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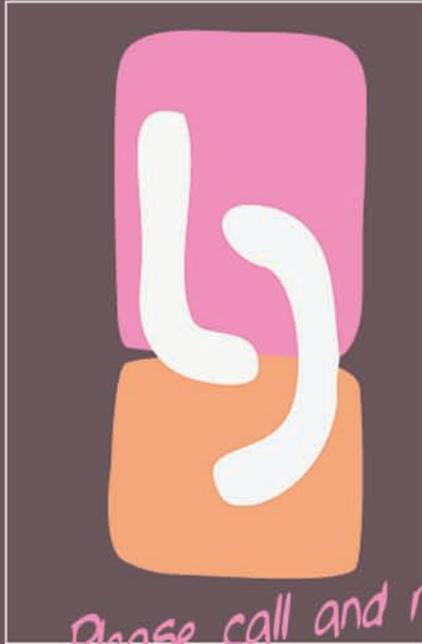
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# AMASS

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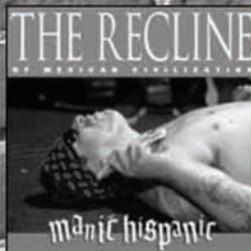
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# YES TO THE PARTY OF NO?

RALPH NADER

**H**ow does the Big Business-indentured Republican Party get away with expectations of a run-away election victory this November? If such a victory should occur in Congress and for many governorships and state legislatures, it will be due to a ten percent or so shift in voters who voted Democratic in 2008 and are expected to vote Republican this year or stay home in despair or disgust. The rest of the voters who do vote will still stay with their hereditary Republican or Democratic candidates.

So what is accounting for a possible ten percent shift? Let's briefly review some of the Congressional Republicans' voiced positions:

1. They want to do nothing about unfair Chinese trade practices that lure jobs away from our country though huge factory subsidies, and where workers are repressed and counterfeit products abound. Imagine, Republicans coddling a communist regime, luring the auto parts, electronic, solar and drug ingredients industries away from America, often in violation of the World Trade Organization rules. And, in turn, China is exporting to the U.S. impure food, faulty tires, toxic drywall, lead-tainted toys and medicines which are contaminated, defective or harmful. Don't forget the dumping violations.

2. Republicans, led by Senator Richard Shelby and his banking friends, declared their adamant opposition to Elizabeth Warren becoming head of the new consumer financial regulation agency. (To avoid a confrontation with them, President Obama made her a special assistant to organize this consumer watchdog.) Ms. Warren has a solid record of exposing and communicating clearly to families the tricks and traps of credit card companies, mortgage firms, and intermediaries that have taken so many billions of consumer dollars with impunity.

3. The Republicans led by their House leader,

John Boehner (Rep. Ohio), a total toady of the gouging student loan companies, opposed the Democrats' successful reform of this taxpayer boondoggle that guaranteed obscene profits and had the taxpayers absorb any student defaults. Boehner's lobbying should upset millions of parents who had to foot the bill for so many years.

4. The Republicans are opposed to raising the federal minimum wage to what it was, adjusted for inflation, in 1968!! They opposed an adequate budget for health and safety enforcement by OSHA to diminish the 58,000 American workers who die every year from workplace toxics and trauma. They are now blocking protections for coal miners pending in the Senate after the Massey mine disaster.

5. Republicans oppose doing anything about "too big to fail" even after Wall Street's reckless, avaricious collapse of the economy, costing 8 million jobs and trillions of lost pension and mutual fund dollars. Moreover, they do not support genuine enforcement of the anti-trust laws which are supposed to break up monopolization efforts, monopolies or oligopolies like Monsanto (seeds) or the big five banks-bailed out by taxpayers and secure in their domination of well over 50 percent of all bank assets, deposits and the credit card business. This is by far the highest concentration of financial power in modern U.S. history. With few exceptions, the GOP want very few federal cops on the corporate crime beat.

6. Fighting for the last billionaire and multimillionaire, Republicans are blocking ending Bush's tax cuts on incomes beyond \$250,000 per year. Yes, Republicans want to reduce the deficit yet they want to end revenues of over 700 billion dollar over ten years of restored super-rich taxes. They are blocking renewal of the

estate taxes which expired on Dec. 31, 2009, leaving no taxes this year on the estates of the super-rich. (Over 99 percent of estates were already exempt from the federal estate tax.)

7. No matter that Republicans caved to the health insurance companies getting over 30 million new covered customers, starting in 2014. They supported the industry's blaming the federal government, no less, for this month's latest sharp hike in insurance premiums by Aetna and others largely on the policies of individuals and small business. The Republicans did this after blocking the "public option" that would have given consumers both a choice

**Republicans oppose doing anything about "too big to fail" even after Wall Street's reckless, avaricious collapse of the economy, costing 8 million jobs and trillions of lost pension and mutual fund dollars.**

-- Ralph Nader

and the benefit of some competition to the big insurance firms.

8. Have the Congressional Republicans ever challenged the bloated, wasteful, contractor-corrupt military budget that makes up half of the entire government's discretionary budget? Even the Congress's own auditing agency--the Government Accountability Office (GAO)--declares the Pentagon budget unauditible. Many Pentagon audits document the abuses of Halliburton, KBR, Blackwater and other firms in the deficit-driving, bloody Iraq and Afghanistan wars (both Republican espoused.) The Pentagon's burgeoning budget, now nearing \$800 billion a year, is deemed untouchable. (A few Republicans, like Charles Grassley and John McCain sometimes object to contracting abuses.)

9. President Obama wants a counter-recessionary public works program renovating airports, bridges, highways, rail and mass transit, drinking water and sewage treatment facilities and other infrastructures. Republicans sneer at this local job creation for much needed facilities.

10. Unlike any Republican Party since its creation in 1854, it has misused the filibuster threat, and any one of its Senators misuse the rules and block even going to a floor discussion or a nomination vote. The Party is earning its moniker as the Party of NO. Republicans have turned the U.S. Senate into America's graveyard.

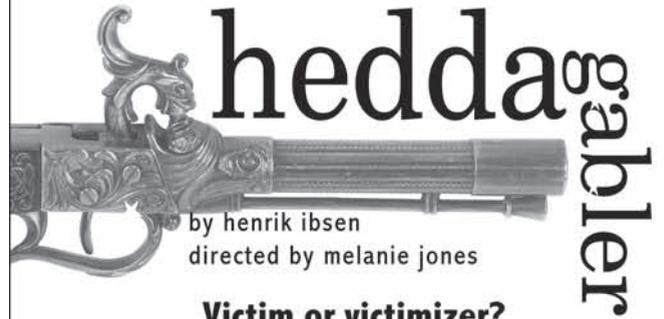
There is much more, but enough has been cited to ask again--how are Republicans seen by the polls as front runners in the upcoming election? The answer my friends, is not in the stars. The answer is in the clueless and spineless Democrats, busily dialing for the same corporate campaign dollars.

The other answer is in the ten percent of the actual voters who need to seriously avail themselves of the facts and a modicum of thought. For if they don't, they will continue to pay bills handed to them and their children by their ruling corporatists in Republican clothing.

Ralph Nader is a consumer advocate. His most recent book--and first novel--is, *Only The Super-Rich Can Save Us*. His most recent work of non-fiction is *The Seventeen Traditions*.

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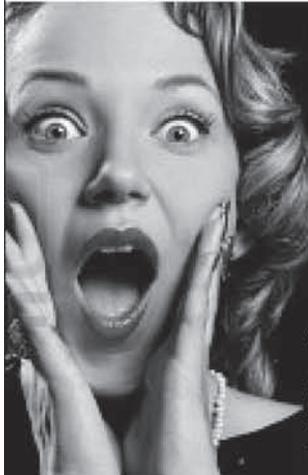
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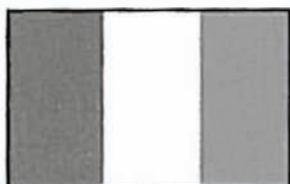
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# MEDIA MATTERS: DE-JA VU

SIMON MALOY

In a stunning turn of events, a little-known, hyper-conservative congressional candidate became the darling of the tea party movement, earned the surprise endorsement of former Gov. Sarah Palin (R-Twitter), and made a last-minute push in the polls, overtaking the moderate GOP frontrunner who up to that point had been considered a shoo-in to win the seat. After emerging as the preferred GOP pick, the tea party candidate's extreme positions made clear that a race that had once been considered a GOP-lock had turned into a potential win for the Democrats. As such, the conservative media were fractured: some complained that Republicans sacrificed electability in favor of ideology, and were quickly cannibalized by the bloggers and commentators who insisted either that their new extremist could win in a general election, or that it was better to lose with a "real" conservative on the ballot than to win with a "RINO."

I'm talking, of course, about Conservative Party candidate Doug Hoffman and the 2009 special election for New York's 23rd Congressional district. Early polling in the race showed moderate Republican candidate Dede Scozzafava with a comfortable lead over Hoffman and Democrat Bill Owens, before the still-nascent tea party machinery lined up behind Hoffman and Palin lent him her imprimatur. As more Republicans defected from their party's candidate to back Hoffman, former House Speaker Newt Gingrich held fast, endorsing Scozzafava and explaining that it was a question of winning: "If your interest is taking power back from the Left, and your interest is winning the necessary elections, then there are times when you have to put together a coalition that has disagreement within it." As a reward for his tent-building efforts, Gingrich was excoriated by right-wing bloggers, who said he had lost all cred-

ibility and didn't support true conservatism. (He's since made amends by attacking President Obama's "Kenyan, anti-colonial behavior.")

In the end, Scozzafava dropped out of the race and the seat that had once been considered hers went instead to Bill Owens, who defeated Hoffman 48-46 percent. After the election, Rush Limbaugh endorsed the view of Red-State.com blogger Erick Erickson, saying: "It would have been great if Hoffman won, but the real victory was making sure that a Republican-in-name-only did not win."

Fast forward one year to the Delaware Republican Senate primary and, though the races aren't completely identical, it starts to feel like déjà vu all over again. Republican Christine O'Donnell, who got thumped by Joe Biden in Delaware's 2008 Senate race, decided to give it another shot in 2010 and for a long time languished far behind Rep. Mike Castle in the Republican primary race. That, of course, changed very rapidly when Sarah Palin decided that O'Donnell was one of her "Mama Grizzlies"

and the tea party dumped a pile of cash in her lap. Right-wing bloggers quickly aligned with Queen Bee Palin and ripped into Castle, hysterically claiming that he had voted to impeach George W. Bush. The same series of events played out: polling showed O'Donnell overtaking Castle late in the game, and when the dust settled, O'Donnell emerged as the unlikely Republican candidate.

And as nasty as the race between Castle and O'Donnell was, the internecine warfare between conservative bloggers and journalists over the race was incomparably vicious. *The Weekly Standard*, *Powerline*, Mark Levin, and other bloggers got into a massive twist regarding the *Standard's* long-form takedown of O'Donnell. Here's a sampling from the back-and-forth: "I think you're an ass," "a disgrace," "mouthpieces for the Republican establishment," "lazy and unfair," "smear tactics against O'Donnell," "elitist and arrogant attitude," "jackass," "what an idiot."

But no figure better represents the O'Donnell-inspired clash between ideology and electability than Karl Rove, who appeared on Fox News' *Hannity* the night of O'Donnell's win to attack her "checkered background," adding: "It does conservatives little good to support candidates who, at the end of the day, while they may be conservative in their public statements, do not evince the characteristics of rectitude and truthfulness and sincerity and character that the voters are looking for." The right-wing reaction was swift and brutal. Michelle Malkin said Rove was "an effete sore loser." Dan Riehl called for Fox

## Christine O'Donnell's rise to electoral prominence has also helped to reveal just how integral FOX NEWS has become in modern Republican politics.

-- Simon Maloy

News to “suspend and investigate” Rove. Erickson said Rove was “in full meltdown,” while Levin accused the former Bush adviser of declaring “war against the Tea Party movement and conservatives.” Rove, after initially defending his stance, folded like a lawn chair during a particularly aggrieved Fox News appearance, insisting that he endorsed O’Donnell and was going to help her.

As for the growing consensus that O’Donnell’s primary victory has torpedoed the GOP’s once-excellent chances of capturing the Senate seat (polls show Democrat Chris Coons trailed Castle by about 10 points, but leads O’Donnell by double-digits), conservatives again fell back to winning-isn’t-everything justifications. “If we lose it, fine. It’s better to have a genuine Marxist in the US Senate rather than a phony, pretend conservative who’s gonna vote often like a Marxist and just confuse everybody and water down the entire identification of what a conservative or what a Republican is,” said Rush, whose attitude was enthusiastically cheered by Erickson.

So what can be drawn from these two scenarios? One is led to the unavoidable conclusion that the right-wing media’s commitment to ideological purity transcends not just partisan loyalty, but logic and common sense. They want “real” conservatives in power, but when the “real” conservative politicians they support lose to Democrats, they convince themselves not only that this doesn’t matter, but that it’s a good thing. They want Republicans to control Congress, and they’re willing to sacrifice as many Republicans in Congress as is necessary to achieve that goal.

## A network of their very own

Christine O’Donnell’s rise to electoral prominence has also helped to reveal just how integral Fox News has become in modern Republican politics.

The Pew Research Center for the People & the Press released a survey this week detailing Americans’ news-gathering habits. Of particular note was their partisan breakdown of cable news audiences over the past decade. In 2000, 18 percent of Republicans and 18 percent of Democrats said they regularly get their news from Fox. In 2010, the percentage of Democratic regular viewers has dipped to 15, while regular Republican viewers skyrocketed to 40 percent. Moreover, 41 percent of Republicans believe “all or most” of what Fox News says. It is the network of and for the GOP. Kevin Drum observed: “As Fox has steadily amped up its conservative branding, conservatives have decided that’s all they want to hear. The echo chamber must be getting pretty deafening over there.”

But this transcends mere epistemic closure. Fox News’ viewers aren’t just looking for pro-conservative bromides and limited-government chalkboard diagrams—they’re looking for candidates. And Fox News is also meeting that demand. Christine O’Donnell’s rapid rise was due in part to the big assist she got from Fox News—and not just from Sarah Palin, but from their entire stable of conservative hosts and contributors. But don’t take my word for it. O’Donnell made sure to thank her FNC cheering squad in her victory speech, from Palin to the Beck-



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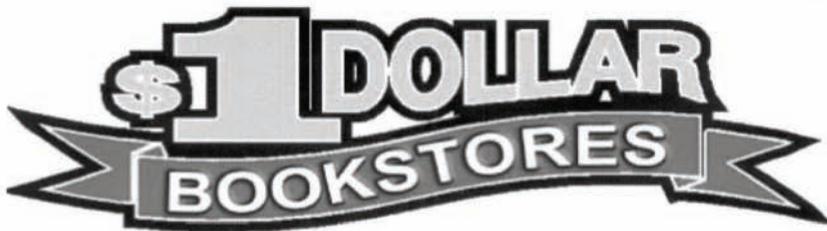
created 9-12 movement to the Tea Party Express, which benefits hugely from Fox News' generous attention. Like all newly-minted Republican candidates, her first post-primary stop was with the sycophantic crew of *Fox & Friends*.

And if O'Donnell follows Sarah Palin's advice--and why wouldn't she?--Fox will continue to play an integral role in her campaign. "Speak through Fox News," counseled Palin during an appearance on *The O'Reilly Factor*, who explained that her vice-presidential run should serve as a cautionary tale against dealing with the legitimate media, who will occasionally do things like ask non-softball questions and point out when you've said something crazy. Fox News will let O'Donnell get

her message out and make an end-run around the media's uncomfortable questions (as well as provide a ready-made venue for some quickie fund-raising).

And when you consider that the network boasts among its contributors people like Karl Rove, who heads a multi-million-dollar "shadow RNC" tasked with electing Republicans, and Dick Morris, who works diligently to elect any Republican willing to pay his exorbitant consulting fees, one can't escape the realization that Fox News has moved beyond simply cheerleading for Republicans. Right now, the network is one of the most important cogs in the national Republican electoral machine.

Simon Maloy is a columnist at MediaMatters.org.



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# TEA PARTY IS NOT ONLY OPTION

ARIANNA HUFFINGTON

**T**he Tea Party is angry! Really, *really* angry. So we are told again and again by the media. According to the conventional wisdom, it's the story of the election, and likely the next one: those opposed to Obama are angry and have coalesced around the Tea Party. But like much conventional wisdom, it's wrong.

There's no doubt the Tea Partiers are angry. But what's missing from this narrative is the fact that *everybody* is angry.

As I discovered when I spoke at the Teamsters Women's Conference on Saturday, even people who love the president, and who would not dream of voting for anyone other than a Democrat, are angry.

Velma Hart, the African-American woman who was the first questioner at Monday's town hall meeting on CNBC, gave powerful expression to this anger. After identifying herself as a chief financial officer, a mother, a wife, and a military veteran, Hart said:

"I'm one of your middle class Americans. And quite frankly, I'm exhausted. Exhausted of defending you, defending your administration, defending the mantle of change that I voted for. And deeply disappointed with where we are right now. I have been told that I voted for a man who said he was going to change things in a meaningful way for the middle class. I'm one of those people and I'm waiting sir, I'm waiting. I don't feel it yet.... My husband and I have joked for years that we thought we were well beyond the hot dogs and beans era of our lives, but, quite frankly, it's starting to knock on our door and ring true that that might be where we're headed again, and, quite frankly, Mr. President, I need you to answer this honestly. Is this my new reality?"

It's a question tens of millions of Americans are asking themselves right now. And when they do, a mixture of dread and anger rises inside them.

And it's not hard to understand why. How can you

look at what's happening in America and not become angry? Every time I look at the news, I get freshly angry. Poverty on the rise, and no end in sight for high unemployment and foreclosures.

As the president's chief economic advisor Austan Goolsbee said last week, those numbers aren't going to change any time soon.

So no wonder it's not just Tea Partiers who are angry. And if we keep associating anger exclusively with the Tea Party, our public debate becomes a false choice between the status quo and an agenda that would, quite simply, destroy America.

As Jane Mayer showed in her must-read *New Yorker* profile on the billionaire Tea Party-backing Koch brothers, those behind the Tea Party have been pushing the same ideas for a long time now, but have cynically appropriated the legitimate anger in the country and steered

it to serve their own ends. Are you angry? Well then, you're obviously on board for their program. Or so they would have you believe.

But, in fact, there is more than one way to channel anger. Yes, you can demonize and divide and scapegoat. You can play on people's economic fears by whipping up a deeply un-American campaign of hate against a religious minority. You can foment suspicion and more fear by--as Newt Gingrich just did at the so-called Values Voters Summit--calling for a "federal law that says sharia law cannot be recognized by any court in the United States." You can try to sever the pathways of empathy by implying, as Sharron Angle does, that those out of work are just lazy bums

who would rather sit around and collect unemployment checks than look for work. "You can make more money on unemployment than you can going down and getting one of those jobs that is an honest job but it doesn't pay as much," she said. "We've put in so much entitlement into our government that we really have spoiled our citizenry."

The northernmost Tea Party favorite, Alaska Senate candidate Joe Miller, goes a step further and claims that unemployment benefits are actually unconstitutional.

So, sure, going all lizard-brain and playing on people's fear and anger and economic anxiety to divide them from one another is one way to go. But there's no

**If we keep associating anger exclusively with the Tea Party, our public debate becomes a false choice between the status quo and an agenda that would, quite simply, destroy America.**

-- Arianna Huffington

reason that, as the media seems to assume, this has to be the only logical outgrowth of anger. There is, in fact, another path to take. Anger can be harnessed and redirected--the energy behind it used to connect, to reach out, to take action, to make life better both for your family and for others who need help.

These days, we mostly talk about our shortages--a shortage of jobs, a shortage of revenues (hence our growing deficit and mounting debt). But we also have a surplus of energy, skills, and--for those unemployed or underemployed--a surplus of time.

What most took me by surprise during the researching of my book--and now as I'm traveling around the country--is the extraordinary creativity being brought to bear in communities all around the country on the problems facing America.

For instance, there is Seth Reams of Portland, Oregon whom I write about in *Third World America*. After losing his job as a concierge in December 2008, and submitting over 300 job applications to no avail, he began to feel as if he wasn't a member of society anymore. So he and his girlfriend Michelle King decided to take matters into their own hands and started an organization called We've Got Time To Help. It's an online meeting house that matches up people who have time on their hands (many of whom, like Reams, have been laid-off) with local needs in the community. So far they've helped out by building community gardens, repairing cars for those who can't afford a mechanic, building a wheelchair ramp, helping people who move from their homes, etc, etc. Instead of using anger to drive immigrants out, they've harnessed that energy to teach immigrants to drive.

Then there is lawyer Cheryl Jacobs, who along with her work as a torts lawyer at a big firm had been doing pro bono work as part of the highly successful Residential Mortgage Foreclosure Diversion Program in Philadelphia that helps homeowners facing foreclosure through the legal process. After being laid-off, Jacobs took on even more foreclosure cases, eventually opening her own practice dedicated to helping people keep their homes.

"I charge my clients very little or nothing at all," she says. "They can't afford to pay me. If you can't afford your mortgage, you probably can't afford a lawyer." Although she is working harder and earning much less, she told HuffPost's Sara Yin that she's never felt happier. "When I know I've kept somebody in their home, the feeling is so amazing. I know how I'd feel if I was in danger of losing my home and someone helped me stay in it."

When I was in Detroit recently, I met Eric Jirgens, an interior designer with a lot fewer jobs than he used to have in his recession-ravaged city. So he's using his underutilized skills to transform a women's shelter into a beautiful and more welcoming space for the women who have to temporarily call it home. He's working with suppliers to get donations and bringing in other designers. The idea isn't to just spruce things up with a few donated rugs and chairs, but to really create a sense of warmth and safety and comfort.

In New York, noted designer Steven Gambrel, ac-

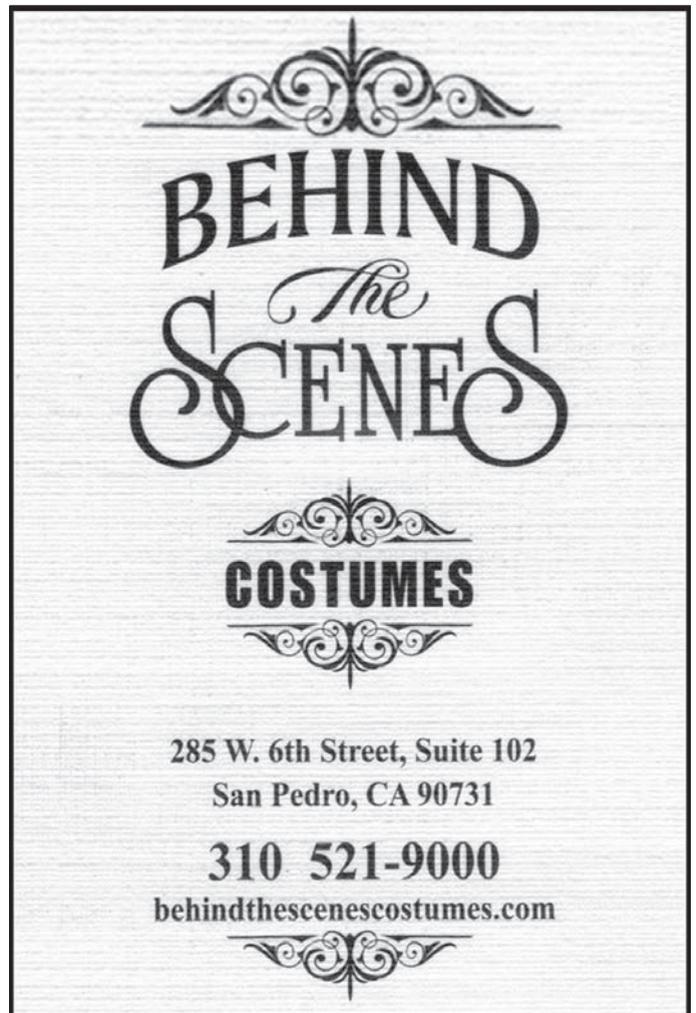
customed to decorating multimillion dollar homes on the Upper East Side and the Hamptons, has connected with Bob Kelty and New York's Coalition for the Homeless to develop an inexpensive how-to kit to help people who are having to start over, often due to foreclosure or the loss of a job. The idea of the kit is to allow them to quickly and easily establish a sense of home and personalize it, in what is likely a chaotic time in their lives. He's also starting a mentoring program to teach other designers around the country how to work with families in need.

So, as we are at this crossroads in our nation's history, Seth, Cheryl, Eric, and Steven--and tens of thousands of others around the country--are demonstrating another way to go.

We can choose connection rather than division. Understanding rather than fear. Reaching out rather than turning away. It's Hope 2.0. It's a widespread choice, yet it's getting a fraction of a fraction of the coverage the media is giving the Tea Party.

Our anger will either lead us to tap into our baser instincts or into the better angels of our nature. And nothing less than the future of our country rides on the decision.

Previously posted on HuffingtonPost.com.



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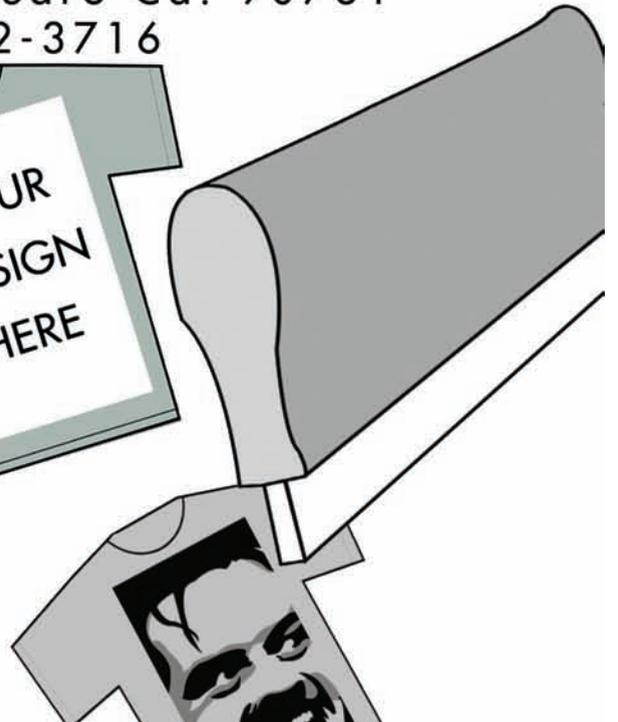
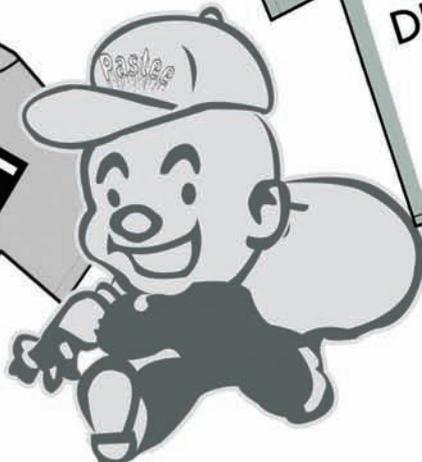
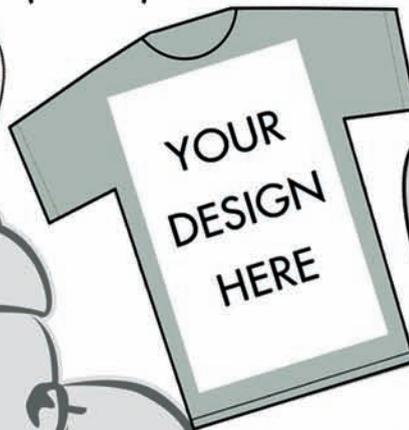


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# THE DEFINING ISSUE: WHO SHOULD GET THE TAX CUT?

ROBERT REICH

**W**ho deserves a tax cut more: the top 2 percent--whose wages and benefits are higher than ever, and among whose ranks are the CEOs and Wall Street mavens whose antics have sliced jobs and wages and nearly destroyed the American economy--or the rest of us?

Not a bad issue for Democrats to run on this fall, or in 2012.

Republicans are hell bent on demanding an extension of the Bush tax cut for their patrons at the top, or else they'll pull the plug on tax cuts for the middle class. This is a gift for the Democrats.

But before this can be a defining election issue in the midterms, Democrats have to bring it to a vote. And they've got to do it in the next few weeks, not wait until a lame-duck session after Election Day.

Plus, they have to stick together (Ben Nelson, are you hearing me? House blue-dogs, do you read me? Peter Orszag, will you get some sense?)

Not only is this smart politics. It's smart economics. The rich spend a far smaller portion of their money than anyone else because, hey, they're rich. That means continuing the Bush tax cut for them wouldn't stimulate much demand or create many jobs.

But it would blow a giant hole in the budget--\$36 billion next year, \$700 billion over ten years. Millionaire households would get a windfall of \$31 billion next year alone.

And the Republican charge that restoring the Clinton tax rates for the rich would hurt the economy--because it would reduce the "incentives" of the rich (including the richest small business owners) to create jobs--is ludicrous. Under Bill Clinton and his tax rates, the economy roared.



photo by John O'Kane

**During George Bush's 8 years, commencing with his big 2001 tax cut, the economy created only 8 million jobs. And as the new Census data show, nothing trickled down.**

--Robert Reich

It created 22 million jobs.

By contrast, during George Bush's 8 years, commencing with his big 2001 tax cut, the economy created only 8 million jobs. And as the new Census data show, nothing trickled down. In fact, the middle class families did far worse after the Bush tax cut. Between 2001 and 2007--even before we were plunged into the Great Recession--the median wage dropped.

It's an issue that could also be used to expose the giant chasm that's opened between the rich and everyone else--aided and abetted by Republican policies. As I've noted before, in the late 1970s, the top 1 percent got 9 percent

of total national income. By 2007, the top 1 percent got almost a quarter of total national income.

These figures don't even count in taxes. The \$1.3 trillion Bush tax cut of 2001 was a huge windfall for people earning over \$500,000 a year. They got about 40 percent of its benefits. The Bush tax cut of 2003 was even

better for high rollers. Those with net incomes of about \$1 million got an average tax cut of \$90,000 a year. Yet taxes on the typical middle-income family dropped just \$217. Many lower-income families, who still paid payroll taxes, got nothing back at all.

And, again, nothing trickled down.

As I've emphasized, the U.S. economy has suffered mightily from the middle class's lack of purchasing power, while most of the economic gains have gone to the top. (The crisis was masked for years by women moving into paid work, everyone working longer hours, and, more recently, the middle class going into deep debt--but all those coping mechanisms are now exhausted.) The great challenge ahead is to widen the circle of prosperity so the middle class once again has the capacity to keep the economy going.

In other words, this is the right issue. It's the right time. It allows Democrats to explain what the Bush tax cuts really did, why supply-side economics is bogus, and the economic challenge ahead.

Even if Democrats feel they have to respond to the Republican charge that taxes shouldn't be raised on anyone when the unemployment rate is 9.6 percent, they have a powerful fallback: Extend the Bush tax cuts for everyone through 2011, then end them for the rich while making them permanent for the middle class.

Get it, Democrats? Please don't blow it this time.

Robert Reich is Professor of Public Policy at the University of California at Berkeley, and former secretary of labor under Clinton. His most recent book is *Supercapitalism*.

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# TIME TO REBRAND YOUR LIFE!

JOHN PILGER

**T**he year before England won the 1966 World Cup I interviewed the team's captain, Bobby Moore. Having not long arrived from the Antipodes, where "soccer" was a minority sport beloved by Italians and Croats, I did not have a clue about the game. Nevertheless, I had been assigned to write a human-interest piece by the same convivial assistant editor who had hired me, believing, because I was Australian, that I could play cricket and so assist the *Daily Mirror* team in its grudge match against the *Express*. I could swim and row and had done time in a rugby scrum, but cricket, no. (He forgave me.)

I met Bobby Moore outside West Ham Tube station, and we walked round the corner to a greasy spoon that was filled with Woodbine fug. People beamed and shook his hand, reinforcing my impression of a gracious and modest man. Here was a star in every sense--talent, looks, fame--and yet he seemed genuinely surprised by the fuss. In the queue for tea and coffee he patiently engaged an elderly fan who was hard of hearing. When I unwisely feigned knowledge of the game, he let me down gently. As we parted, he said, "Look, this is a bit embarrassing, but I've got this agent and he's asked me to ask for 50 quid for the interview." I said I would pass it on to my editor; I don't know if he was paid, and I doubt if he cared.

I remembered Bobby Moore when I read about another sports star, Lleyton Hewitt, the Australian tennis seed and famed air-puncher. For all his classy, often tireless play, Hewitt's behavior on court has always been difficult to watch because he gives the impression that only he matters. His aggressive "C'mon!" and fist-pumping are his trademark, literally. He is not merely a tennis player; he is Brand Hewitt, and Lleyton Hewitt Marketing Pty Ltd (LHM) owns the rights to two "C'mon" logos.

## No logo

Lleyton Hewitt Marketing recently suffered a defeat against a sports fan in Australia, Josh Shiels, who

since 2004 has used "Come-on" to promote his struggling sportswear business. In a statement, LHM said that it has no problem with other parties owning trademarks incorporating "C'mon" and "Come On;" however, having been "threatened" by Shiels and asked to "surrender" its own trademarks, it requested that the Trade Marks Office cancel the one registered to Shiels on the basis that he failed to use it.

At an intellectual property hearing in Canberra, Shiels said that his wife and daughters had designed the logo and his business had sold "about ten shirts." He pointed out that "come on" had been a popular catchcry in Australia since World Series cricket began in the 1970s; there was even a song.

The hearing officer decided that, however meager Shiels's business, he had the right to make use of the words. Shiels is left fearing that he will face a rematch.

The stark contrast between Bobby Moore and Brand Hewitt is telling. Today, it seems that no idea, no event, no talent, no personality, no resource of nature has value unless it is owned and branded. When the public water supply of Bolivia's second city, Cochabamba, was sold off to a foreign consortium, rainwater was included. The clouds became the property of multinationals--until the people fought back, and won.

The pursuit of profit in sport now seems unrelenting. Having said goodbye to foreign sports writers and their platitudinous eulogies for the "rainbow nation," the South African treasury reckons it put \$5bn into the World Cup, while corporate sponsors took home more than \$4bn in tax-free profits.

All those corporate parties, free tickets, kickbacks and other "gifts" merely indulged a post-apartheid elite that presides over the most inequitable society on earth.

Since 2008, following the feverish building of stadiums, several of them unnecessary, more than a million people have lost their jobs. In the wake of the World Cup, 1.3 million public-sector workers have taken strike action for a living wage. The South African police now have paramilitary powers comparable with those they had in the apartheid era.

A new Protection of Information Bill currently before parliament will conceal the corruption of the ruling African National Congress wabenzi (identifiable by their large silver Mercedes). "If journalists have to be fired [or go to prison] because they don't contribute to the South

**Today, it seems that no idea, no event, no talent, no personality, no resource of nature has value unless it is owned and branded.**

--John Pilger

Africa we want,” said an ANC spokesman, “let it be.”

**City of dreams**

In India, a similar rebranding is under way for the Commonwealth Games. In the country that has most of the world’s malnourished children, the capital, Delhi, has been rebranded a “world-class city” at a cost of \$2.5bn. A school for 180 slum children has been bulldozed so that a vast estate of luxury apartments can be built for visiting athletes.

“They told us we were a security threat so we had to go,” said the head teacher. “All my children were crying.” It is one of many demolitions; over 100,000 families have been evicted to make way for “security zones” around the Games and facilities that will mostly benefit India’s small but powerful managerial and technocratic class which, besotted with all things corporate, prefers not to be reminded that 77 per cent of its compatriots are dirt poor.

Corporate sport has enriched Rupert Murdoch, corrupted cricket and much of football, subverted numerous other games, and appropriated the Olympics and similar spectacles.

Its language is that of business schools, PR companies, consultancies and banks. Its “philosophy” is that everything is for sale and monopoly rules. Just wear the logo, pump your fist and bellow, “C’mon!”

John Pilger is a renowned investigative journalist and documentary film-maker. [www.johnpilger.com](http://www.johnpilger.com).

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# THE FLUXUS ARCANE

## In Memoriam Francesco Conz

1.

Some, hopefully all,  
live and live out their lives.  
Francesco Conz was one who  
existed it.

Call it event,  
Call it epiphany,  
Call it what Heidegger called the Turn,  
what Brigatista Rosso Sante Notarnicola  
in prison called the Turning Point,  
but in one moment  
on "one fine Day",  
as Kafka wrote of Joseph K.,  
while Francesco worked on a shingle  
in artisan conformity on his workman's ship,  
he was arrested by modern art,  
by the contemporary instant

and thereafter all he did or said,  
all he strategized or organized  
was an homage to that moment when  
the new religion he'd  
been summoned by demanded  
he impresario

the present  
as gift of  
the presence  
of the artist  
in the act  
of the gesture  
of making

the altogether  
altogether  
into a naked  
situation

flowing as flux  
as the word Fluxus  
spelled out in giant letters made of  
unsinkable tin painted alternately  
in red and black is floating  
on the surface of the River Avantgarde.

2.

He came from an old school of barks,  
of tyrannies of command and submission both.  
He had a palette of polyglots and puns  
and before Lady Karma

punished him by taking away  
all his movement except the Fluxus one,  
he had 15 fingers and 8 different tongues.  
He could scare young acolytes  
by teaching them art by example  
the Jahweh way, by fear and mercy,  
and he had one of the most  
wide-open receptive bellies  
for the eruption of laughter  
at a joke or a pun.

He did a great deal for Aggie and me,  
put us up and put up with us,  
was generous in the commissions  
he asked of us, and we all had hoops  
of joy doing them,  
me painting a piano slapdash-style  
and then writing words in Cyrillic  
allover it, Aggie painting and  
calligraphing a frigo, or reading  
her poetry with Igor Costanzo  
in a courtyard back of a Bergamo bookstore  
while I painted a volkswagen red black yellow  
and white, and then covered it with Russian  
words, or the time

I suggested we homage Pierre Molinier,  
an artist whose works both of us loved,  
and the next day at Vicolo Quadrelli,  
when I came downstairs, there was a rack of 15  
white wedding dresses, some sheer, others satin,  
and he wanted me to paint and cyrillicize  
them as well---"You're a good abstract  
expressionist, Jack, but where you really shine is  
when you write in Russian", he accurately  
said one day between telephone pauses on a call  
to a museum in Slovenia, or between vodkas  
and drunken doubletalk, like when he unzipped  
and yanked out his cock to Aggie's shock  
and pissed in the flowerpot  
on the little balcony  
next to the kitchen.

3.

O, of a kind one,  
O one of a kind  
who could be rude, crude but always  
at the same time an artist  
for life for life  
is all that art is, and he would also be  
every one of those he collected in

a warehouse of 35 thousand works of art  
including  
---O meshuginah fetishment---  
a bottle of my urine  
collected and labelled  
in a kind of ecstatic  
collectionist moment  
when the sun couldn't be  
brighter than my piss.

O brilliant, hopelessly broken  
and immediately self-willing  
self-mending, upstanding man  
with 12 arms and a dozen legs  
all in motion for art  
"is love is god".  
You would have agreed with  
Wallace Berman, even godlessly,  
O brother  
Bolshevik, as you always insisted  
to me you were,  
and to prove your point,  
look what you've gone and done---

died on us and now  
what're we gonna do without you  
who were so much an object  
in the subjectivity of our lives,  
except to empty our glasses  
of the tears you've even provided  
for us today, having called Esther  
to order the bottles,  
and Agostino and Gianni to bring  
the cameras along, there's got  
to be fotos and lots of them,  
Vladimiro and Nicola will help,  
and Giuliana as well, and certainly  
Laura will bring the cheese.

Say "Cheese!"  
Say "Cheese!"

Take one!  
Take another!  
Take three!

Addio, compagno  
Francesco, addio.

---Jack Hirschman.

*Poet laureate of San Francisco.*

## REBIRTH

JOHN O'KANE

She's lying on her back, head propped on a pillow, staring at the crucifix on the wall of her bedroom, waiting. She found it in the basement yesterday wrapped in yellowed newspaper clippings about the murder of a small child down the street. The sight of it always unsettled her. Her husband used to joke that she must be a Satanist, but she didn't even know what that was. She did believe in something that made it all happen, the immense beyond that somehow must include her, the triumph of good over bad most of the time. But she took the crucifix down not long after he died some years ago.

She turns away from it, like she's lost a stare-down with a more willful mate, feeling its metallic orbs are watching her every movement, when she hears footsteps alongside the house. "How long have I been off in my thoughts," she whispers. She feels a twinge of pain in her stomach, like the mouthing of words in her head had only muted her condition. "It must be Evelyn!"

The footsteps get closer to the back door but no one knocks or enters. She thinks it might be that peeping tom hounding the neighborhood. She tries to get up and move toward the phone stand but the pain holds her back, confusing her momentarily. As she stretches out her sister appears, braking her momentum. She reverses course and returns to her settled position on the bed, the pain amplifying to near nausea. She faces her sister with an anxious stare.

"What...are you up to? Why didn't you knock? You scared me half to death!"

"I heard something in the bushes...just wanted to...how're ya doing, Adele?"

"I don't know if I can do it!...what if...I mean why can't I...what is it I have to do?"

"You know what you have to do...we talked about it, read the passages in the good book...you understood!...

what is it now?"

"I don't see...who said that?...I can't even really remember...what's this have to do with me?...if the Lord loves me wouldn't he want what I want?"

"He does, it's just that he knows what's best...he sees into all our thoughts and actions in ways we can't...he loves us so, he's always looking out for us!"

"But where is he?...there's just these faces that don't seem very happy, they never say anything that says they know or like me, just these phrases that don't make sense...they make me feel ashamed!"

She starts to sob in spurts, which become more frequent and fuse into giddiness, like when excess pain suggests ecstasy. They cease in a blank expression.

Evelyn's lost for words. She turns around, stoops slightly over her bag, pulls out a bible, hesitates and turns around to face Adele. She grasps it like she's afraid someone might take it from her. Adele's stare fills with disbelief. Evelyn continues to brandish the book. Adele looks at it and into her sister's eyes, clueless.

"It's for the children," Evelyn spouts, becoming animated and more confident.

"Who says?"

**Rosary-ready ringers referred by a good Samaritan in the neighborhood, they seem oblivious to Adele. They finger their beads like guitarists who've found the lost chord and await the end of the world as they knew it.**

--John O'Kane

"It'll be better off...in God's family, protected from our sinful ways...we must repent, find Jesus to..."

"...do what?"

Adele reacts to her own words like they're spoken by someone else, and senses they're too loud. She looks at the ceiling, thinks she hears sounds, and tries to visualize what's happening. She slips into a trance.

"Adele, Adele, come back to me!" Evelyn says, trying to be quiet but also doing what's needed to snap her out of it. "Where are you?"

Adele concentrates hard to stop breathing and convince Evelyn she's hopelessly comatose. But the pain returns and makes her twitch uncontrollably. She tries to tune out Evelyn's words, seeing her oldest son wide awake. The

young ones are probably dead to the world. But she hears only ear static. What if he comes down, what will she do, how will she act? As she reaches a painless plateau she opens her eyes to terror on Evelyn's face. Their looks lock and she can't pull away.

As more footsteps appear alongside the house, she

jerks her head away from Evelyn and breathes a sigh of relief, catching a glimpse of her distorted image on the dresser's shiny surface. Her relief turns to horror. She shakes her head back and forth, as if trying to foil a mirage, but can't lose this picture. A jolt of pain freezes her stare. She hears faint voices escaping the fuzzy forms they attached.

"Calm yourself my child," a priest says solemnly but reflectively, like he's been beamed to the bedside while hearing a troubling confession and ponders the penance. He averts his eyes from Adele, as if hailed by someone in the room, and speaks more confidently. "You're in the Lord's hands now," he intones, looking directly at her. But he doesn't seem to see her. He mumbles what seems like a mixture of Latin and English.

Adele tries to make eye contact, and join the sights and sounds. But it's like there's a filmy partition between them. And she can't figure what he's doing with his hands. He has a young face but it frightens her, and gives the impression of being much older. The eyes are large leaden saucers that seem to have invaded most of the off-white border. She recoils from him as the fuzzy forms return. She feels like she's suspended in a vat of warm syrup.

Something brings her back. She sits up abruptly, clear-headed, as if exiting a dream to a carnival of peering faces. The priest, an elderly man in suit and hat, a slightly younger one with horn-rimmed spectacles clutching a bag, two middle-aged women wearing white uniforms, two other women wearing black, and Evelyn. She pans the group and turns to each face, looking for something. The gazes continue. She falls back flat on the bed, no match for their power, feeling the touch of hands as everything goes blurry again.

"Adele!...we're here for you...He's ready to give you new life...speak to him!...now's your chance!" Evelyn manages as Adele goes under.

Adele swoons, opens her eyes to the elderly man who's clutching a stack of papers and gesturing to someone on her left with a stern expression on his face.

"There's plenty of time for that," the doctor intercedes from her right, barely missing a beat.

The two women in black, peas in a pod, stand side-by-side in the corner away from the group, faces down, murmuring a patois of otherworldly. Rosary-ready ringers referred by a good Samaritan in the neighborhood, they seem oblivious to Adele. They finger their beads like guitarists who've found the lost chord and await the end of the world as they knew it.

Adele's eyes close to a rush of paralyzing pain and sounds she thinks come from above. They reopen to prison bars superimposed on the scene with the head of a male in his thirties staring out between them. The elderly man stands next to Adele and observes him. He then stares at her. She meets his eyes for an embarrassing instant and turns to the male who now vanishes. She closes her eyes again and reopens them to the elderly man who's taken his place. The bars dissolve and the scene rearranges. She sees heads huddled together in conversation. The priest turns

from the group and observes her like he's preparing to caress a newly polished monstrosity on the altar. She loses consciousness.

Evelyn tiptoes from the room and continues on to the stairs, and hesitates, listening for sounds above. She thinks she hears something and slowly mounts the steps. At the top she meets the fearful eyes of a scrawny frame in the bedroom doorway and shepherds him inside, spreading her arms to shield him from possible noise. "Have you said your prayers?" she asks. "Your mommy wants you to be close to the Lord!"

"What if she changes her mind?" the elderly man says to the doctor, who's preoccupied. "We've already worked everything out...just a matter now of..."

"...they never do...always see the light when it comes to their families...relax, there's nothing to worry about," the doctor retorts.

"She'll have a chance to see if she makes it...this place would be a curse anyway," a nurse says while reaching for an instrument.

"Yes, and when he's released it'll be like nothing ever happened," the elderly man chimes in, looking her directly in the eyes before turning to the doctor who meets it with a grin.

Adele jerks, wincing with pain. She opens her eyes and looks around frantically, like she's lost her sight. The doctor backs away from her as one of the nurses reaches

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for the hypo. The priest, who's apparently been meditating, approaches the bed. One of the women in black lurches toward Adele, beads a-clacking, her deathly mien morphing into a saintly aura. The priest produces a crucifix from his satchel and proceeds to open a bible as everyone else gathers around the bed. A peaceful glow bathes their faces. Evelyn appears in the door frame, stopping abruptly. Her leaden expression softens and passes through a series of enigmatic contortions to a cherubic gawk. She reaches for her bible.

Adele appears lifeless, barely breathing. All eyes are riveted on her every flinch.

"This moment...if only she...do you think she'll come out of it?" Evelyn asks the doctor.

"I think she should but...I don't get why she won't respond."

"Has she stopped breathing?" the priest interjects with a puzzled look on his face, eyes glued to the bible's pages.

"Yes, I think she's...her throat is rattling slightly...or maybe she's..."

"...no, no, she's coming round...you can see her eyes opening slightly," a nurse interrupts the doctor.

"Maybe it's a reflex."

Evelyn looks at Adele, but sees no movement. She smiles, and sobs slightly before beaming with pleasure, assured she's on to a better place and no longer suffering. All eyes are now on Adele, except for the two women in black who riff away on their beaded instruments, staring at an imaginary space on the floor. A calm settles over the group, a collective feeling that all good will has been spent in a job well done.

Adele sees a series of glowing heads without facial features, blank twitching blurs on an artist's canvas. She stares, waiting for the details, feeling her strength returning slightly.

"We've done all we can," the priest says, bringing his hands over Adele's body just shy of a clasp, like he might not be so sure. While contemplating how to form his gestures, Adele opens her eyes and lunges upright through his hands all in one movement, like waking from a pleasant dream. But she's clear-headed and wants to say something. The priest backs away, giving her the stage, waiting for her to speak.

"Who are you?" she asks, falling back on the bed but remaining alert. The nurses take their cue and move toward Adele, ready to take her pulse. The doctor grimaces, reaches for the hypo and then hesitates, looking directly into Adele's eyes with a puzzled expression. It gets very quiet as everyone holds their breath in anticipation. She lunges up again, forcing everyone away from the bed, looking from left to right at the arc of faces around her and back, fixing on Evelyn who immediately looks at the priest. She returns to Adele, but her funereal demeanor deflates and is no match for Adele's gaze. Evelyn turns away, fumbles with her bible, then back to Adele.

"Well, what is it you want from me?" Adele says clearly to the group, like she's snapped out of a trance. She reaches out and touches the bible, and smiles confident-

ly before disengaging from Evelyn who babysteps away from the bed.

"You feel you can just come in here and...what should I do now?"

No one speaks. The doctor turns to one of the nurses, and back to Adele who's gazing up at the ceiling, now oblivious to all in the room, like she's miming a private conversation with someone above. The priest fidgets, glances at the doctor and then Adele, who hasn't moved. She drops her head while keeping her poise, and turns to the priest who looks at her suspiciously. Adele laughs uncontrollably.

"Well, what is it? I've listened to you...here I am. What's wrong?"

The two women in black, who've ceased fingering their beads, look up at Adele and appear bewildered. They jerk their frames to the left simultaneously, like Siamese twins, and exit the room with heads drooped.

"Just stay calm, my child...we'll...don't worry...I mean we'll make sure that you won't need...anything," the priest finally manages to say as he stares into the eyes of one of the nurses.

Adele stares at him, perplexed, hoping he'll continue, say something that makes sense. She winces with pain but quickly recovers her composure and resumes staring. They back away, like they've seen a ghost, and return the stare. The doctor is virtually impaled against the dresser and appears mesmerized by something. Evelyn, who's been nervously teetering back and forth in the doorway, rushes Adele.

"Calm down, calm down!!...what's wrong with you?" she blurts out suddenly, breaking the ice, and smothering Adele with hugs at the same time.

Adele begins choking from the pressure, pushing Evelyn away with her remaining strength, finally succeeding. Evelyn backs off and retreats to the doorway with a whitening pallor. Adele appears stymied, but recovers her relaxed confidence and smiles at them. Her smile seems to leave her lips with the power to freeze their gestures behind an imaginary glass barrier. A long silence follows.

A nurse twitches, turns to the group for a sign, and the barrier seems to disappear. She pulls a hypo from her bag like it's a Saturday night special, pivots to the priest's eyes and lurches toward Adele in one confident motion. Before Adele can resist she punctures her flesh, leaving her dazed by this unexpected action.

Adele's smile becomes momentary caricature and then a soft frown before vanishing completely in a stuttering squeak. Her energy succumbs to the dispersing chemicals, but her eyes remain open. The nurse recoils from Adele's look, turning to the others whose vacant expressions offer no reassurance. The nurse checks her pulse and meets their eyes in apparent bewilderment, turning around to close Adele's eyes. Their facial gestures echo a shared sigh of relief.

Adele falls back toward the pillow in slow motion, nearly stopping every few inches like she's summoning the strength to reverse course, until her energy completely dissipates. She continues to look, seeing fuzzy

shapes that change into something like a fading sunset of purplish smudges, and then a rush of heat followed by bright lights. It's so hot she can smell the heat. She's in a spacious room steaming with incense that gets larger and larger, making her feel as if she's disappearing. The heat lifts and the steamy odor evaporates, leaving her in a cool darkness.

\* \* \*

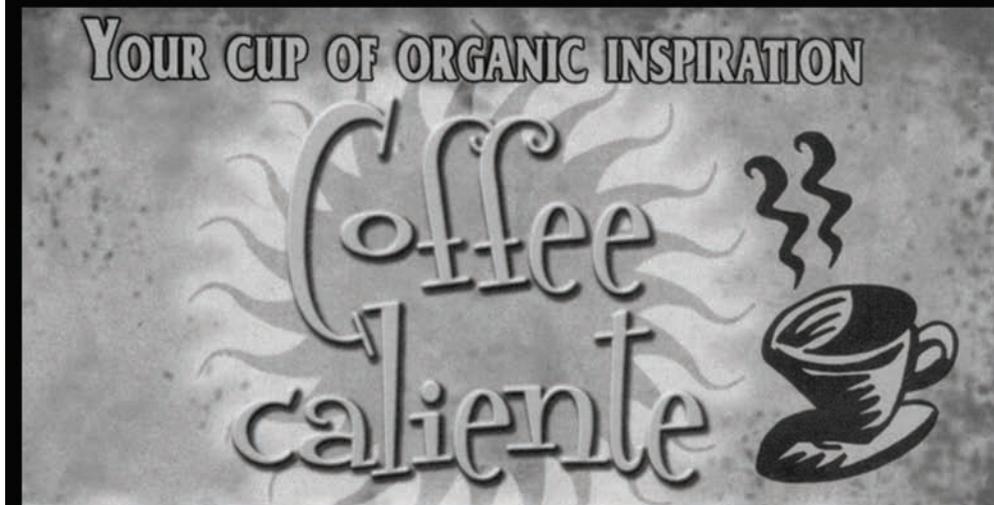
Adele lies flat on the bed in the same position as when her eyes closed. There's no one in the room. Her face is bleached of pigment, giving the impression she's wearing a mask. But her lips are curled slightly upward, suggesting a transition toward either forming or deforming a smile. Barely audible voices can be heard from another room. They cease suddenly, as if she's been given a moment of silence for spirits to caress her. The stillness compounds. She seems to move slightly. The voices return and she opens her eyes, staring up at the ceiling.

Pain surges through her body like it's been given an electric charge. She lifts her arms and grasps her mid-section, wishing so bad for it to go away. The pain decreases and she raises her upper torso slightly, looks around the room and appears to recognize the surroundings. She inches her frame further upward, seeing her world displayed in a crescendo of rapture as if for the first time, meeting the metallic orbs on the wall. This gives her the strength to sit up level with the room. She notices the door is slightly ajar and feels drawn to it, easing her legs to the floor while trying to decipher the voices beyond.

Her babysteps get bigger as she reaches the door

and peeks through the slit, bracing herself against the wall. She opens it wider and shuffles through, moving in rhythm to the shield of conversation, stopping with pauses. There's a swaddle of sheets and discolored blankets on the corner of a table that could be a load of wash someone left. It's graced by a few files and a scatter of papers that Adele peruses out of the corner of her eye as she leans against the table briefly, peering over the lip of the bundle like she's on the cusp of a bottomless cavern.

She cringes at the sight of the pale-pink prunish face. A warm numbness spreads through her body that pacifies the jolts of pain but leaves her vision blurred. It seems familiar but the nose is too large and it's like the bone structure and skin haven't fully fused. She wants to touch it, open its eyes and fast forward it, or pump it up with air as if it were an inflatable doll. Her vision settles momentarily and she thinks she sees herself, then perhaps a distant ancestor dozing in some cave. The voices cease briefly and return, breaking her concentration. All she can think of now is wrapping her arms around it, pulling it back toward its origins. She takes a few deep breaths and shuffles through the room to the kitchen, and on to the back door, hoping she can keep her footing. Once she reaches the sidewalk along the house she stops, looks behind her, and listens for the voices inside as she hobbles across the neighboring yard toward the noisy street. As the traffic slows she continues through the lanes and against the chorus of honks to the median, finding her place of rest between a bush and a short concrete pillar. She unwraps the bundle, places it upright on the pillar, and waits.



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# SUPREME COURT A CONSERVATIVE COURT

ERWIN CHEMERINSKY

As the Supreme Court begins its new term on Monday, October 4, its sixth with John Roberts as Chief Justice, the reality is that this is the most conservative Court since the mid-1930s. Although President Obama has already filled two vacancies, with Justices Sonia Sotomayor and Elena Kagan, he has not altered the ideological balance on the Supreme Court.

John Roberts and Samuel Alito have been everything that conservatives could have hoped for and liberals could have feared. When the Court is ideologically divided, they are virtually always together with Antonin Scalia and Clarence Thomas. If the Court is split 5-4, as it often is in the most high profile and important cases, these four justices can usually count on being joined by Anthony Kennedy.

For example, last term there were 12 cases in which Roberts, Scalia, Thomas and Alito were on one side, with Stevens, Ginsburg, Breyer, and Sotomayor on the other. Justice Kennedy sided with the conservatives in nine of these dozen cases and with the liberals in only three. Similarly, the year before, there were 16 5-4 decisions that were split along ideological lines and Justice Kennedy sided with the conservatives in eleven and with the liberals in only five. During the five years of the Roberts Court, Justice Kennedy has been with the conservatives more than twice as often as with the liberals in ideologically split 5-4 decisions.

Overall, the conservative majority of the Roberts Court has already moved constitutional law substantially to the right. For the first time in American history, it has struck down laws regulating firearms as violating the Second Amendment and held that the Constitution protects the right of individuals to possess guns. It has consistently ruled in favor of corporate power, such as in hold-

ing that corporations have the First Amendment right to spend unlimited amounts in independent campaign expenditures. It has dramatically cut back on the rights of criminal defendants, especially as to the exclusion of evidence gained through illegal searches and seizures under the Fourth Amendment and the protections of the Fifth Amendment's privilege against self-incrimination. It has greatly limited the ability of the government to formulate remedies for the segregation of public schools. It has significantly expanded the power of the government to regulate abortions.

**Overall, the conservative majority of the Roberts Court has already moved constitutional law substantially to the right.**

-- Erwin Chemerinsky

This, of course, is not to say that conservatives have prevailed in every decision of the Roberts Court. But the overall effect of the Roberts Court is unmistakable. Indeed, it has continued a trend that began with the election of Richard Nixon in 1968 and his filling of four vacancies on the Supreme Court in his first two years in office. For decades, Republican presidents and the justices they have appointed have sought to remake virtually every area of constitutional law and they have largely succeeded.

It is easy to lose sight of how successful conservatives have been in changing constitutional law. Each individual decision only gradually changes the law. In some areas, the conservative agenda hasn't succeeded on the Court: it has not overruled Roe

v. Wade or declared all affirmative action to be unconstitutional. But it is wrong to generalize from these areas and to miss the overall conservative impact on constitutional law.

From 1968 until 2009, there were only two Democratic nominees to the Supreme Court. Republican nominees such as Scalia, Thomas, Roberts, and Alito were not moderates, but staunch conservatives. The two Obama nominees replaced liberal justices and thus did not alter the Court's overall ideological balance. The result is a Court that is the most conservative that there has been since

1937. It is a Court that generally favors the government over the individual and business over the government. It is a Court whose ideology is far closer to the 2008 Republican Platform than to the original intent of the framers.

There is no reason to think that October Term 2010 will be any different as the Court considers major issues concerning the separation of church and state, the ability of states to regulate immigration, and the rights of criminal

defendants. Nor is this likely to change in the foreseeable future. John Roberts is only 55 years old. Samuel Alito is 60 and Clarence Thomas is 62. Antonin Scalia and Anthony Kennedy are 74. Absent unforeseen circumstances, these five justices will likely be on the Court beyond when President Obama leaves office, even if he is a two-term president.

It is a Court for conservatives to rejoice over and liberals to bemoan. And it is likely to stay that way for a number of years to come.

Erwin Chemerinsky is Dean and Distinguished Professor of Law at the University of California, Irvine, School of Law. His recent book is *The Conservative Assault on the Constitution*, 2010 (Simon and Schuster).



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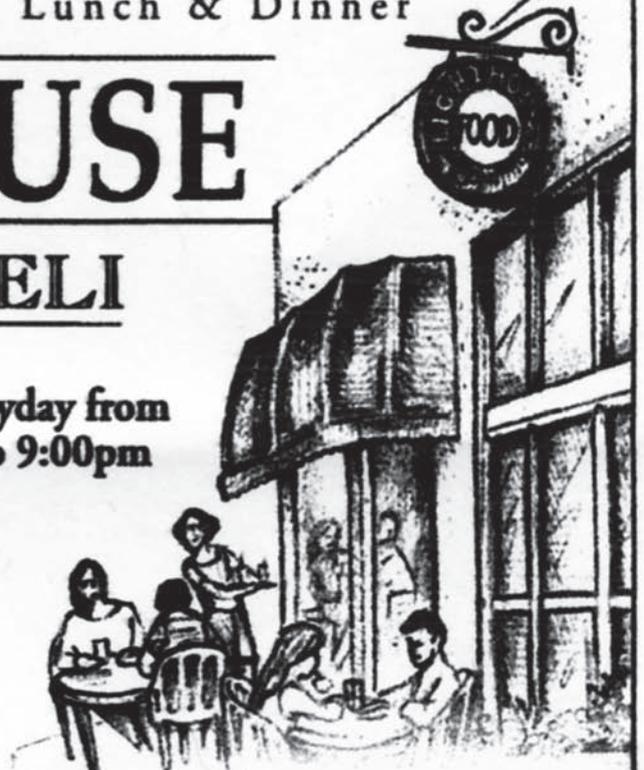
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# FREE BRADLEY MANNING

ANN WRIGHT

He now faces decades in prison for letting Americans see the truth about our wars on Iraq and Afghanistan by allegedly leaking the “Collateral Murder” videos--of two Reuters’ journalists being shot and killed by a U.S. helicopter--to WikiLeaks. Manning is also being investigated in the leaks of the “Afghan War Diary” documents that were also released by WikiLeaks--in conjunction with the New York Times, The Guardian and Der Spiegel--exposing the war in Afghanistan as a costly quagmire that has cost countless civilian Afghan lives, as well as the lives of over 1,000 U.S. soldiers.

Over the last seven years, Iraq has become the deadliest theater of war for journalists since World War II. But hearing this generality is different from actually seeing what the killing looks like.

WikiLeaks posted on April 5 a video showing a U.S. helicopter crew killing 12 Iraqi civilians, including Reuters photographer Namir Noor-Eldeen, 22, and his assistant, Said Chmagh, 40. WikiLeaks wrote that the computer file had come from

unspecified “military sources.”

Reuters had filed a formal request, under the Freedom of Information Act (FOIA), in 2007 to access documents that might explain the death of its media workers. FOIA requires federal government agencies to release documents to all persons requesting them unless specifically exempted by the law. Reuters received no documents.

Reporters Without Borders, the international journalists’ association writes of Bradley Manning, “If this young soldier had not leaked the video, we would have had no evidence of what was clearly a serious abuse on the part of the U.S. military.”

Much of my own military background concerns the law of warfare. Most Americans do not realize that our wars in Iraq and Afghanistan have violated domestic and international law, violations that have been fully exposed in the WikiLeaks documents that Manning is accused of releasing.

When I joined the U.S. military I, like Bradley Manning, took an oath to protect the Constitution and the American people. This

led me to resign my position when the U.S. invaded Iraq in 2003. Protecting the Constitution outweighs following orders, and Manning should be lauded for choosing to do the right thing.

Bradley Manning is a patriot of our democracy, who stayed loyal to what is right, risking his own security.

His loyalty to the Constitution and the American people transcends partisan politics.

Just as Daniel Ellsberg blew the whistle on the lies of U.S. leaders about the Vietnam War, Manning is accused of blowing the whistle on the illegality of today’s wars.

What will be our response to the information Manning is charged with releasing? Can we make today’s Pentagon Papers lead to an end to illegal and wasteful wars abroad and the return of our troops home?

A nationwide series of support events for Bradley Manning has begun in 18 U.S. cities. For more information go to [www.CourageToResist.org](http://www.CourageToResist.org).

Ann Wright is a Colonel, US Army Reserves (Retired) and U.S. diplomat who resigned in March 2003 in opposition to the War on Iraq.

**Bradley Manning is a patriot of our democracy, who stayed loyal to what is right, risking his own security. His loyalty to the Constitution and the American people transcends partisan politics.**

-- Ann Wright

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# BUCKING THE FAST FOOD FETISH

MELINA PARIS

If there's a trace of silver lining in the dark recession cloud we're living under at the moment, it's that the economic collapse reveals how much control big corporations have over us. With their power to escape regulation and control markets, they give us unsafe conditions and inferior products, not to mention higher prices. Big oil spoils the environment; big finance and its fictitious investments destroy wealth; and big food poisons us with toxic additives and byproducts, especially fast food which is linked to obesity.

Obesity is the not-so-invisible result of a processed food nation that remains hidden from us. The Surgeon General has called it an epidemic. But why are these fast and fatty foods so popular and obsessively consumed in such large quantities? Are masses of folks addicted to them? Do we need to pressure the FDA to create withdrawal clinics to ease them toward more healthy eating habits?

Eric Schlosser, author of *Fast*

*Food Nation*, says that most gorge on fast food because it's carefully designed to taste good. And of course it's relatively cheap and convenient too. But the real cost exceeds the literal price. Those "value meals, two for one deals and free refills of soda give a distorted sense of how much fast food actually costs. The real price never appears on the menu."

Or rather, you don't pay now but later with your health!

The solution is within our grasp. Get educated about what foods are healthy and make your own. It can be done cheaply by shopping at farmers' markets and food co-ops. Or just eat real whole foods since we *know* what's in them. And there are so many exciting ways to prepare food. There are a wealth of resources to help: cook books, cooking shows, the internet, and most importantly the wealth of recipes passed down from our families or friends who practice the art of cooking.

Of course we go out once in a while and that's when we might find ourselves in a fatty wasteland. All the more reason to find the family-owned Italian restaurant Capretto Trattoria on Atlantic Blvd. in Bixby Knolls where chef Stefano is doing a series

of videos on healthy Italian eating for youtube. These offerings are a must see for those who want to buck the fast food fetish.

On a Saturday afternoon recently I witnessed this gifted and personable food artist in action. His confident direction helped me soak up his instructions and easily remember them.

He prepared three zesty dishes that are simple to make, and as expected in the culture of Fellini, good for both men and women.

His first entrée was grilled zucchini with mushrooms marinated in olive oil and lemon with a bright garnish of fresh Italian parsley. A perfect late summer dish, light and smooth with a zing of citrus. Delicious!

Next he prepared organic whole wheat pasta with fresh tomatoes from his garden. He sautéed the tomatoes with fresh garlic and added freshly cut basil. This dish was enhanced by the freshness of the tomatoes and basil, which quickly infused the kitchen with its special aroma when cut. This meal is good for men because the tomatoes have lycopene, a crucial boost for prostate health.

The finale was a beautiful



Jack Skandalakis

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fresh baby filet of Atlantic salmon, poached in rosewater and aromatic herbs, accompanied by a fresh filet of yellow tail tuna marinated in olive oil and lemon, and then grilled. Both portions were served on a bed of fresh tomatoes and red beets. Stefano finished with a drizzle of extra virgin olive oil on the tuna along with different fresh herbs sprinkled over each portion to bring out their respective flavors.

This dish is good for women's skin, making it soft and smooth. They also get the benefit of high omega fatty acids from the baby salmon filet (yet to accumulate high levels of mercury). The quality of the dish is also improved by the way he poaches it. He lets the spine of the fish sit above the water, leaving it slightly raw. This brings out the great benefits of the omega fatty acid.

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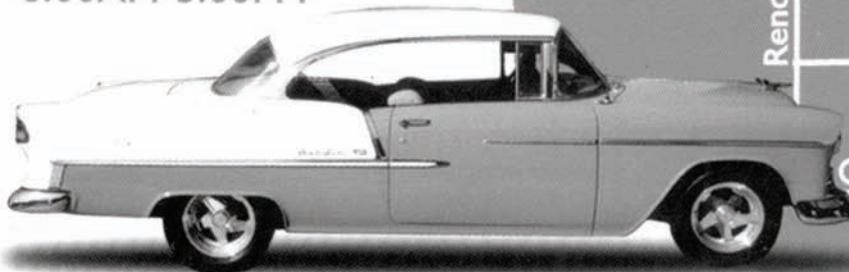
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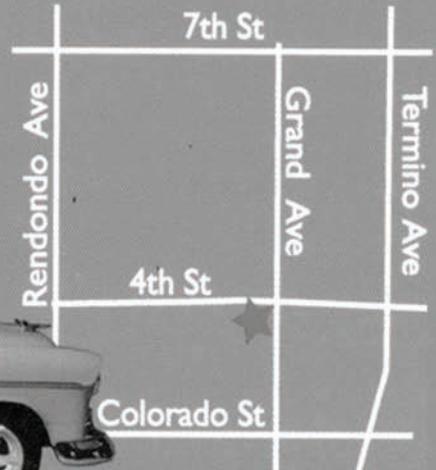
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# LONG BEACH MUSIC SCENE

GREGGORY MOORE

The construction of the edifice that is Miniature Houses is a story of the Long Beach music scene at its best: building great art from the best materials at hand.

Three years ago Michael Wysong's *I Read Her Journal* and Lili De La Mora's *The Year Zero* were good enough that the first time I heard each I went out of my way to find out just who was making such lovely music. At *Viento y Agua* *I Read Her Journal* enticed me away from the book I was reading, Wysong's plaintive voice and the tight little story tunes making his entry into the "singer/songwriter" genre anything but generic. Similarly, when I heard *The Year Zero* doing their Pixes-that-my-mother-could-love thing at *Tour des Artistes*, I made sure to get a hold of their *Oceania*, *I Will Return*.

But it was the quiet lushness of *Eleven Continents*, an album by a De La Mora side-project with Robert Francesconi, that seemed a whispered blueprint for Miniature Houses: pair De La Mora with a guy of equal understatement and talent, drink deep from the reservoir of worthy Long Beach collaborators (e.g., Fabiola Sanchez and Ken Negrete of *Familiar Trees* are contributors to both projects), and listen. As good as *Miniature Houses* is, the end result was predictable.

Although De La Mora and Wysong are too humble to say anything like that, even they are surprised it took them three years of acquaintanceship to come to this place. "I don't know why it took so long [for us to get together]," reflects Wysong, "because I love *The Year Zero*, and I love [Lili's] voice. I think I was a little intimidated to get it going, you know?"

After formally meeting at a

Hooray for Humans event at Koos (RIP), the pair slowly edged into a sort of binary stellar orbit. When they found themselves for the second time on the same bill at an opening for teenage Björk-y chanteuse Alessi, they decided to do some songs together. That performance garnered them an invite by LA-Underground to play at Pehrspace—and engendered the thought that, hey, maybe this pairing should be a regular thing. "When we had these shows pop up, it kind of forced [*Miniature Houses*] to happen," says Wysong.

"People say I'm the quiet type / But I say I'll talk when I wanna talk," the pair sings on "Big Dive." There could be no more appropriate sentiment for Miniature Houses' first recorded song, four-and-a-half minutes of unassuming beauty that opens with a soft and pretty sunrise, goes for an early afternoon stroll, enjoys a quaint pause, then glides into a soft burst of simple, lushly understated glory. The first part of the appropriateness lies in the fact that you'll never meet two more amiably quiet musicians than De La Mora and Wysong, who could have grown up in the same little household for the likeness of affect they put forth. "I was thinking about the first time you came over," De La Mora says to Wysong during our interview. "I thought it was funny; I was laughing about it later. I was like, 'We're both way too overly polite.'" Not surprisingly, this immediately helped them work together. "For being awkward people, we don't really feel awkward around each other."

The second part of the afore-said appropriateness? When they want to talk musically, they have something to say, and drawing the listener in close with a harmony-based sound that might seem incongruously vulnerable with all this shyness abounding. Wysong explains it by conjecturing that "[music] is the way I can inhabit the world. I can still be shy but at the same time be active."

Meanwhile, despite her 17 years in the Long Beach music scene, De La Mora disavows the notion of being a performer (a sentiment Wysong shares). "I just keep it really

simple," she says of the seeming dichotomy. "We just like to write songs and sing and see what it is...I like to sing, and I like to share that...The greatest feeling for me is that connection you have when you're singing with another person. You're not really thinking about anything, you're very in the moment, and you're really trying to find your way...It has a soothing effect on me, and I know at times it has that effect on other people. And we all need a little soothing every so often...If we can somehow carry other people to that space with us, I like that."

The band achieved that and more during their first-ever live performance July 15 on the second floor of the Long Beach Museum of Art during its quarterly *After Dark* event. The loveliness of the surroundings paled in comparison to the aural gorgeousness on display, a combination of a perfect sound mix by Negrete and an acoustical space seemingly tailor-made for Miniature Houses to inhabit. On this night De La Mora and Wysong were perfectly augmented by Andrew Pompey on drums and *Familiar Trees'* Davin Givhan on bass.

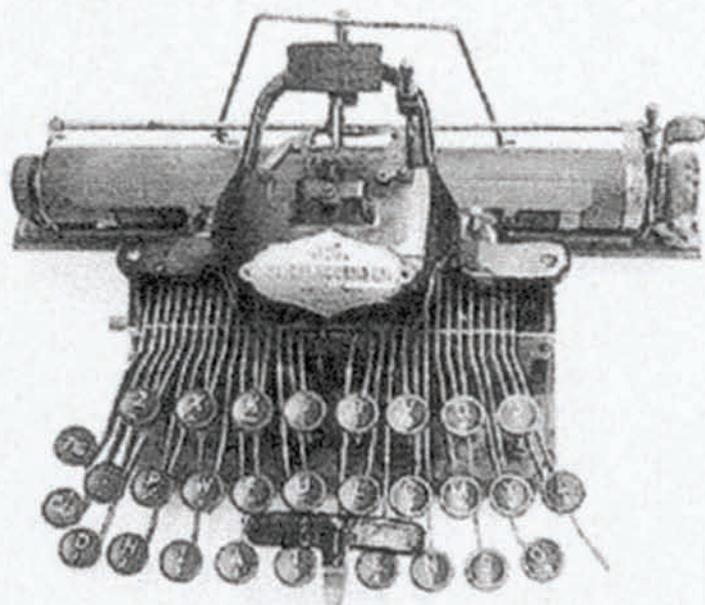
Wysong says that playing as a quartet wasn't necessarily a long-term thing, but "the night and the environment was so special that we needed to have a fuller sound. [And] we got addicted to it. [Pompey and Givhan] are really cool guys. I've been in bands where everyone's got really crazy egos and wants to be louder than everyone else, and the music part of it gets lost. But Davin and Andrew are really sensitive to that, and really supportive...They're such accomplished musicians that it really elevated the songs to another place."

The audience, too, seemed to know they were privy to something special, as the quartet's nine songs were separated by applause breaks nearing the half-minute mark.

To think that this is just the beginning. To keep up on what happens from here—such as the current Negrete-helmed recording sessions with collaborators including oto's Tai Tajima and Greater California's Terry Prine—visit the band on Facebook.

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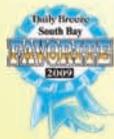
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Sat 10/2 – 7:30pm: **CINEMA GRAND PRESENTS:** Foreign Film. \$10/\$20  
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Wed 10/6 – 7pm: Marymount College PV presents: **Ito/Matsuura Film Series** - **“HELLO LONESOME”** (Recommended for adults 17+). Admission: FREE [www.marymountpv.edu](http://www.marymountpv.edu)

Sat 10/16 – 7PM: **GRANDEZA MEXICANA DANCE ACADEMY'S 4TH ANNUAL STUDENT SHOWCASE** Dances, Music and colorful costumes from throughout Mexico. Admission: \$12 / \$15 (562) 879-4474.

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