty. India would agree to use the nuclear fuel only in its civilian plants and open those plants for inspection by the International Atomic Energy Agency (IAEA). But the Agreement also allowed India to divert its own domestic supplies to its weapons program, and those plants would remain off the inspection grid. In short, India would no longer have to choose between nuclear power and nuclear weapons: it could have both.

In July 2008, Pakistan’s then Foreign Minister Khurshid Kusuri predicted that if the 1-2-3 Agreement went through, “The whole Nuclear Non-Proliferation Treaty will unravel,” and, in a letter to the IAEA, Pakistan warned that the pact “threatens to increase the chances of a nuclear arms race in the subcontinent.”

However, neither the Bush administration nor the Obama administration paid any attention to Pakistan’s complaints. The results were predictable. Pakistan ramped up its nuclear weapons program and may soon pass Britain as the fifth largest nuclear weapons nation in the world.

It also dug in its heels at the 65-nation 2011 Conference on Disarmament in Geneva and blocked a proposal to halt the production of nuclear weapons-making material. The 1-2-3 Agreement and the push to bring India into the Nuclear Suppliers group, warned Ambassador Zamir Akram, were “undermining the validity and sanctity of the international non-proliferation regime” and would “further destabilize security in South Asia.” The Fissile Material Cut-Off Treaty (FMCT) is a priority for the Obama administration.

Islamabadis not alone in its criticism of the 1-2-3 Agreement or the FMCT. A number of nations are challenging NPT signers, including the U.S., China, Russia, Britain and France, to fulfill Article VI of the NPT that requires the elimination of nuclear weapons. While the U.S. and Russia have reduced their arsenals, both still have thousands of weapons, and the Americans are in the process of modernizing their current warheads.

Pakistanis a far smaller country than India, and would likely face defeat in a conventional conflict. It has already lost three wars to India. Its ace in the hole is nuclear weapons, and some Pakistanis have a distressingly casual view of nuclear war. “You can die crossing the street, or you could die in a nuclear war,” remarked former Pakistan army chief Gen. Mirza Aslam Beg. A BBC poll found that the Pakistani public has an “abysmally low” understanding of the threat.

Many Indians are not much better. Former Indian Defense Minister Georges Fernandes commented that “India can survive a nuclear attack, but Pakistan cannot.” And that same BBC poll found that for most Indians “the terror of a nuclear conflict is hard to imagine.”

Both countries have recently rolled out cruise missiles that are capable of carrying nuclear warheads. The Pakistani Haf-7, or “Babur,” has a range of almost 500 miles and a speed of 550 miles. It appears to have been copied from the U.S. BGM-109 “Tomahawk,” several of which crashed in Pakistan during 1998 air strikes against Afghanistan. The Indian PJ-10 BrahMos cruise has a shorter range—180 miles—but a top speed of 2100 mph. India and Pakistan also have ballistic missiles capable of striking major cities in both countries.

In its editorial declaiming Pakistan as guilty of “nuclear folly,” the Times pointed out that “Pakistan cannot feed its people [or] educate its children.” Neither can India. As a 2010 United Nations Development Program report discovered, as bad as things are in Pakistan, life expectancy is lower in India, and the gap between rich and poor is greater. In fact, neither country can afford large militaries—Pakistan spends 35 percent of its budget on arms, and India is in the middle of a $40 billion military spending spree—and a nuclear war would not only destroy both countries, but also profoundly affect the entire globe.

Nuclear weapons are always folly, but what is sauce for the goose is sauce for the gander. The U.S. currently spends in excess of $1 trillion a year on all defense and security related items, while our education system is starving, our infrastructure is collapsing, and hunger and illiteracy are spreading. If the Times wants to ratchet down tensions in South Asia, let it call for dumping the 1-2-3 Agreement and beginning the process called for in Article VI of the Nuclear Non-Proliferation Treaty: “Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measure relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty of general and complete disarmament under strict and effective international control.”

Conn Hallinan can be read at dispatches-fromtheedgeblog.wordpress.com
Dispatches From The Edge: The CIA, Pakistan & Tangled Webs
By Conn Hallinan
Sun Mar 13 12:10:00 -0700 2011

Was American CIA agent Raymond Davis secretly working with the Taliban and al-Qaeda to destabilize Pakistan and lay the groundwork for a U.S. seizure of that country’s nuclear weapons? Was he photographing sensitive military installations and marking them with a global positioning device? Did he gun down two men in cold blood to prevent them from revealing what he was up to? These are just a few of the rumors ricocheting around Islamabad, Lahore and Peshawar in the aftermath of Davis’s arrest on Jan. 27, and sorting through them is a little like stepping through Alice’s looking glass.

But one thing is certain: the U.S. has hundreds of intelligence agents working in Pakistan, most of them private contractors, and many of them so deep in the shadows that Pakistan’s intelligence agency, the Directorate for Inter-Services Intelligence (ISI), doesn’t know who they are or what they are up to. “How many more Raymond Davises are out there?” one ISI official asked Associated Press.

Lots, it would appear. Five months ago, the Pakistani government directed its embassies in the U.S. to issue visas without letting the ISI or Pakistan’s Interior Ministry vet them. According to the Associated Press, this opened a “floodgate” that saw 3,555 visas for diplomats, military officials and employees issued in 2010.

Many of those visas were for non-governmental organizations and the staff for the huge, $1 billion fortress embassy Washington is building in Islamabad, but thousands of others covered consular agents and workers in Lahore (where Davis was arrested), Karachi and other cities. Some of those with visas work for Xe Services (formally Blackwater), others for low-profile agencies like Blackbird Technologies, Glevum Associates, and K2 Solutions. Many of the “employees” of these groups are former U.S. military personnel—Davis was in the Special Forces for 10 years—and former CIA agents. And the fact that these are private companies allows them to fly under the radar of congressional oversight, as frail a reed as that may be.

How one views the incident that touched off the current diplomatic crisis is an example of how deep the differences between Pakistan and the U.S. have become.

The Americans claim Davis was carrying out surveillance on radical insurgent groups, and was simply defending himself from two armed robbers. But Davis’s story has problems. It does appear that the two men on the motorbike were armed, but neither fired their weapon and, according to the police report, one did not even have a shell in his pistol’s firing chamber. Davis apparently fired through the window of his armored SUV, then stepped out of the car and shot the two men in the back, one while attempting to flee. He then calmly took photos, called for backup, climbed into his car, and drove off. He was arrested shortly afterwards at an intersection.

The Pakistanis have a different view of the incident. According to Pakistani press reports, the two men were working for the ISI and were trailing Davis because the intelligence agency suspected that the CIA agent was in contact with the Tehrik-e-Taliban, a Pakistani group based in North Waziristan that is currently warring with Islamabad. As an illustration of how bizarre things are these days in Pakistan, one widespread rumor is that the U.S. is behind the Tehrik-e-Taliban bombings as part of a strategy to destabilize Pakistan and lay the groundwork for an American seizure of Islamabad’s nuclear arsenal.

The ISI maintains close ties with the Afghan Taliban based in Pakistan’s Baluchistan Province, as well as its allies, the Hizb-e-Islami and the Haqqani Group. All three groups are careful to keep a distance from Pakistan’s Taliban.

Yet another rumor claims that Davis was spying on Lashkar-e-Taiba, a group with close ties to the ISI that is accused of organizing the 2008 massacre in Mumbai, India. The Americans claim the organization is working with al-Qaeda, a charge the Pakistanis reject.

When Davis’s car was searched, police turned up not only the Glock semi-automatic he used to shoot the men, but four loaded clips, a GPS device, and a camera. The latter, according to the police report, had photos of “sensitive” border sites. “This is not the work of a diplomat,” Punjab Law Minister Rana Sanaullah told the Guardian (UK), “he was doing espionage and surveillance activities.”

The shooting also had the feel of an execution. One of the men was shot twice in the back and his body was more than 30 feet from the motorbike, an indication he was attempting to flee. “It went way beyond what we define as self-defense,” a senior police official told the Guardian (UK), “it was not commensurate with the threat.” The Lahore Chief of Police called it a “cold-blooded murder.”

The U.S. claims that Davis is protected by diplomatic immunity, but the matter might not be as open and shut as the U.S. is making it. According to the Pakistani Express Tribune, Davis’s name was not on a list of diplomats submitted to Pakistan’s Foreign Ministry on Jan. 25. The day after the shooting the embassy submitted a revised list that listed Davis as a diplomat.

Washington clearly considered Davis to be important. When he asked for backup on the day of the shooting, another SUV was dispatched to support him, apparently manned by agents living at the same safe house as Davis. The rescue mission went wrong when it ran over a motorcyclist while going the wrong direction down a one-way street.

When the Pakistani authorities wanted to question the agents, they found that both had been whisked out of the country.

Almost immediately the Obama administration sent Sen. John Kerry, chair of the Senate Foreign Relations Committee, to Islamabad to apologize and pressure Pakistan to release Davis. But the incident has stirred up a hornet’s nest in Pakistan, where the CIA’s drone war has deeply alienated most Pakistanis. Opposition parties are demanding that the CIA agent be tried for murder.

A hearing on the issue of whether Davis has diplomatic immunity will be heard Mar. 14.

In the meantime, Davis is being held under rather extraordinary security because of rumors that the Americans will try to spring him, or even poison him. Davis is being shielded from any direct contact with U.S. officials, and a box of chocolates sent to Davis by the Embassy was confiscated.

The backdrop for the crisis is a growing estrangement between the two countries over their respective strategies in Afghanistan.

The U.S. has stepped up its attacks on the Afghan insurgents, launched a drone war in Pakistan, and is demanding that Islamabad take a much more aggressive stance toward the Taliban’s allies based in the Afghan border region. While Washington still talks about a “diplomatic resolution” to the Afghan war, it is busy blowing up the very people it will eventually need to negotiate with.

This approach makes no sense to Pakistan. From Islamabad’s point of view, increasing attacks on the Taliban and their allies will only further destabilize Pakistan, and substitutes military victory for a diplomatic settlement. Since virtually every single independent observer think the former is impossible, the current U.S. strategy is, as
Pakistan wants to insure that any Afghan government that emerges from the war is not a close ally of India, a country with which it has already fought three wars. A pro-Indian government in Kabul would essentially surround Pakistan with hostile forces. Yet the Americans have pointedly refused to address the issue of Indian-Pakistan tension over Kashmir, in large part because Washington very much wants an alliance with India.

In short, the U.S. and Pakistan don’t see eye to eye on Afghanistan, and Islamabad is suspicious that Americans like Davis are undermining Pakistan’s interests in what Islamabad views as an area central to its national security. “They [the U.S.] need to come clean and tell us who they [agents] are, what they are doing,” one ISI official told the Guardian (UK). “They need to stop doing things behind our back.”

There are a lot of unanswered questions about the matter. Was the ISI onto Davis, and was he really in contact with groups the Pakistani army didn’t want him talking to? What did Washington know about Davis’ mission, and when did it know it? Did Davis think he was being held up, or was it a cold-blooded execution of two troublesome tails?

Rumor has it that the CIA and the ISI are in direct negotiations to find an acceptable solution, but there are constraints on all sides. The Pakistani public is enraged with the U.S. and resents that it has been pulled into the Afghan quagmire. On the other hand, there are many in Washington—particularly in Congress—who are openly talking about cutting off the $1.5 billion of yearly U.S. aid to Pakistan.

What the incident has served to illuminate is the fact that U.S. intelligence operations are increasingly being contracted out to private companies with little apparent oversight from Congress. At last count, the U.S. Defense Department had almost 225,000 private contractors working for them.

The privatization of intelligence adds yet another layer of opacity to an endeavor that is already well hidden by a blanket of “national security,” and funded by black budgets most Americans never see. The result of all this is a major diplomatic crisis in what is unarguably the most dangerous piece of ground on the planet.

Wild Neighbors: The Strange Case of the Sickle-billed Chickadees

By Joe Eaton
Mon Mar 14 16:11:00 -0700 2011

There’s a web site that compiles observations posted to birding newsgroups all over California; I try to check it out every couple of days. That’s how I heard about the deformed raven in Redwood City. On March 7, Ken Schneider noticed a raven with “a pronounced bill deformity,” “greatly elongated and decurved,” eating cat food on the sidewalk near his garage. Schneider thought this was noteworthy because he was aware of a recent phenomenon first described in Alaska but now documented in British Columbia and Washington State as well: a growing incidence of birds with missshapen beaks.

The US Geological Survey, whose scientists have been investigating whatever is going on, has representative images on its web site. The most common variation seems to be an extended and down-curved upper mandible, comparable to that of a curve-billed thrasher or a curlew. Sometimes the mandible tips cross. Some birds have a gap between the cutting edges of the upper and lower mandibles. In at least one specimen, the tip of the bill curves to one side.

Needless to say, none of these anomalies are very functional. Affected birds have trouble feeding and maintaining their plumage. The condition involves only the rhampotheca, the keratinous layer that overlies the bones of the beak; the bone itself is unaffected.

The USGS team (yes, the agency’s purview goes far beyond geology; other USGS biologists study ducks and rails in San Francisco Bay) has a pair of articles about the rash of deformities in a recent issue of The Auk, the journal of the American Ornithologists’ Union. The authors report that beak deformities have been documented in 30 species of Alaskan birds—waterbirds, raptors, woodpeckers, and songbirds--since 1979.

The most severely affected species are the black-capped chickadee (2160 cases from 1991 to 2008) and the northwestern crow (148 cases from 1979 to 2009.) The chickadee is a common northern-forest bird whose range barely extends into coastal northern California. The crow, a smaller edition of the ubiquitous American crow, occurs from Puget Sound northward. The seed- and insect-eating chickadee and the omnivorous and opportunistic crow would seem to have little in common ecologically. (Only a handful of deformities have been observed in boreal and chestnut-backed chickadees, close relatives and sometimes neighbors of the black-capped.)

Lead author Colleen Van Handel and colleagues have been trying to narrow down the list of suspected causes. So far, Sarah Palin has not been directly implicated. Although affected birds show significant DNA damage, the scientists don’t think the condition, which they’ve named avian keratin disorder, is congenital. It’s seen only in adult birds, not in embryos or hatchlings. Some chickadees that had normal beaks when first trapped and banded turned up with malformations the following year. A few subjects had a fungal infection; most did not. There was no evidence of infection by bacteria, viruses, or bites, all of which have been known to cause beak deformities.

What about contaminants? The USGS web site refers to a number of possible sources: pesticides used against bark beetles, fire retardants deployed in several large forest fires, agricultural pesticides and herbicides, chemicals from military installations in Anchorage, and multiple superfund sites. Superfund sites in Alaska?! In terms of known problematic chemicals, the birds don’t show the symptoms associated with selenium poisoning (remember the Kesterson National Wildlife Refuge scandal?) or with exposure to PCBs. However, PCB levels were high in chickadees at all life stages, and were correlated with deformities in adults. But correlation doesn’t establish causation.

Could a dietary deficiency be responsible? Black-caps, like other chickadees, appreciate bird feeders. Apparently an all-seed diet can be low in vitamins A and D and folic and pantothenic acids, and its high fat content can interfere with calcium uptake. Again, though, the symptoms are different from those indicative of low calcium, which would also have affected the bone. or vitamin deficiency. Chickadees are not long-distance travelers, and deformed individuals...
have been found in remote areas of Alaska where bird feeders are few and far between. And an excess of seeds wouldn’t account for the northwestern crows, which, like most crows, will eat just about anything.

The fact that some chickadees also had overgrown claws (which, like our nails, are made of keratin) suggests some kind of systemic keratin problem. But the incidence of deformed claws, less than one percent of the sample, was much lower than that of deformed beaks. Research continues, both on how the condition develops and how well its victims are able to survive and reproduce. One intriguing line of work involves stable isotope analysis of the blood and feathers of crows and chickadees to see if the diets of normal and deformed birds differ.

Since media coverage of the phenomenon has increased, USGS has received a handful of deformed chickadee reports from Washington State to Maine and Quebec. Most sightings of deformed northwestern crows are Alaskan, but some have been seen in British Columbia and Washington State. We can only conjecture where the Redwood City raven came from, or what was wrong with it. Any observations of beak anomalies, in any species of bird, should be reported to the USGS website.

The Public Eye: Suffer the Little Children

By Bob Burnett
Sun Mar 13 11:09:00 -0700 2011

When I was growing up in the fifties, my parents, grandparents, and all the adults I knew lived an ethic of sacrifice. During the Great Depression and World War II they’d learned it was sometimes necessary to sacrifice for our children. This moral precept used to be shared throughout the US, but recently it’s been lost. As a consequence, Congress now threatens to abandon America’s children.

Americans cherish the notion that we are the number one nation on earth; that no matter what the metric is the US comes out ahead of other countries. But that’s far from the truth when the focus is on how we treat our children. A recent study rated developed nations in terms of a children’s index and the US came in 34th out 43 – Sweden was number 1 and Bosnia 43; Canada was 21 and England 24. The Children’s Index included infant mortality and in 2009 the US had an infant mortality rate of 6.3 percent. According to the UN that placed us 33rd among 195 nations (the CIA ranked us 46th among 226 nations) – Iceland was number 1, while England and Canada were 22 and 23. Furthermore, among industrialized nations only Mexico has a higher percentage of children living in poverty than does the US.

We’re not only not number one in terms of how we treat our children, but over time our ranking has deteriorated. Why? What’s happened to us?

Despite our differences on other issues, Americans once agreed on the necessity for caring for all our children. For Christians this ethic stemmed from Jesus’ teaching, “And who shall receive one such little child in my name receiveth me.” (Matthew 18) For legalists, the admonition derived from the Parens Patriae concept in English common law, the notion that the King was ultimately the “father” of all children and, therefore, the state could intercede to protect them. Then something shifted in our collective morality.

Perhaps this change can be attributed to a new generation of conservative Christian doctrine that pays more attention to whether or not an individual adheres to the dogma of a particular denomination rather than whether the believer follows the teachings of Jesus. Thus, while the US continues to be a “Christian” nation, there has been savage in-fighting among the factions and our children have often been the “collateral damage.”

Perhaps it’s the new racism. Starting with Ronald Reagan’s successful 1980 presidential campaign, Republicans – as part of their “Southern strategy – adopted “stealth” racism. It became politically incorrect to denigrate people-of-color because of their race or ethnicity and instead politicians suggested that minorities did not deserve the same privileges as white folks because they were “lazy” – this was the import of Reagan’s infamous “welfare queen” remark. This stance “justified” cutting back on welfare, housing, medical assistance, education, and social support in general on the grounds that people-of-color were leeches. And in this blanket indictment, children were dismissed along with their parents.

Perhaps we’ve gotten lazy. In a recent TIME magazine article, journalist Fareed Zakaria proffered a simple explanation for our ethical deterioration: “America’s success has made it sclerotic.” In metric after metric the US has fallen from number one to a lower rank: we’re now number 6, among developed nations, in higher-education enrollment, number 28 in “perception that working hard gets you ahead,” number 84 in “domestic savings rate” and on and on.

As Americans have grown complacent, our political discourse has been dumbed down. These days politicians make exaggerated statements and US voters lap it up without questioning the truth of what they hear. We’re told “government is the problem” and tax cuts will solve all our woes. As political comedian Will Durst delights in pointing out, Americans now believe in “free beer;” many citizens appear to be convinced they can enjoy governmental services for free. As a consequence, Americans want good schools, but they don’t want to pay for them.

New York Times columnist Paul Krugman observed that the victims of this cavalier attitude are our children. America’s sclerosis threatens every aspect of child welfare from health services to education. For example, House Republicans propose to slash WIC the widely acclaimed program to feed pregnant women and infants. WIC is the acronym for the Special Supplemental Nutrition Program for Women, Infants and Children that provides care for low-income pregnant women, breastfeeding women, and infants and children under the age of five. It’s supported by overwhelming scientific data showing that prenatal and infant nutrition is the major determinant of a child’s health and intelligence. (Some Republicans also want to repeal child labor laws.)

Whatever the reason, America appears to have lost the ethic that it’s necessary to sacrifice in order to ensure our children have a better life. In fact, Republicans would rather cut Federal programs that benefit our children – programs that are demonstrably successful – than they would tax millionaires.

How low will Americans sink before we realize that our collective narcissism is jeopardizing the future of the US? Or are we willing to abandon our children?

Bob Burnett is a Berkeley writer. He can be reached at bobburnett@comcast.net

Eclectic Rant: Saint Patrick’s Day

By Ralph E. Stone
Sun Mar 13 11:09:00 -0700 2011

On March 17th, the Irish, the more than 70 million world-wide who claim Irish heritage, and the Irish-for-a-day, will be lifting a pint of Guinness, or something stronger, to toast Saint Patrick, the patron saint of Ireland. I bet corn beef and cabbage will be on many a menu. And many will be wearin’ the green. Why is it celebrated on March 17th? One theory is that is the day St. Patrick died and is now celebrated as his feast day.

The biggest observance of all will be, of
course, in Ireland. With the exception of restaurants and pubs, almost all businesses will close on March 17th. Being a religious holiday as well, many Irish attend mass, where March 17th is the traditional day for offering prayers for missionaries worldwide before the serious celebrating begins.

Saint Patrick’s Day wouldn’t exist if not for the man himself. Only two authentic letters from him survive, from which come the only universally accepted details of his life. Much of the rest is subject to some debate among scholars. Patrick is believed to have been born in the late fourth century about 387. He was born at Kilpatrick, near Dumbarton, in Scotland and died at Saul, Downpatrick, Ireland, March 17, 460 [some say 461 or 493]. His parents were Calpur-nius and Conchessa, who were Romans living in Britain in charge of the colonies. When he was about 14, he was captured from Britain by Irish raiders and taken as a slave to Ireland, where Patrick worked as a herdsman, remaining a captive for six years, before escaping and returning to his family. While a captive, he learned the language and practices of the people who held him.

He began his studies for the priesthood and was ordained four years later. Later, Patrick was ordained a bishop, and sent to take the Gospel to Ireland. He arrived in Ireland March 25, 433, at Slane. Patrick began preaching the Gospel throughout Ireland, converting many. He and his disciples preached and converted thousands and began building churches all over the country. Kings, their families, and entire kingdoms converted to Christianity when hearing Patrick’s message. After years of living in poverty, traveling and enduring much suffering, he died March 17, 460. He died at Saul, where he had built the first church.

Interestingly enough, Patrick was never canonized by the Pope. For most of Chris-tianity’s first 1,000 years, canonizations were done on the diocesan or regional level. Relatively soon after very holy people died, the local Church affirmed that they could be liturgically celebrated as saints as was done with Patrick. Nevertheless, various Christian churches declare that he is a Saint in Heaven -- he is in the List of Saints -- and he is widely venerated in Ireland and elsewhere.

Legend credits Patrick with banishing snakes from Ireland, though evidence suggests that post-glacial Ireland never had snakes. The stories of Saint Patrick and the snakes are likely a metaphor for his bringing Christianity to Ireland and driving out the pagan religions such as the Druids (serpents were a common symbol in many of these religions).

Another legend concerns the shamrock, the symbol of Ireland. Supposedly, Patrick used the shamrock, a 3-leaved clover, to teach the Irish about the concept of the Trinity, the Christian belief of three divine persons in the one God -- the Father, the Son, and the holy Spirit. The shamrock was sacred to the Druids, so his use of it in explaining the trinity was very wise.

Let’s have a toast to Saint Patrick, the patron saint of Ireland.

On Mental Illness: The Unceasing Challenges of Bipolar Illness
By Jack Bragen
Sun Mar 13 11:46:00 -0700 2011

This week I’m focusing on the difficulties of being bipolar, because so far I have given more attention to schizophrenic illness (due to the bias of convenience). Bipolar is sometimes thought to be a less severe disease than schizophrenia. People may believe this because bipolar people are more commonly brilliant or talented, while people with schizophrenia sometimes appear dull. (I have been told by a doctor that intelligence level is a separate issue from having or not having schizophrenia; yet schizophrenia affects the “harnessing” of intelligence.)

According to a psychiatrist who lectured at a NAMI meeting, people with bipolar lose functioning levels with increasing age, and with the wear and tear of repeated manic episodes. And this appears to be the opposite from people with schizophrenia, who are said to get “a reprieve” from the severity of their illness when old age approaches.

An episode of mania can be triggered by a few nights of insomnia, or it can occur for unknown reasons. This assumes that the person with bipolar is medication compliant. A manic episode can last a few weeks, or it can go on for months. A depressive episode can last more than a year, or sometimes can be over in a month or two. Manic episodes often include unusually high energy levels, rapid speech, exaggerated emotions and thoughts, extreme irritability, and can sometimes include becoming psychotic. Psychiatrists will often prescribe an anti-psychotic medication in an effort to control a manic episode.

For a person with bipolar going through mood swings, it is helpful when a good psychiatrist is very available, which is rare. A very “hands on” psychiatrist can adjust the medications according to what part of the cycle the patient is at, at any given time. However, this much availability is rare on an outpatient basis. (Most Kaiser and some County psychiatrists limit their visits with a patient to about fifteen minutes once a month.)

Sometimes it is challenging for a psychia-trist to treat depression in a person with bipolar because if they are too aggressive with antidepressants, it can trigger a manic episode.

Persons with bipolar can have a lonely time at night if their illness keeps them awake at all hours. Often but not always, the depressive phase of the illness is less intense than the mania, but lasts longer. Sometimes treatment professionals mistakenly believe a person strictly has depression because they are dealing with someone who has a very long cycle.

A person with bipolar may have periods of being in an “even keel.” During such times, a regular job becomes more plausible. If the person is up or down a lot, or has too much anxiety, they may need to avoid commitments. When not sleeping, it can be hard to avoid grouchiness. Someone with bipolar who works may require extra sick days, and this can be detrimental for their chances of holding a job.

One of the biggest challenges of being bi-polar or of having any mental illness for that matter is that you discover people are not your friend any more. When people find out that you’re bipolar, they automatically may think you’re “weird” or they may just write you off as someone who, to them, is no longer on their map. When someone becomes bipolar a little later in life, they may lose some of the “good things in life” that they took for granted. For example, a person’s spouse may leave, and that spouse may get custody of the children in the family.

A woman I interviewed for this week’s column, as a result of a later onset of the illness, became divorced, lost custody of one of her two children, lost her job in a very respected profession, and lost most of her friends. She continues to be in jeopardy of losing her house, which for her, is the last remnant of the life she once knew. She also said that the severe depression she experienced was the worst part of being bipolar, and that even on a good day, it is hard to focus. She used to be an avid reader, and now barely picks up a book.

With any mental illness whether bipolar, schizophrenia or depression, a later onset in life can be harder, because one had become accustomed to the good things that most people take for granted, and which are often
Senior Power: Bells, bonfires and illuminations...

By Helen Ripper Wheeler
Sun Mar 13 11:27:00 -0700 2011

It’s exactly one year since my first Berkeley Daily Planet SENIOR POWER weekly newspaper column. In 1776 John Adams didn’t exactly have it in mind when he wrote to Abigail that “…it will be celebrated by succeeding generations… with pomp and parade, with shows, games, sports, guns, bells, bonfires, and illuminations.”

On Saturday, March 5, 2011 afternoon I partook of outstanding free refreshments dispensed at “North” – the North Branch of the Berkeley Public Library, still at 1170 The Alameda. Swarms of kids, grown-ups horning around like kids, several senior citizens, and others were celebrating the beginning of the construction phase for the North branch library, part of the BPL’s Branch Renovation Project.

How does one celebrate the closing of a public library? For sure, not with bells, bonfires and illuminations. Library Board of Trustees chair Susan Kupfer introduced a panoply of local elected notables -- Tom Bates, Laurie Capitelli, Loni Hancock, Darrel Moore, Susan Wengraf. Each struggled to provide a few appropriate aphorisms. Berkeley High School senior Ally Glass-Katz, a student work program staffer at North and Central, also spoke.

It was not an occasion for discussion or getting information. No “Questions?” Later, outside, a staff member responded to “when will North close?” (by the end of March) and “for how long?” (12 months).

For a response to the question, What work will be done to North Branch? www.berkeleypubliclibrary.org provides some information: “Complete restoration and refurbishment of existing historic features and windows and an approximate 4,000 gross sq. ft. addition will be added to the Josephine Street elevation. In addition to improved structural integrity and accessibility, the branch will have improved site access, landscaping, exterior and interior lighting and will receive updated mechanical, plumbing, electrical and telecommunication systems. Additionally the branch will have a new meeting room, adequate staff workspace and fully accessible restrooms.”

The BranchVan was parked outside, open for a look-in (literally). It will function as a turn-around for books and other materials—holds to be picked up and media to be returned. Apparently, the public will not get/need to step inside; indeed, it is not wheelchair accessible. In short, it is not a bookmobile. It is a van. Good luck with those unbolted book carts. It is usually parked overnight at the curb on Bancroft Way. There have been “incidents” but an alarm system has not yet been installed.

A North Branch Temporary Closure Guide flier locates the BranchVan following North’s closure at Live Oak Community Center, Shattuck at Berryman, with the following schedule: Mondays and Fridays, 2:30-5:30 / Tuesdays and Saturdays, 10-1 / Wednesdays 12-3 / Thursdays 4:30-7:30. There are at least 2 bus routes that stop at North Branch, 2 parking places designated for disabled persons, and a ramp. My ‘take’ on bus routes is that none stops at Live Oak Community Center, although #’s 7 and 18 run along Shattuck near Berryman if you’re good for a walk uphill. A librarian confirmed but insisted that it is a mere slight grade.

The start of construction and closure of Claremont Branch, 2940 Benvenue Avenue, will be celebrated next Saturday, March 19, 2011 at 2 PM. The Claremont BranchVan stop will be at Garber Street and College Avenue, near St. John’s Presbyterian Church, with the following schedule: Mon and Fri: 10 – 1 / Tue and Sat: 2:30 – 5:30 / Wed: 4:30 – 7:30 / Thu: 12 – 3.

The opportunity to share information at this gathering about community service as a member of the highly selective Berkeley Library Board of Trustees was missed. Susan Kupfer’s term is about to expire. Recruitment closes on March 31st. The vacancy will be filled with an appointment effective May 13, 2011.

The BPL at www.berkeleypubliclibrary.org mentions this vacancy: “This volunteer position acts as a liaison between the general public and the library. The Library Board has the responsibility to see that the library is well-managed and operates in accordance with City of Berkeley regulations and policies approved by the Board itself. Contact the library at (510) 981-6195 for details…download an application and supplemental questionnaire (http://www.cityofberkeley.info).”

Think about libraries during Women’s History Month… librarians and other staff members, of both sexes and all genders, are important members of the public library community. A librarian who made a difference many years ago, albeit in my lifetime, was Clara Estelle Breed (1906-1994). Back in those days it was assumed by some people that not much went on in the lives of lady librarians, beyond the spectacles and reading all those books. Clara Breed took chances, risked her career and income by taking an activist stance during World War II.

Thirty-six year old Ms Breed was the San Diego Public Library’s first Children’s Librarian. She worked in the branch used by the city’s Japanese American children and young adults. Within four months of Dec. 7, 1941, San Diego Nikkei were forced to leave their homes, schools, jobs, and public libraries. At the train station, she distributed self-addressed post cards to “her children” and later, as she became aware of their locations over the months and years, sent them packages of books and other necessities that she purchased. She wrote about their condition and struggled to get it published in library literature.

I learned of her when I happened to tune into Book-TV as Joanne Oppenheim related her experiences writing Dear Miss Breed: True Stories of the Japanese American Incarceration During World War II and a Librarian Who Made a Difference. The audience included several of “her children” and many of their children at the Japanese American National Museum in Los Angeles (www.janm.org). It is a wonderfully illustrated and written book that can and should be read by adults and children. It is in several BPL collections, including North branch’s children’s collection.

DEADLINES:

Recruitment for the forthcoming vacancy on the Berkeley Public Library Board of Trustees closes on March 31st. The vacancy is to be filled with an appointment effective May 13, 2011. (510) 981-6195.

NEWS:

“Rising Calls to Replace Top Man at Medicare,” by Robert Pear (New York Times, March 8, 2011). Note: NYT may require free registration before providing articles online.

“Medicare could soon pick up tab for STD [sexually transmitted Diseases] testing for seniors,” by Bill Tolland (Pittsburgh Post-Gazette, March 8, 2011).

Oppose New York Governor Cuomo’s proposed 25 million dollar cut to senior centers (Title XX). According to the NYC Department for the Aging (DFTA), up to 10,000 seniors will find their centers closed or going through the closure process beginning April 1. This means 2.5 million fewer meals will be provided annually for older persons with mental illness.
New Yorkers. Every neighborhood in NYC stands to lose one or more senior centers. Once a center closes, it will never re-open, impacting future senior citizens.

**COMING UP:**

Wednesday, March 16, noon. 58th Annual Noon Concert Series. UCB Dept. of Music. (510)642-4864. Hertz Concert Hall, free admission:

University Symphony Orchestra: LE-ROUX. University Symphony Orchestra, David Milnes, conductor. Philippe Leroux: De la disposition; L’unicque trait de pinceau for saxophone and orchestra, David Wegg-haupt, soloist.

Friday, March 18, noon. DEATH AND THE MAIDEN. Tammy Lian, violin; Vivian Hou, violin; Alexey Drobizhev, viola; Rio Vander Stahl, cello Schubert: Death and the Maiden Quartet; String Quartet No. 14 in D minor D.

**READ:**

Dorothy Bryant’s book review of Lastingness: The Art of Old Age, by Nicholas Delbanco, in last week’s Planet issue.

**Helen Rippier Wheeler can be reached at pen136@dslextreme.com. No email attach-ments or phone calls.**

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**Arts & Entertainment**

**Film Review: Phil Ochs: There But For Fortune**

Reviewed by Gar Smith

**Tue Mar 15 23:24:00 -0700 2011**

There but for Fortune, a loving tribute to the remarkable career of political activist and balladeer Phil Ochs, is the film my generation has been waiting for. It embodies truths — both heady and unnerving — that will continue to draw the attention of any generation that still has a mind and a heart. Some 35 years after his suicide at the age of 35, Ochs’ songs are still remembered and sung. They inhabit the soul of anyone who passed through those turbulent times. There but for Fortune features nearly 40 Ochs’ songs and even more performance clips and stills that validate the compelling effect of his face and voice — a choirboy in cowboy boots — and one of the best songwriters of his generation.

I once shared a stage with Phil Ochs. (It was a makeshift stage at a big Vietnam Day event on the UC Berkeley campus. Phil was singing, Norman Mailer and Ken Kesey were speaking, and I was recording it as part of the KFPA radio team). I also shared a girlfriend with Phil Ochs. (But giving his attraction to the ladies, this was probably not an unusual claim.) Even without those links, Phil Ochs was an integral part of my life. I survived the Sixties and still find myself singing “Pleasures of the Harbor” in the shower. Phil, sadly, didn’t survive the Sixties. I remember being puzzled when he turned his back on proletarian mufti and climbed into a gold lamé Elvis suit. And I was shaken when the news came that Phil Ochs had committed suicide in 1976 at the age of 35.

There but for Fortune is a film my generation has been waiting for. It embodies truths — both heady and unnerving — that will continue to draw the attention of any generation that still has a mind and a heart.

The film begins with a quote from President John F. Kennedy about how the real enemy of truth is “not the lie, but the myth.” JFK’s words intertwine with Phil Ochs singing “When I’m Gone”:

“There’s no place in this world where I’ll belong when I’m gone

And I won’t know the right from the wrong

when I’m gone

And you won’t find me singin’ on this song when I’m gone

So I guess I’ll have to do it while I’m here.”

Of course, Phil was wrong on this score: 35 years after his death, his songs are still remembered and sung. They inhabit the soul of anyone who passed through those turbulent times. There but for Fortune features nearly 40 Phil Ochs songs and even more performance clips and stills that validate the compelling effect of his face and voice — a choirboy in cowboy boots — and one of the best songwriters of his generation.

Filmmaker Kenneth Bowser has captured sit-down interviews with a picturebook of legendary musicians ranging from Joan Baez, Pete Seeger and Billy Bragg to Jello Biafra. (Bob Dylan, who one interviewee describes as “a real prick,” refused to be interviewed.) The film’s Greek chorus also extends to authors and activists like Tom Hayden, Sean Penn and Christopher Hitchens.

Peter Yarrow (of Peter, Paul and Mary) sets the context of the early 1960’s. It was a time, Yarrow says, when children pledged allegiance to a country with “liberty and justice for all” at the same time there was “a lynching every three days.”

We learn from Phil’s brother Michael (who became Phil’s manager and who co-produced this film) that Ochs’ parents were wounded individuals. The father returned from the battlefront a shell-shocked cipher and the mother was known to throw fits calling her children “you stinking Americans!” Nonetheless, the film shows that the siblings all grew into generous and apparently well-adjusted adults. One suspects this miracle happened because they learned to lean on one another rather than depending on their dysfunctional parents.

Tom Hayden describes how Ochs (who became entranced by Hollywood Westerns as a child) clearly saw himself as someone walking in the boot-steps of John Wayne and Gary Cooper — “The single heroic figure that saves the country.” In Sean Penn’s words, Ochs was “the hero of his own mov-ie.” But, unlike Hollywood’s celluloid gunslingers, Phil Ochs was a chap armed with humor and inventiveness. One of his most subversive anti-war songs, “Draft Dodger Rag,” sounded like a harmless toe-tapper but, on close listening, the lyrics cleverly provided an extensive toolkit of perfectly legal ways to resist the military draft.

Sarge, I’m only eighteen, I got a ruptured spleen
And I always carry a purse
I got eyes like a bat, and my feet are flat,
and my asthma’s getting worse

Yes, think of my career, my sweetheart dear,
and my poor old invalid aunt
Besides, ain’t no fool, I’m a-goin’ to school
And I’m working in a DEE-fense plant

Ochs’ surviving friends paint a warm picture of the man. “Phil had what was essential -- a stance, six strings, and an insistent voice wanting to be heard.”

He “had a way of picking up all sorts of friends” and was a poet who “came up with song ideas faster than he could record them.” “Phil was never ‘cool.’ Phil was right there. And he exposed himself in a way that was ultimately... lethal.” As Abbie Hoffman put it: “He never turned down anything.” Whether it was a street-corner rally, a benefit performance for striking workers or a concert for miners in Hazard, Kentucky, “Phil Ochs was there.”

Hayden divides Sixties into two periods. There was a naïve period where we thought nonviolent direct action and moral force could radically transform society. The second half of the Sixties, with the serial murders of MLK and RFK, “became one of disillusion, bitterness, alienation.... The murder of Kennedy was the first warning that there was something fundamentally dangerous about embarking on social change.” Ochs’ sister recalls: “Phil couldn’t breathe for weeks after Kennedy died.”

“The Whole World Is Watching”
In 1968, Phil joined forces with Abbie Hoffman, Jerry Rubin in the Yippie Party march on the Democratic Party Nominating Convention in Chicago. Lyndon Johnson had announced he would not run but the Democrats seemed convinced that the war should continue. The Yippies promised to respond with a youth-quake of music, dancing and street theater. In response, Chicago Mayor Daley criminalized the Bill of Rights, issuing “shoot-to-kill” orders and banning sound trucks. The threat was palpable. Most bands and singers backed out. Phil was one of the few who insisted on appearing in Chicago. As Hayden observes: “It was a matter of who stayed to commit their bodies to the First Amendment.”

The film shows the amazing moment where Phil is singing “I Ain’t Marching Anymore” to a vast audience and someone suddenly holds up a draft card and sets it on fire. Soon, dozens of draft cards are waving in the air, as Phil sang the line: Call it “Peace” or call it “Treason,”

Call it “Love” or call it “Reason,”
But I ain’t marchin’ any more.

Then Daley clamped down with cops, dogs, gas, clubs, bullets and some protesters bravely fought back, fists flailing at hard plastic helmets. As the protesters chanted: “The whole world is watching,” the streets became painted with blood. Ochs later released an album called “Rehearsals for Retirement” that featured a photo of his mock gravestone on the cover. It read:

Phil Ochs
Born: El Paso, Texas 1940.

Christopher Hitchens notes that a benefit conference for the victims of the Chilean coup, which Phil organized, not only brought Bob Dylan to the stage, it also was the first public forum in which the US was openly accused of complicity in fascist takeover that resulted in the deaths of thousands of Chileans — including the country’s democratically elected president, Salvador Allende, and Ochs’ friend, activist-folksinger Victor Jarra. (It would subsequently be revealed that the FBI had amassed a 400-page dossier on Ochs.)

No More Songs
While There but for Fortune starts out as a nostalgic, feel-good Sixties rehash (the Sixties had one of history’s greatest soundtracks), it ultimately becomes a very emotional and difficult film to watch because it pulls no punches. There was so much at stake in the Sixties and we put so much sweat and heart into the struggles to end the war, to end racial and social injustice. But viewers may come away from the film feeling demolished by the succession of brutal deaths of so many beautiful, hopeful leaders -- JFK, MLK, JFK, Malcolm, Allende, Victor Jarra. All killed, most likely, by same enduring and familiar forces with the same brutal and totalitarian political agenda.

Phil Ochs, the nimble, winking troubador of revolution, truly believed he could change the world with songs and action. When America failed to cast off its dark manners, Phil took it personally. Which leaves us with the painful, closing chapter of this painfully personal documentary.

The experience brings to mind Don McLean’s love-note to Vincent Van Gogh:
And when no hope was left in sight
On that starry, starry night,
You took your life, as lovers often do.
But I could have told you, Vincent,
This world was never meant for one
As beautiful as you.

We are left to watch Ochs — the sweet-faced enchanter who helped feed our best dreams with his melodies, words and wit — spiraling into muttering alcoholic depression and madness. His collapse is chronicled in a forensic compilation of videotapes and grainy 8-mm film. It’s a human train-wreck as a once-proud poet goes all Charlie-Sheen. Watching Phil Ochs topple is like watching all our brightest hopes from the Sixties crumble to dust, as well. The war is finally “over” but the banks and businesses whose hands were always on the throttle of the War Machine are still calling the tune — and calling the shots. The intransigence of entrenched power is truly madness making.

Now we inhabit the Post-Hope era of Obamabush. Even more wars raging, more innocents being cut down, there is greater social inequity, fewer civil liberties, a resurgent right and a climate calamity so huge that it’s triggering nuclear disasters.

My problem, as a reviewer, is how to recommend a great and important film that is ultimately so emotionally demoralizing. One approach would be to suggest leaving the theatre at the point that the Vietnam War has ended. Skip the final act with Ochs’ tragic decline and death. But, of course, that would be cheating and it would be dishonest — something Phil Ochs, when he was sober, never was.

There is, however, an antidote to despair. Two words: “Cairo” and “Wisconsin.”

There but for Fortune is a rare kind of film that seems to call out for a new rating code. Something like Rated-DCHR — for a “Dose of Cold, Hard Realism.”

The film opens at the Elmwood Theater on March 18.

Around and About in Music: Carmen at the Hillside Club, String Quartet at the City Club
By Ken Bullock
Wed Mar 16 11:31:00 -0700 2011

One more chance to catch a Berkeley show of Vertismo Opera’s Carmen, this Sunday at 3, Hillside Club, 2286 Cedar (at Arch) — with bigger orchestra (led by Michael Shahani) than previous Verismo productions and full chorus. $10-$20. (707) 864-5508; verismoopera.org

Berkeley Chamber Performances will present the Cavani String Quartet playing Beethoven (String Quartet Opus 18, No. 1), Bartok (String Quartet No. 4) and Ravel...
(String Quartet in F Major), 8 p.m. Tuesday March 22 in the ballroom of the Julia Morgan-designed Berkeley City Club. The quartet—Annie Fullard (founder member), violin; Mari Sato, violin; Kirsten Dokter, viola; and Merry Peckham (founding member), cello—dates from 1984, and has been in residency at the Cleveland Institute of Music since 1988. $25 general; high school students, free; older students, $12.50. 525-5211; berkeleychamberperform.org

Around and About in Theater
By Ken Bullock
Wed Mar 16 12:07:00 -0700 2011

A timeless no-man’s land, somewhere in the Middle East ... The hero of the invading army shouts out that it’s time to pull out, go back home—and the commander of the expeditionary corps sputters with rage: It’s all under control! Giulio Perrone—whose Galileo’s Daughters was one of the treats of last year’s theater—is back with his Inferno Theatre Company at the Berkeley City Club, 2315 Durant, with The Iliad—a staging he wrote, designed and directed—the original military snafu in the Middle East, when it wasn’t WMDs or oil but Helen of Troy the invaders sought ... Acrobatics and poetry, his company’s trained in physical theater, an interesting array of backgrounds ... Music by Helga Rosenfeldt-Olsen (who also performs in the ensemble); lighting by Michael Palumbo. Opens this Friday, Thursday through Saturday at 8, Sunday at 2, March 18-April 3. Sliding scale, $12-$24. 698-4030; or email infernotheatrecompany@gmail.com

The Putnam County Spelling Bee, a Tony Award-winning musical, will play Fridays-Saturdays at 8, Sundays at 2 (no show March 20) at Altarena Playhouse, 1409 High Street, Alameda, directed by Stewart Lyle, musical direction by Armando Fox and choreography by Kim Saunders. $19-$22. 523-1553; altarena.org

Narnia, a family stage version of C. S. Lewis’s The Lion, the Witch and the Wardrobe, directed by Jon Tracy, is up and running, produced by Berkeley Playhouse at the Julia Morgan Performing Arts Center, 2640 College Avenue. Weekends(including Friday nights, Saturday and Sunday matinee and evening performances) and some Thursday evenings, through April 3. Tickets: $15-$33. 845-8542; berkeleyplayhouse.org

Berkeley man of the stage Bob Ernst, co-founder of the Blake Street Hawkeyes, will perform his new autobiographical show, incorporating music and movement, The Changer, which will also incorporate script changes suggested by previous audiences, March 17-April 3—produced by Alter Theater (where Ernst is associate artist; Alter produced his show Catherine’s Care) at 884 Fourth Street, San Rafael, former Marin County Republican Headquarters. Thursdays-Saturdays, 8 p.m.; Sundays at 4. $15-$35 (Friday, March 18 pay-what-you-can; other first weekend discounts online). (415) 454-2787; altertheater.org

Oakland performance artist Catherine Debon will perform her solo show, Alma Colorado, the story of her Spanish communist grandfather resisting the Nazis—and how it got her into flamenco dancing—as directed by Berkeley performer and teacher Erica Blue, with assistance from Jennifer Gordon, March 18 & 19 at The Garage, 975 Howard, San Francisco, as part of the RAW (Residency Artist Workshop) series. Program starts at 8, Debon performs at 9:20. $10-$20. brownpapertickets.org; further info at catherinedebon.com


By Paul Rockwell
Sun Mar 13 12:14:00 -0700 2011

In classical drama, tragedy is the story of a noble hero whose fall, whose ultimate ruin, flows from a tragic flaw of character—extreme pride, excessive ambition, lust for power—the flouting of natural limits imposed by the gods of justice.

Steve Early’s riveting history of the second-largest labor union in the U.S.—the rise and decline of SEIU (Service Employees International Union)—has the feel of tragedy. It’s a cautionary tale about SEIU’s fatal flaw: centralization of union power by...
circumstances. At best, it is an extraordinary measure designed to rescue members of a local union from corrupt or inept officials. Any takeover of a union that removes hundreds of elected leaders and thousands of stewards is not a legal trusteeship; it’s a purge, a coup.

In the 1950s the United Mine Workers carried out open-ended trusteeships that produced disastrous consequences for the coal miners. In the aftermath of political trusteeships, contract negotiations were conducted in secret. Sweetheart contracts were signed. Working conditions deteriorated. Black Lung disease spread. The end of member control in the UMW, Early reminds us, “led to a dark descent into the worst sort of union racketeering.”

Jimmy Hoffa’s mob-run Teamsters also used trusteeship as a way of rewarding political allies and punishing rank-and-file activism. In the history of American labor, trusteeships are more often a cause of corruption than a remedy for wrongs in local affairs.

**80 TAKEOVERS**

No labor union in modern history has employed trusteeship so ruthlessly and systematically as SEIU. A pamphlet by the California Nurses Association is entitled: “Andy Stern’s Playbook for Conquest. Hostile Takeovers of Unions and Workers.”

According to Vanessa Tait in *POOR WORKERS’ UNIONS*, published in 2005, fourteen percent of SEIU affiliates were under trusteeship at that time. Some 40 locals were already “forced into trusteeships with officers newly appointed by the national union, usually from outside the units they handled.” In the same period, Stern also engineered 136 forced mergers. Locals were dismembered. Experienced organizers (like Paul Krehbiel of Local 660) were fired. Shop steward networks were replaced by Call Centers.

The systematic destruction of democratic infrastructures of SEIU, the product of years of organizing and struggle, spawned a culture of resignation, conformity and fear.

Between 2005 and 2010, the number of takeovers doubled. According to Early’s account, by 2010 Stern had put more than 80 local unions under trusteeship or forced mergers. No period in history matches the scale and scope of SEIU’s serial takeovers. Juan Gonzalez, columnist for the New York Daily News, captured the meaning of the trusteeship campaign when he called SEIU “the Roman Empire of the labor movement.”

**CANADA**

SEIU trusteeships are part of a longterm agenda to corporatize the union—by command, by force, and fiat. Each trusteeship is planned long before SEIU manufactures a scandal, some pretext for a takeover. Notwithstanding a master plan, when the actual takeovers take place in specific jurisdictions, they are marketed to the local victims as rescue operations.

In 2000, SEIU trusted virtually the entire province of Ontario, Canada. SEIU attempted to merge eight local unions, only to provoke an exodus from SEIU. In order to void a membership vote against involuntary mergers, SEIU trusted six locals. Trusteeship was a pre-emptive strike, though no weapons of union destruction were ever discovered. The Ontario tornado manifests a pattern. Forced mergers drive members to resist. Trusteeship is imposed. All staff lose their jobs—their livelihoods. Executive committees are dismantled. Then uncivilized law firms launch punitive lawsuits. SEIU filed a $3.7 million lawsuit against Ken Brown, former vice-president of the Canadian local. Since SEIU locals have no rights which the International is bound to respect (under the present constitution), elected officers who oppose mergers can be sued.

Local 87 in San Francisco faced the same fate as Canadian locals. Contrary to their express wishes, Local 87 members were forced to merge with Local 1877. When the International placed 87 in trusteeship, all staff were dismissed, the elected president removed as well. In the aftermath of the takeover, “workers ended up with health care givebacks in a local unwilling to fight layoffs,” writes Early.

Early quotes Monty Kroopkin on the disappointing effects of SEIU forced mergers in San Diego: “The 2007 mergers resulted (for us) in not only no elected leadership, but a culture of no accountability, grossly overpaid senior staff, a severe reduction in the amount of information members got about anything; weak-to-nonexistent enforcement of our contracts; a steady decline in our membership numbers; loss of two bargaining units to decertification and independent unions...”

**TRUSTEESHIPS BREED CORRUPTION**

Steve Early is not a muckraker. His approach to SEIU is sociological, focused on the structures of power. According to Early, excessive power and corruption are twins. The recent corruption scandals in SEIU are not mere accidents of time and place. Corruption is an inherent feature of business unionism by trusteeship.

Long before the Los Angeles Times, in Paul Pringle’s 2008 award-winning series, disclosed rampant corruption in SEIU (in the very locals under trusteeship), Steve Early himself, in 2004, warned the labor movement about the potential for SEIU scandals. The forced mergers and purges, the trusteeships were omens. While many pro-labor academics were still in awe of Stern’s audacity, Early called attention to the SEIU patronage, where loyalists and suck-ups are rewarded with “consulting fees,” where trustees and outsiders spend other people’s money without transparency or accountability. Early predicted that abuse of trusteeship powers would “come back to haunt the union.” “Corruption scandals will erupt sooner or later,” he wrote. Sooner as it turned out.

The scandals broke. Byron Hobbes, the executive vice president who billed his local for $9,000 in personal expenses; Tyrone Freeman, the much-coddled president of the largest local in the U.S., found guilty of embezzlement; Rickman Jackson, head of Michigan’s largest local (and Dave Regan’s co-organizer of the “brown shirt” disruption of a Labor Notes conference), mired in lease-payment scandals; Annelle Grajeda, who used her influence to put her ex-boyfriend on a county payroll; Garold Lawson, who grabbed more than $70,000 from a small union with 200 members—the list of criminals and double-dippers goes on.

Far from cleaning out improprieties within local jurisdictions, the Stern and Henry trusteeships actually infused corruption and malfeasance into locals that were once healthy and democratic. Corruption grew like mushrooms in the dark. The trusteeship campaigns essentially dismantled the frail safeguards by which rank-and-file members protect their rights, their dues and treasury, the very integrity of union life.

**THE RESISTANCE**

No one writes more convincingly about the power and hope of union democracy than Steve Early. CIVIL WARS IN U.S. LABOR is not only a comprehensive history of the rise and degeneration of a once-progressive union, it’s also a story of the resistance—the democracy movement within SEIU and the insurgency of the National Union of Healthcare Workers—the same activists who built UHW, until they were betrayed in 2009.

The resistance first appeared a few years ago as a challenge to the openly anti-democratic ideology of Andy Stern. Stern rewrote the SEIU constitution, depriving local members of control over their own contract
Stern was not especially subtle about SEIU aims to remake the union along corporate lines. He mocked the defenders of democratic unionism, and he called membership-run locals impediments to change.

In a series of interviews, he claimed that workers don’t really care about abstract democracy. “Our members are more concerned about being serviced.” “It’s hard to make the argument that unions with direct elections better represent their members.”

In The Wall Street Journal, Stern called for “a new model of unionism less focused on individual grievances, more focused on industry needs.”

Stern often used caricature to express his contempt for membership-run unions. He called Local 29 an “anachronism.” “Leaders who stand in the way of change, screaming democracy...just don’t get it.” For workers “who just don’t get it,” he advocated the “persuasion of power.” Ergo trusteeship, the use of police against dissidents, the use of espionage against union members, vigilante violence, punitive lawsuits against elected union officers who stand with the members.

Lies are halfway around the world before truth gets out of bed. And many SEIU locals were already dismembered when committees of correspondence began to form. Pro-democracy activists throughout the country—the very organizers who devoted years of their lives building steward councils, safeguards against layoffs, local power—slowly began to challenge the totalitarian visions of Stern, Berger, and Henry.

Sal Rosselli is the most passionate, the most articulate defender of grassroots power in the labor movement. For Rosselli, democracy is not (as Stern’s caricature implied) some moral abstraction; it’s the lifeblood of a union, the primary means by which labor empowers itself, secures and enforces decent contracts.

Every major victory in labor history, from the right to organize, to the eight-hour day, was achieved through mobilization of the rank and file. Centralization of power, seductive as it seems to college-educated reformers who seek quick results through top-down commands, is fatal to union vitality and health.

While others in the labor movement slept, NUHW took a stand. As Amy Ryan, a Kaiser worker, put it in her testimony during the trial of the NUHW-16: “We knew SEIU was coming, and we wanted to be there to make our stand and let them know that the members don’t want them to destroy the union that was the citadel of our hopes and dreams.”

In a fitting conclusion to his definitive work, Early writes: “One can only hope that the creativity, tenacity, and courage of the California health care workers—who stuck to their guns when the political artillery of others fell silent—points the way toward a better model of worker organization. Until there is a broader rank-and-file militancy, the NUHW struggle will remain an inspiring example and necessary experiment in independent unionism in a situation where the road to internal union reform was hopelessly blocked. Sustaining a fledgling labor organization, with few resources but a resilient rank-and-file, has not been—and will not be—easy. The path taken by NUHW members was born of internal union strife occurring at a bad time for union organizing in general. It was not a path freely chosen.”

And to this I humbly add: History will vindicate Sal Rosselli, the leaders of NUHW, and thousands of activists who, at great cost to themselves, in face harassment and intimidation, took a stand in defense of the right of workers to control their own destiny.