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Dismantle NATO Now: 1-5

FIGHT FOR AN ANTI-WAR GOVERNMENT

Dismantle NATO Now! No to U.S. Aggression and Crimes

The U.S.-led North Atlantic Treaty Organization (NATO) members met in Wales September 4-5 and made clear that this is a war machine of the U.S. and its big power imperialist allies. It is not an

anti-war alliance promoting the peace and security of the peoples, but rather a pro-war alliance, planning more aggression — itself a crime against the peace. The U.S.

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Stop Criminalizing Migrant Children: 13-20

WHOLESALE ATTACK ON DUE PROCESS

Stop Criminalizing and Deporting Migrant Children

President Obama announced in July that absent action by Congress, he planned to take executive action on immigration by the end of summer. Those fighting for immigrant rights have demanded that he stop the massive deportations

that have ripped millions of families apart — *Two Million Too Many* they declare — and provide *Legalization for All Now!* Instead, the White House recently announced it is not yet ready to take action

Stop Criminalizing Children • 16



Resistance in Ferguson: 21-24

RESISTANCE IN FERGUSON

We Have Rights and We Do Not Accept Police Killings of Our Youth!

The police killing of unarmed African American teenager Michael Brown in Ferguson, Missouri, sparked more than two weeks of daily demonstrations demanding justice and an end to police impunity. For days the people of Ferguson courageously

represented the broad and burning anger nationwide at the police killings of unarmed national minority youth. They demanded not only that the police officer responsible for Brown's killing be identified and charged with murder, but

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I • Dismantle NATO Now

acted to ensure NATO countries will do its bidding as it seeks world empire and pay more for the war crimes committed. Statements by President Obama make this clear.

Speaking September 5 of what was accomplished he said, “First and foremost, we have reaffirmed the central mission of the Alliance. Article 5 enshrines our solemn duty to each other — “an armed attack against one...shall be considered an attack against them all.” This is a binding, treaty obligation. It is non-negotiable. And here in Wales, we’ve left absolutely no doubt — we will defend every Ally.” This is an announcement

for aggressive war, and that the U.S. is demanding that all of NATO follow U.S. war plans — that is non-negotiable.

Obama continued, “Second, we agreed to be resolute in re-assuring our Allies in Eastern Europe. Increased NATO air patrols over the Baltics will continue.

Rotations of additional forces throughout Eastern Europe for training and exercises will continue. Naval patrols in the Black Sea will continue. And all 28 NATO nations agreed to contribute to all of these measures — for as long as necessary.” Again, the U.S. is demanding that all contribute to the training and plans for war, including air and naval patrols meant to intimidate or provoke Russia. And do so for as long as the U.S. decides is necessary. This content reflects in part on-going contention within NATO, and especially between the U.S. and Europe, as to the length of military deployments and locations of them, especially those outside Europe, such as Afghanistan and Libya. The U.S. wants NATO forces to do more of the on-the-ground activities, while the U.S. limits its troop deployments.

Consistent with the Obama doctrine’s use of drone warfare and rapid deployment of Special Forces and “advisors,” instead of large occupation forces, Obama added, “Third, to ensure that NATO remains prepared for any contingency, we agreed to a new Readiness Action Plan. The Alliance will update its defense planning. We will create a new highly ready Rapid Response Force that can be deployed on very short notice. We’ll increase NATO’s presence in Central and Eastern Europe with additional equipment, training, exercises and troop rotations. And the \$1 billion initiative that I announced in Warsaw will be a strong and ongoing U.S. contribution to this plan.” NATO is also to model itself on Pentagon plans for rapid deployments of smaller forces, backed up by airstrikes, drones and Special Forces, as is occurring now against Iraq.

There is nothing to indicate in any way that NATO is to be a force for peace and security, an alliance that assists in building

relations of mutual respect and benefit. Rather, it is a war machine, being primed for aggression. It is a U.S.-led force for criminal aggression that brings nothing but destruction and chaos, as is evident in Libya today.

Obama also spoke to the U.S. demand for Europe to pay more for war. He said, “All 28 NATO nations have pledged to increase their investments in defense and to move toward investing 2 percent of their GDP in our collective security. These resources will help NATO invest in critical capabilities, including intelligence, surveillance, reconnaissance and missile defense. And

this commitment makes clear that NATO will not be complacent. Our Alliance will reverse the decline in defense spending and rise to meet the challenges that we face in the 21st century.”

He also indicated that more countries are to be embroiled in the U.S. drive for world empire. He said, “We agreed to expand the partnership

that makes NATO the hub of global security. We’re launching a new effort with our closest partners — including many that have served with us in Afghanistan — to make sure our forces continue to operate together. And we’ll create a new initiative to help countries build their defense capabilities — starting with Georgia, Moldova, Jordan and Libya.”

The NATO Summit was repeatedly used to justify further interference in Ukraine and further threats to Russia. And, as was a main aim of the U.S., to embroil all the NATO allies in such interference. As Obama put it, “All 28 NATO Allies will now provide security assistance to Ukraine. This includes non-lethal support to the Ukrainian military — like body armor, fuel and medical care for wounded Ukrainian troops — as well as assistance to help modernize Ukrainian forces, including logistics and command and control.”

As demonstrations in Wales and elsewhere show, the peoples are rising against imperialist war and defending their rights as the path to security. Yet more wars, more funding for war, more training for war, “modernizing” war machines all serve imperialist reaction and block progress. What is needed in the U.S. is an anti-war government that acts to *Dismantle NATO* and bring *All U.S. Troops Home Now!* What is needed is to *Stop War Funding* and to *Defend the Rights of All, Abroad and at Home!* Doing so would mean removing all U.S. bases worldwide, ending arms sales, and instead contributing to defending rights, including the right of the peoples to decide their own affairs without U.S. interference. Let all step up the fight to an anti-war government.

Dismantle NATO! All U.S. Troops Home Now!

Oppose All U.S. Aggression and Crimes!



Canada Needs an Anti-War Government Defeat Harper! Canada Out of NATO! Dismantle NATO!

Pauline Easton, TML Weekly, Canada

As the NATO Summit takes place behind a “Ring of Steel” in Newport, Wales and the peoples of Poland and all of Europe and the world mark the horrendous anniversary of Hitler’s invasion of Poland, the awareness increases that the world faces terrible dangers all over again.

Prime Minister Stephen Harper recently concluded a trip to the Arctic to witness Canada’s war exercises, codenamed Nanook, and engage in other activities which are preparing Canada’s Arctic for military occupation. Harper used the occasion to step up his warmongering diatribe against Russia.

On August 21, Harper was in Fort Smith, Northwest Territories, where he is said to have announced initiatives to promote fresh food production in the region. In one breath he went from admitting that Russia is doing everything to sort out border disputes with Canada and other countries in the Arctic through international mechanisms and the rule of law, to ratcheting up his warmongering. “...we haven’t seen, obviously, the kind of aggressive moves in the Arctic that we have seen in eastern Europe by the Russians,” Harper said. “In fact, we have actually seen the Russian government ... actually operating within international rules.

“However, I don’t think -- because of what’s happening elsewhere and because of what’s happened for many years now -- we should be complacent about this.”

The monopoly-owned media assisted Harper by covering up what the Harper government is doing in the Arctic and the lies about Russia’s response to events in the Ukraine. The media permitted Harper to suggest that it is Russia which is militarizing, while Canada is defending peace. “Russia is busy rebuilding former Soviet-era military bases in its north, and has a fleet of nuclear-powered submarines and icebreakers patrolling its waters. Russian planes have also tested the boundaries of Canadian airspace,” the National Post quotes Harper as saying.

“I just think we should not be complacent, because we have seen over the period that President Putin has been in power just a gradual growing in aggressiveness of his government toward neighbors and the gradual military assertiveness of that country, and I just think it’s something we should never be too at ease about,” he said. In fact, since Harper has been in power, we have witnessed increased spending on the military integration with the U.S. armed forces, increased presence of U.S. armed forces within Canada and the militarization of culture and civilian life. But none of this is mentioned and it is all about Russia.

“In Europe, we see the imperial ambitions of Vladimir Putin, who seems determined that, for Russia’s neighbors, there shall be no peace...,” Harper said. “And because Russia is also Canada’s neighbor, we must not be complacent here at home.”

It shows that the need to oppose the U.S. imperialist disinformation of today is as great as it was to oppose the Nazi disinformation of yesteryear. It is part of opposing the reactionary thesis that

humanity has reached the end of history. This end of history outlook deprives the peoples of the world of the consciousness they need to open society’s path to progress today. The warmongering is accompanied by the attacks of the ruling circles in Canada and elsewhere on the workers and peoples fighting for their rights against the neoliberal anti-social offensive. It must not pass!

These crimes include the genocide against the Palestinian people, especially in Gaza. They include the actions of the U.S. and its allies and NATO forces to commit invasions, proxy wars and mass killings in sovereign countries to bring about regime change and to consolidate their domination of vast regions of the world. They resort to torture, blatant violation of rights and drone flights over civilian areas and through commercial airspace to terrorize and spy on the people, firing their deadly rockets in targeted assassinations and mass killings, interference in their internal affairs and armed invasions. Their special ops and mercenaries use chemical weapons, other banned weapons and commit criminal acts indiscriminately, and then blame their enemies targeted for regime change for the crimes and chaos for which the big imperialist powers are responsible. The anarchy, violence and crimes become pretexts to justify invasions and yet more atrocities. This is what the U.S. imperialists and their partners such as Canada, Britain and other NATO members are doing at the NATO Summit. The peoples of the world are sure to reject this.

If left unopposed, the lies and current warmongering spread deep anxiety as a result of feelings of helplessness, hopelessness and humiliation because the ruling circles are getting away with such terrible crimes that the peoples are left feeling powerless. To avert this they must step up their resistance struggle and defeat the ability of the rulers to do as they wish.

Our Future Lies in the Fight for the Rights of All! Let us take the necessary measures to defeat the activities of the anti-people forces on all fronts. Let us start by saying No! to the falsification of past history and today’s unfolding events, which aims to render us passive today, just as was attempted when the invasion of Poland took place 75 years ago. Never Again! means to take a stand against imperialism and its war crimes now, to defeat the falsification of the crimes of the Nazi aggressors of yesterday, and to honor the heroism and resistance of the peoples of the world. In World War Two the resistance struggle was waged under communist leadership and so too today Communist Parties are required which are capable of providing the strategy and tactics which defeat the U.S. imperialist striving for world domination which is plunging Canada to commit war crimes and threatening to plunge the world into another cataclysmic war for the redivision of territories and strategic areas of influence, raw materials and cheap labor and zones for the export of capital.

All Out to Defeat Harper and Establish an Anti-War Government! Canada Out of NATO! Dismantle NATO!

Condemn the Warmongering NATO Summit! Britain out of NATO!

Revolutionary Communist Party of Britain (Marxist- Leninist)

Opposition is mounting to the warmongering North Atlantic Treaty Organization (NATO) summit being held at Celtic Manor in Newport, Wales from 4-5 September. The government has been forced to erect a 12-mile “ring of steel” around the summit, and garrison 10,000 police in Wales in order to secure the warmongers’ protection from the justifiable anger of the people and to attempt to prevent the people’s opposition and create a climate of fear and intimidation.

The government must be condemned for its continued membership of such a criminal organization and for hosting its summit, the first in two years, which is expected to attract over 150 heads of state and ministers from some 60 countries, including US President Barack Obama. The summit, said to be the largest ever gathering of political leaders in Britain’s history, is being held at a time when the criminal military intervention carried out by NATO in Afghanistan, Iraq, Libya and elsewhere has plunged the world into a state of unprecedented instability and turmoil. NATO’s criminal activity, in contention with its rivals, has caused the loss of millions of lives, and created levels of devastation, violence and anarchy in some regions that seem likely to engulf the world in new wars, a situation used as the pretext for further NATO military intervention.

The example of the NATO bombing of Yugoslavia 15 years ago, of which Tony Blair was an enthusiastic champion, demonstrates the aggressive character of NATO and its use as a tool of domination. It is a huge irony that Blair himself described this aggression as necessary to avert what would otherwise have been “a humanitarian disaster.” The warning of the nature of NATO plans for Ukraine is very clear.

As if to highlight the warmongering aims of the aggressive US-led NATO alliance, ahead of the summit the organization has held emergency meetings to discuss what further pressure it can bring to bear on Russia, following tendentious allegations that Russian armed forces have “invaded” the east of Ukraine and are responsible for the current conflict there. President Obama has threateningly reiterated that NATO will provide “unwavering” support for all its members, that the summit will discuss how it can prepare itself for any challenge from Russia, and that NATO will strengthen its so-called “co-operation” and “working together” with the Ukraine. NATO Secretary General Anders Fogh Rasmussen went even further claiming that NATO’s “response force” was in readiness, that NATO was assisting with the modernization of Ukraine’s army and that it was seeking additional bases in Eastern Europe. Meanwhile, the Ukrainian Prime Minister has provocatively announced that his government will seek to end the country’s “non-bloc” status and seek membership of NATO.

NATO expansion in Eastern Europe, which is already being championed by the government of Poland, is in direct contravention of the 1997 NATO- Russia Act. Prime Minister Cameron has already called for a “review” of NATO’s relationship with Russia and it appears that this NATO summit, using the pretext of the Ukraine

crisis, may well be used to overcome opposition within NATO, particularly from Germany, and alter the facts on the ground.

Successive British governments have demonstrated their slavish support for the US-dominated NATO and in this regard Cameron’s government is no different. The current government should be condemned for its saber-rattling in regard to Russia and warmongering demands for NATO expansion in Eastern Europe. The government is also intending to use the summit to demand increased funding for NATO, for a commitment to maintain NATO intervention in Afghanistan so as to consolidate the creation of a proxy state there, as well as in Georgia and elsewhere. Indeed Cameron is urging a strengthening of NATO’s global partnerships in order to further the interventionist aims of Britain, the U.S. and their allies. Far from being a factor for global peace and stability or a basis for economic growth, NATO remains an alliance for war and instability, an unnecessary drain on the economies of Britain and other countries in which the majority of people have no decision-making powers.

The aim of the United States in consolidating NATO is clearly to secure its domination, not only through Eastern Europe to Asia, but also to Africa and not least in the whole of North America itself. The big powers of Europe, for their part, have been themselves concentrating power in the Europe of the monopolies, and see their participation in NATO also from this perspective. Altogether, the aim of the participants in NATO is to build that force which is molded to carry out aggression as required on a coordinated and swift basis anywhere in the world. However, the incoherence of the plans and the contention between Europe and the U.S. present problems. As the briefing of the British government says, it is an “unpredictable world.” When the talk is of “building stability” in this world, then the issue for NATO is to impose neo-liberalism and fascism through force of arms. This scenario does not come cheap, and it is evident that one of the main emphases in the summit is going to be that the U.S. is urging the European participants to shoulder more of the bill. As the U.S. National Security Advisor Susan Rice is quoted as saying, “Europe needs to take defense spending seriously and meet NATO’s benchmark.”

The times cry out for mounting opposition to the warmongering NATO. Britain’s membership must be ended. The working class and people should also be vigilant about what the British state is planning at home as a corollary to the summit, bearing in mind that in 2005 when the G8 leaders met in Gleneagles, Scotland, the 7/7 bombings were carried out in London, with all the hallmarks of a state-organized outrage to deflect attention from the people’s opposition to these leaders of the capitalist world.

All peace-loving people must step up their efforts to stay the hands of the warmongers in Ukraine, to end Britain’s intervention throughout the world and create the conditions for establishing an anti-war government.

Down with the warmongering NATO alliance! Britain Out of NATO! Fight for an Anti-War Government!

CEASEFIRE MEANS EASING OF SIEGE WITH NO DISARMING

Palestinian Resistance Prevails

The Palestinian resistance has prevailed against a vicious, genocidal U.S./Israeli onslaught. Despite Israel's weeks-long efforts to bring Gaza to its knees and force the resistance to disarm, it failed. The resistance remains armed and the Palestine unity government, another main target of Israel, is going forward to rebuild Gaza. The ceasefire secured also calls for an easing of the siege of Gaza, extending fishing from 3 to 12 nautical miles offshore and restricting the border buffer zone to about 110 yards. And a commitment to continue negotiations on the demands of the Palestinians, to open their port and airport and completely lift the siege.

While Israel hoped to crush the resistance, instead it is Israel and her U.S. backers and funders that have been isolated and discredited. They cannot present themselves to the world as defenders of democracy and human rights, having slaughtered more than 2000 people, mostly civilians, left 100,000 homeless, and destroyed schools, hospitals, mosques, major factories and Gaza's power plant. These are all civilian infrastructure and their destruction is a crime, as were the home demolitions and bombing of targeting and killing of whole families. Here and worldwide, people saw through the U.S./Israeli claim of self-defense and brought to the fore, it is not self-defense, it is genocide! It is not *Jews vs. Muslims, It is Humanity vs. Injustice!* The struggle for a free Palestine is a struggle of humanity for justice, for gaining security by defending rights.

The timing of this latest Israeli attack was in part an effort to block the unity government achieved in April by the various Palestinian forces. It was an effort to try and crush Hamas and all



those defending the right to resist occupation. In this effort too the U.S./Israeli forces failed.

Blinded by their military might and arrogance, the U.S. continues to underestimate the peoples and their just resistance. This was true in Vietnam and Korea, in Afghanistan and Iraq and repeatedly in Palestine. The brutality of this latest onslaught also shows that U.S. imperialism and its enforcers like Israel, have no political solutions — no shred of democracy, only use of force. It is this U.S.-style democracy that must be disarmed and eliminated. And it can be done by advancing the fight here in the U.S. for a democracy of our own making, where we the people govern and decide. That is our contribution to the just struggle of humanity for a bright future!

“RESISTANCE CANNOT BE BLOCKADED”

Israeli Assault Strengthened Palestinian National Unity

Ma'an, Palestine, August 29, 2014

Hamas leader Khaled Meshaal on August 28 said that the Israeli assault on Gaza had failed to undermine Palestinian national unity and that the bloody offensive of the past seven weeks had “proven that the resistance cannot be blockaded.”

“Israel wanted to attack national unity and is currently looking for an imaginary victory,” he said, in a press conference in which he congratulated the Palestinian people on their “victory” in confronting Israel in a more than 50-day assault that ended earlier this week.

Meshaal said that “without the popular support in Gaza, the resistance would not have won. One of the targets of the assault was to strike the national Palestinian reconciliation, because Palestinian reconciliation was firm throughout the assault in (the battle) and negotiations.”

“When Israel failed in its siege of Gaza they chose to destroy it, but it is the duty of the unity government and the world to rebuild it,” he added, referring to an April agreement between all major Palestinian factions that established a united government for the first

time in seven years, which Israel strongly condemned at the time.

Meshaal also demanded that Egypt open the Rafah crossing, and called upon Israel to end its occupation of Palestinian lands and allow the Palestinian people to determine their path.

He said, “We have no problem with Jews or their religion. Our problem is with occupation and settlement activities.” The Hamas leader insisted the weapons of the resistance groups were “sacred” and that Palestinians would not accede to any demand to disarm.

Meshaal also thanked Turkey, Malaysia, South Africa, and the nations of Latin America that had been steadfast in their support for Palestine and the Palestinian resistance.

“The people of Gaza have become a symbol of steadfastness and an honorable example to all the world. All Palestinians in Gaza and free people in the world are partners in this victory.”

The speech comes amid widespread celebrations in Palestine after Israeli leaders agreed in a ceasefire to “ease” the eight-year long siege on the Gaza Strip, curtail a border buffer zone from more than 500 meters (about 550 yards) to 100 (about 109 yards or a little

more than a football field), and expand the offshore fishing zone allotted Gazans from three nautical miles to 12.

Other Palestinian demands are to be discussed in a new round of talks in September, including the potential re-opening of an airport and seaport as well as the release of prisoners Israel arrested over the last summer in violation of the 2011 Gilad Shalit release deal.

Israel had long said that the disarmament of Gaza military groups was a key requirement for any ceasefire, but backed down at the last minute in a move Palestinian leaders hailed.

Demonstrations Salute Resistance

Palestinians across the Gaza Strip turned out in the thousands for prayers and a victory march on Friday August 29, as many savored their first opportunity in 50 days to attend Friday prayers in Gaza mosques without fear of Israeli bombardment.

Although a local council estimates one-third of mosques were damaged in the Israeli assault — including 72 totally destroyed — Palestinians flocked to services as political leaders took to the podiums to stress the need for national unity after what they deemed an unprecedented victory against Israel.

Senior Hamas official Khalil al-Hayya said during a Friday prayer sermon in a mosque in the devastated eastern Gaza neighborhood of Shujaiyya that Palestinians have entered “a new age today and a new stage of national unity by choosing to win and support the resistance.”

“The war on Gaza should eliminate all previous internal disagreements,” he added, calling upon the national unity government to fulfill its responsibilities related to ensuring Israel open the borders and allow reconstruction.

“In this war, we captured back the rights that Israel stole while taking the (political) division as an excuse,” he said, highlighting that since a April 24 Palestinian unity agreement the nation was better equipped to confront Israeli aggression.

A member of the Palestinian negotiations delegation, meanwhile, warned on August 28 that the talks coming up in

September to discuss further terms of the long-term ceasefire with Israel will be “tough.”

Secretary-General of the Democratic Front for the Liberation of Palestine and member of the Palestinian parliament Qais Abd al-Karim said in a statement that although all Palestinian political factions had agreed upon the ceasefire agreement, what had been accomplished so far was only “half of a success.”

Abd al-Karim said that the “negotiations battle” would begin next month to achieve all Palestinian demands and rights, including the complete end of the Israeli siege on Gaza.

In relation to the rebuilding of Gaza, Abd al-Karim said that an agreement had been reached with humanitarian institutions to begin rebuilding and that it is “supposed to begin immediately to allow tens of thousands of those whose homes have been destroyed” to launch rebuilding.

The reconstruction of the devastated Gaza Strip was a key demand for Palestinians, as Israel previously limited the entry of even the most basic of building supplies by claiming they could be used for military purposes as well.

The Israeli assault on Gaza over the last seven weeks left more than 100,000 homeless, in addition to the more than 2,140 killed and more than 11,200 injured.

The offensive also caused extensive damage to Gazan infrastructure, knocking out the Strip’s sole power plant and targeting the tiny coastal enclave’s limited water supplies.



Articles of the Gaza Ceasefire Agreement

Palestinian Information Center, August 27, 2014

The Palestinian resistance has reached an agreement Tuesday with Israel on a permanent ceasefire in the Gaza Strip under Egyptian mediation after more than 50 days of Israel’s barbaric offensive.

The durable ceasefire includes two stages, while the first deals with immediate issues, the second stage would discuss more complex issues a month later. The permanent ceasefire agreement between Israelis and Palestinians states:

- Halting all fire exchange between Palestinian factions and Israeli forces including rocket fire and airstrikes and ground offensives.

- Opening all Gaza border crossings with Israel and Egypt and allowing construction materials and relief supplies’ access to the Strip.

- Placing the responsibility of border areas and Gaza reconstruction under the supervision of PA Chairman Mahmoud Abbas.

- Reducing Israeli security buffer zone along the borders of the Gaza Strip from 300 meters to 100 meters.

- Increasing the permitted fishing zone to 6 miles and to gradually widening it up to 12 miles.

The ceasefire agreement’s second stage includes:

- The release of all Palestinian detainees who were arrested following the kidnap and killing of three Israeli settlers in mid-June.

- The release of the fourth batch of prisoners who were arrested before the signing of the Oslo Accords.

- Handing over all remains of Israeli soldiers who were killed during the aggression.

- Establishing an international seaport and airport in Gaza.

- Allowing the transfer of money in order to help pay the salaries of 40,000 civil servants in Gaza.

Gazans Reject Israel's Demands to Disarm

Rasha Abou Jalal, *Al-Monitor*, September 2, 2014

Palestinians believe it is necessary for the Palestinian resistance to remain armed as long as the Israeli occupation persists in the Palestinian territories. They are convinced that the resistance's disarmament will lead to further losses of their rights.

Cease-fire talks between the resistance in the Gaza Strip and Israel, under the auspices of Egypt, collapsed multiple times before both parties reached an agreement on August 26. A Palestinian source familiar with these talks told *Al-Monitor* that they had repeatedly failed because of "Israel's insistence on disarming Gaza."

"The disarmament of the resistance is completely rejected by us, and it was the reason talks faltered multiple times. The agreement was made after the scrapping of the Israeli demand to remove these weapons," said the source, who was a member of the Palestinian delegation in Cairo.

During a news conference August 28, Hamas political bureau head Khaled Meshaal said: "The resistance and its weapons are sacred, given that they are the icon of the people, the shield that protects them and their path to liberation. There is no room to bring them into the circle of internal political [discussions], because there are no politics without a resistance and its weapons."

At the popular level, Palestinians reject the disarmament of the resistance, since they view the weapons as a protector and guardian from the repeated Israeli military attacks. [...] An opinion poll conducted by the Palestinian Center for Public Opinion (PCPO) in mid-August on a random sample of 1,000 residents of the Gaza Strip showed that 93.2% of Gaza's population is opposed to disarming the resistance. Meanwhile, 3% were in support and 3.8% declined to answer.

Political analyst Hassan Abdo attributed the Palestinian insistence that the demand to disarm Gaza not be included in cease-fire discussions to the continuation of the Israeli occupation and the lack of an independent Palestinian state. "These weapons represent the Palestinian identity, and there is no one on the ground that can remove them as long as the occupation continues," he said

The Palestinian political insistence on the illegitimacy of disarming the resistance is not limited to Islamic factions such as Hamas and Islamic Jihad, which have been confronting Israel militarily. It also includes Fatah, which signed a peace agreement with Israel in 1993 and is pursuing the option of political negotiations to resolve the conflict.

In an unprecedented statement to *Al-Mayadeen* on August 14, Abbas Zaki, a member of Fatah's Central Committee, said, "The Palestinian leadership has agreed that disarming the resistance is

[akin to] betrayal." [...] According to the Egyptian paper submitted to the parties regarding the arrangements related to the opening of crossings and ending the siege of Gaza, the Palestinian demands were based on handing over all these issues to the Palestinian Authority (PA). The same source familiar with the Cairo talks said, "While it is true that the crossings, the borders and the land in Gaza will be completely under the management of the PA, this does not

mean disarming the resistance. There is an understanding among the Palestinian parties that there is no contradiction between the existence of both the PA and the resistance's weapons in Gaza."

The Lebanese daily *An-Nahar* reported on August 29 that it had obtained a copy of what it called "the American project to make Gaza a zone free of weapons and armed persons," to be submitted to the United Nations. "The resolution stipulates making the Strip a zone free of weapons and armed persons with the exception of the PA's arms, as well as the destruction of all cross-border tunnels with Israel and Egypt," *An-Nahar* wrote.

Hamas commented on this project, in remarks published in the Hamas-affiliated *Felsteen* newspaper on August 30, saying: "Any international project aimed at disarming the Palestinian resistance has no value. What is required is disarming the Israeli occupation, and preventing the US administration from providing it with weapons that are used to kill women and children."

Political analyst Talal Okal said that such a project "would not disarm the resistance in any way." He told *Al-Monitor*: "This model repeats what happened with Hezbollah during the Israeli war on Lebanon in 2006, when the [UN] Security Council imposed restrictions on Hezbollah's weapons and deployed international forces along the border. But the reality shows that [Hezbollah] has become stronger than before."

"The Israeli blockade on Gaza lasting seven years did not succeed in weakening the Palestinian resistance, rather it was able to develop and [increase] its military capabilities," he said. He pointed out that Israel is using the card of disarming the resistance as a pretext to continue the aggression.

Okal said Israeli Prime Minister Benjamin Netanyahu was seeking to market the idea of disarming Gaza internationally, through comparing Hamas to the Islamic State (ISIS). "There are no similarities between the resistance in Gaza and ISIS," he said.

He added that any international pressure exerted on countries that embrace and support the resistance factions — such as Qatar, Turkey, Iran and Lebanon — to disarm the resistance "will not have any effect." He stressed that a just solution to the Palestinian issue is the best choice.



“ **Hamas is not the Enemy. Israel is Waging a War Against the Palestinian People’s Will to Resist**”

Mads Gilbert, Norwegian Surgeon Back from Gaza

(In a 25 minute speech on his return home to Tromsø, Norway from 15 days treating the wounded in Gaza, the Norwegian emergency surgeon Dr. Mads Gilbert said: “The heart of the Earth beats in Gaza now. It bleeds, but it beats.”

He went on to say: “The Palestinian people’s resistance in Gaza today is admirable, it is fair and it is a struggle for all of us. We do not want a world where raw power can be abused, to kill those who struggle for justice.” Below is the first few minutes of the speech transcribed from the video which is subtitled in English. In an appeal to Norwegians, he asks them to imagine what their country would be like today if they had not struggled for its liberation from German occupation.)

* * *

I know you applaud for Gaza. I know you applaud for those who are there, the heroes of Gaza.

This will be no easy appeal to make, because I am now overcome by the mildness, the warmth, the safety, the absence of bombs, jets, blood and death. And then all that we have had to keep inside comes to the surface — so forgive me if sometimes I break.

I thought when I got home and met my daughters Siri and Torbjørn, my son-in-law and my grandkids Jenny and Torje, that it is such a mild country we live in.

It so good, with a kind of humanity in relationships, because we actually built this country on respect for diversity, respect for the individual, respect for human dignity.

And imagine being back in 1945. And I beg to be understood when I say that I am not comparing the German Nazi regime with Israel. I do not.

But I compare occupation with occupation. Imagine that we in 1945 did not win the liberation struggle, did not throw out the occupier, could not see a bright future or believe our kids had a future. Imagine the occupier remaining in our country, taking it piece by piece, for decades upon decades. And banished us to the leanest areas. Took the fish in the sea, took the land, took the water, and we became more and more confined.

And here in Tromsø, we were actually imprisoned, because here there was so much resistance to the occupation. So we are imprisoned for seven years, because in an election we had chosen the most resilient, those who would not accept the occupation.

Then after seven years of confinement in our city, Tromsø, the occupier began to bomb us. And they began to bomb us the day we made a political alliance with those in the other confined parts of occupied Norway, to say that we Norwegians would stand together against the occupier. Then they began to bomb us.

They bombed our university hospital, then the medical



center, then killed our ambulance workers, they bombed schools where those who had lost their homes were trying to seek shelter. Then they cut the power and bombed our power plant. Then they shut off the water supply. What would we have done?

Would we have given up, waved the white flag? No. No, we would not. And this is the situation in Gaza.

This is not a battle between terrorism and democracy. Hamas is not the enemy Israel is fighting. Israel is waging a war against the Palestinian people’s will to resist. The unbending determination not to submit to the occupation!

It is the Palestinian people’s dignity and humanity that will not accept that they are treated as third, fourth, fifth-ranking people.

In 1938, the Nazis called the Jews “Untermenschen,” sub-human. Today, Palestinians in the West Bank, in Gaza, in the Diaspora are treated as “Untermensch,” as subhumans who can be bombed, killed, slaughtered by their thousands, without any of those in power reacting.

So I returned home to my free country — and this country is free because we had a resistance movement, because we said that occupied nations have the right to resist, even with weapons. It is stated in international law.

STUDENTS DEMAND UNIVERSITY OF ILLINOIS REHIRE SALAITA

Those Defending Gaza Refuse to be Silenced

On August 22, students demanded that Professor Steven Salaita, fired from a tenured position for taking a stand in support of Gaza, be rehired. The students went directly to the board of trustees of the University of Illinois. They represent the outrage among many at the Urbana-Champaign campus at the firing of Salaita. There is also a rapidly developing national and international boycott of University of Illinois at Urbana-Champaign (UIUC). Supporters have set up a website (supportstevensalaita.com) to provide information about Salaita's case, offer links to relevant articles, suggest actions and to raise money for his defense.

University of Illinois at Urbana-Champaign (UIUC) Chancellor Phyllis Wise claimed she fired Salaita for a lack of "civility," in various twitter comments. "Civility" is a vague standard that has been invoked to censor other critics of the U.S./Zionist attacks in Palestine in the past.

As the university board of trustees' executive committee August 22 the students first entered the room and demanded to be heard. The students were then forced to leave as the meeting went into closed session. They staged a sit-in in the hallway outside the meeting room hoping to encounter participants as they left. However, the participants used a private exit to leave and refused to see the students.

Students entered the room and read their statement as part of making clear that their demands will be heard. Their full statement, posted on Facebook, includes the following calls:

- The immediate reinstatement of Dr. Salaita as a tenured faculty member in the Department of American Indian Studies.
- Full and fair compensation to Dr. Salaita for time missed during which he would otherwise have been working.

- Immediate increased transparency in the faculty hiring process – as a public university, UIUC has the responsibility to make public all intended faculty changes as well as take public comment in regards to any change.

The students also call for specific mechanisms to guarantee more transparent and inclusive governance and oversight and "a full revision of the UIUC Resolution on Diversity Values Statement ensuring that political beliefs are explicitly protected by the university." They also demanded that "political statements made by UIUC community members will not in any way be considered grounds for termination, suspension, revocation of offered employment, or any other disciplinary action."

The American Indian Studies Program faculty at UIUC, which Salaita had been expected to join, passed a vote of no confidence in Wise and defended Salaita.

"Our sentiment is based on Wise's decision to effectively fire Professor Steven Salaita, whose de facto hire had been properly vetted by the unit and approved by the college through standard academic procedures," says a statement on the program's website.

The statement adds that the faculty believe Wise's decision "was in fact made in response to external pressures that sought to block Professor Salaita's hire, coupled with her objection over the content and tone of his personal and political tweets over the subject of the Israeli bombing of Palestine."

"With this vote of no confidence, the faculty of UIUC's American Indian Studies program also joins the thousands of scholars and organizations in the United States and across the world in seeing the Chancellor's action as a violation of academic freedom and freedom of speech," the statement said.

University of Illinois On Notice for Academic Freedom Violations

The American Association of University Professors (AAUP) released a letter August 29 addressed to Chancellor Phyllis Wise of the University of Illinois Urbana-Champaign (UIUC) regarding Professor Steven Salaita's case. He was fired for expressing his support for Palestinians. In the letter, Associate Secretary Anita Levy articulates the facts of the case and connects them to other important cases of academic freedom violations and employment. She then speaks specifically to Salaita's situation:

"We are deeply concerned about the action taken against Professor Salaita. Long after he was offered and accepted a tenured position, specific arrangements were made regarding courses, schedules, and salary. The exchange of letters between Interim Dean Ross and Professor Salaita appears to have been in accordance with generally established procedures by which academic appointments are tendered and accepted. Ten months elapsed during which time no one in the university administration gave any indication that the appointment as agreed upon might not be brought before the board.

The letter adds that speech exercised by professors outside the classroom, when they are acting as individuals, is not grounds for dismissal. Rather they are part of their right to free speech. The letter closes with the following statement and demand that the University meet its obligations to pay Steve per the terms of his employment contract: "Until these issues have been resolved, we look upon Professor Salaita's situation as that of a faculty member suspended from his academic responsibilities pending a hearing on his fitness to continue. Under the joint 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings, any such suspension is to be with pay. As detailed earlier in this letter, Professor Salaita has incurred major financial expenses since he accepted the University of Illinois offer. We urge – indeed insist – that he be paid salary as set in the terms of the appointment pending the result of the CAFT proceeding." Dr. Levy asks for a "prompt response" from the Chancellor. The letter can be found at: <http://www.aaup.org/file/AAUPLetterChancellorWise.pdf>

American Studies Association Executive Committee Statement on the Salaita Case

The Executive Committee of the American Studies Association, which represents over 5000 scholars of American Studies around the world, protests the decision of University of Illinois Chancellor Phyllis Wise to rescind the offer of a tenured faculty position in American Indian Studies to highly regarded ASA member Professor Steven Salaita.

Professor Salaita was offered the position in October 2013 following a national search and evaluation of his scholarship based on its merit and contributions to comparative indigenous studies. The administration's action in rescinding the offer in August 2014, after Prof. Salaita had resigned his tenured position at Virginia Tech, and just days before his classes were set to begin at UIUC, sets a dangerous precedent. This last minute top down decision with no faculty consultation and no reason provided violates the tenets of faculty governance. Alarming, these actions constitute as well a de facto assault against the Program in American Indian Studies at UIUC despite its carefully

earned status as one of the leading intellectual programs nationally in its field. This decision if not overturned is sure to erode the confidence of scholars and students of American Indian and Indigenous Studies that UIUC is an open and welcoming institution that values equally their social, cultural and intellectual contributions. Additionally, if, as reported, the offer was rescinded based on Prof. Salaita's twitter feed and opposition to the Israeli invasion of Gaza, the university's actions constitute a clear violation of the principles of academic freedom, contravene the University's self-proclaimed valuing of diversity, and suggest an intolerable anti-Arab bias.

We call upon you to restore faculty governance, to respect the Department of American Indian Studies and the faculty peer review process in evaluating faculty for tenured positions, and to begin to rebuild the UIUC's reputation as an institution of academic excellence by restoring Professor Steven Salaita as a tenured associate professor of American Indian Studies at UIUC.

Does the Firing of Steven Salaita Mean Another Blacklist?

Professors Tithi Bhattacharya and Bill V. Mullen, Purdue University

Steven Salaita, an Arab-American Professor of American Indian Studies, was fired from his job for tweeting criticisms of the Israeli massacre in Gaza. The University of Illinois, which fired Salaita, will try to tell you his job was 'rescinded.' But he was fired.

Here is why the University and mainstream media do not want to say he was fired.

Because firing a tenured professor purely for his political opinions, especially one with multiple academic publications to his record, means the University has violated the following:

- 1) His First amendment rights.
- 2) His academic freedom.
- 3) His rights as an employee at a public university, as well his rights to due process. [...]

This incident signals the following:

- For those of us who have tenure in the academy, it tells us that our private expressions on social media may now outweigh our academic work.

Steven Salaita has published six academic monographs of distinction. He was in fact hired for his scholarly excellence. Clearly, his firing had nothing to do with that work. If Salaita's case is established as precedent, comments we make on our own time can be used by the University to monitor us and ultimately to fire us.

- For those of us who do not have tenure in the academy, or are doing graduate work, Salaita's case is a clear gag order. Everyone already knows the high levels of stress and anxiety faced by untenured faculty produced by micro-level monitoring of social and professional behavior. Salaita's firing proves that



our worst nightmares are true: University administrations are keeping track of what we do and say, even outside of work.

- Salaita's case also has specific implications for faculty of color and minority faculty. Cary Nelson, a past president of the American Association of University Professors, has charged that Salaita's social media expressions fail some standard of "civility" and "collegiality."

These terms are typically used to deny tenure and promotion to women and minority faculty.

As we all know, professors as a social group (including Professor Cary Nelson) are rarely known for their social graces. Using language of "incivility" is clearly a signal that some 'some groups' lack the right 'cultural grooming' to join the

DEFEND THE RIGHT TO SPEAK IN SUPPORT OF GAZA

academic club.

Anstup Basu, a faculty member in the Department of English at UIUC, and a colleague of Cary Nelson, told us:

“[As regards] the nebulous charges pertaining to ‘civility’ and ‘tone.’ Who decides such standards and protocols in the public sphere? Like all of us, Salaita publishes his excellent academic work following the language games of the academy. But when it comes to his extramural presence in the wider public sphere, who are we to institutionally determine what language he should use and what tone? How can it be the University of Illinois’ or anyone else’s business to judge and police it? I therefore strongly feel that such charges of ‘uncivility’ begin from a patronizing position of majoritarian power, particularly because the issue at hand is one of colonial occupation and apartheid.

“As we know, we have a long history of voices from margins being silenced and condemned by those in power precisely on the grounds of civility, propriety of language, and tone. From Churchill’s complaints about Gandhi’s ‘loincloth’ to relentless patronizing censures of rap lyrics and Black culture, where do we begin, and where exactly do we draw the line?

“This is a matter of deep shame for a world class research University. The decision should be revoked immediately and a formal apology issued.”

[...] Michael Rothberg is the Head of the Department of English at UIUC and the Director of the Initiative in Holocaust, Genocide, and Memory Studies. He has made the following public statement in support of Salaita:

“I have reviewed a large number of tweets sent by Professor Salaita during recent weeks. While I understand that they are partisan and angry messages — and therefore may be considered controversial — I do not agree that anything written there warrants firing or rescinding an offer that was already promised. Indeed, if academic freedom and the right to free speech do not guarantee controversial and offensive political expression — and especially expression outside the classroom — what are they good for?”

Steven Salaita was a tenured Associate Professor who accepted one job and resigned another. In between, he was fired. He now has no job, no personal home to live in, and no insurance for his family, including his two year-old son.

The most important political lesson of the Salaita case is this: that criticizing the crimes of the Israeli state is the new McCarthyism.

Steven Salaita is being fired because, much like suspected Communist sympathy during the Cold War, support for Palestine is the “third rail” of political expression from which Universities continue to retract their professed support for both academic freedom and free speech.

As eminent McCarthyism scholar Ellen Schrecker has written of Cold War anti-Communism:

“The academic community was as deeply involved in this process as any other segment of American society. In their



willingness to punish the men and women who were fingered by the anticommunist professionals during the first stage of the operation, the nation’s educational leaders differed little from the movie moguls who imposed the Hollywood blacklist or the state and federal bureaucrats who fired people on the word of anonymous informers.

“Academic freedom was no protection...it proved to be a highly malleable concept that could be manipulated to justify the exclusion of alleged Communists from the nation’s campuses.”

University of Illinois has not just fired Steven Salaita. It is trying to blacklist him. His firing is part of an ongoing effort by ally states and their institutional proxies to punish critics of Israel, be it at demonstrations on the streets of London, Paris or Cairo, or in the halls of the University.

Salaita’s case also proves a crucial point of the Boycott, Divestment, Sanctions movement against Israel: that universities are not ‘neutral venues.’

Indeed, University of Illinois Chancellor Phyllis Wise who notified Salaita that he was fired, strongly opposed the American Studies Association (ASA) vote to boycott Israeli Universities last December. Steven played a leading role in the ASA boycott campaign and has written extensively about why such a campaign was necessary. [...]

[There has been a] public outpouring of support for this Palestinian scholar and vocal critic of Israel. People are leaving angry comments in support of Salaita in the UIUC facebook page. One parent, Leighann Jones, wrote:

“I am sending my daughter to you with the expectation that she will receive the best education that we can provide her. I am disheartened to read this afternoon that Chancellor Wise rescinded an offer to hire Steven Salaita based solely on his views of the Israeli attacks on Gaza. My daughter’s first lesson: Keep your mouth shut, or else.”

The public outcry has exposed the silencing and intimidation that University administrators and powerful institutions have historically used against people who stand for Palestine. And we need to keep speaking out. Steven Salaita must have his job back. Until then our work is not done.

I • Stop Criminalizing Migrant Children

on these issues. At the same time, in July, Obama did act against the rights of migrant children, demanding that the thousands of children be fast-tracked through the immigration courts and deported.

The large majority of the children are refugees, fearing for their lives and attempting to escape violence and persecution imposed on their countries by the U.S. “war on drugs,” and its backing of reactionary governments, such as that installed by the U.S. in Honduras. Rather than treating the children as refugees and having them dealt with by the Department of Health and Human Services (HHS) — one of the only departments still without a major police force — Obama is having Immigration and Customs Enforcement (ICE), one of the largest policing agencies, and the Border Patrol deal with the children. HHS, unlike ICE, has social workers, churches and other non-police forces interview and care for the children. ICE and Border Patrol have armed agents detain and interview them, often with no interpreters. The government stand is one of criminalizing the children and “welcoming” them into the militarized U.S. culture that now pervades the border and its policing agencies.

Contrary to U.S. and international law, the children are being detained in military and other prison-style detention camps. International law says that children “should in principle not be detained at all,” according to the United Nations High Commissioner for Refugees (UNHCR). Detention, if used, should only be a “measure of last resort” for the “shortest appropriate period of time,” with an overall “ethic of care.” U.S. law also calls for detention to be a “last resort.” Instead it is the first action taken.

An indication that this government crime will continue is the fact that Immigration and Customs Enforcement (ICE) is currently negotiating with private prison monopoly Corrections Corporation of America (CCA) to open a large family detention center in Texas. CCA is notorious for securing profits while imposing horrendous conditions for prisoners and immigrants. As a result of mass protests and court actions, in 2009 CCA was forced to shut down the T. Don Hutto family detention center it formerly operated, also in Texas. Even so, the government is again unjustly detaining children and families and making this injustice a source of guaranteed profits for the CCA monopoly.

Directives from Obama have also meant a wholesale attack on due process in the immigration court hearings. The children are being fast-tracked, with cases that normally take months and years to prepare being done in weeks. Many have no legal representation of any kind, with 9-in-10 without lawyers being deported. The government is demanding children come before the judges within 21 days and the judges are being disciplined if they do not swiftly hear and decide the cases. Lawyers report that they are being blocked from seeing their clients in advance — children and mothers in some cases — and in some cases not permitted to speak in court. Children, many who do not speak English are being required to fill out forms in English, present evidence and make their case to the judges. The judges are being forced to hear many more cases and are already contending with a massive backlog. These attacks are such that immigration judges

are denouncing the executive actions (see page 15) and demanding that the immigration courts be removed from the executive branch. As one stated, “A truly independent court needs separation from the executive branch’s enforcement prerogatives.”

Migrant children, among the most vulnerable, are the ones targeted for this broad attack on rights, including basic due process. It is occurring at a time when the militarization of the border, including the National Guard in Texas, and militarist culture — also on display in Ferguson against African Americans — is being imposed with increasing state racism and violence. The actions by the executive make clear that when the government determines there is an “emergency,” it will not hesitate to forcibly detain people and force judges to become enforcers, not judges. In this case it is called a “humanitarian emergency,” in others it might be a threat of “terrorism” or a medical or natural disaster. Given these attacks on children are being justified, similar far broader attacks can also be justified.

Like the live police exercise in Ferguson (see page 21), with its use of violence and arrests, these mass round ups and detention of children and families and fast-tracking them through the courts are also a live exercise in elimination of due process and the most basic of rights for children. These are exercises in mass humiliation, terrorizing and wholesale elimination of rule of law. What the executive says goes, period.

These attacks are being resisted in numerous actions, including through protests and hunger strikes at the detention camps and the White House. They also bring to the fore the need for new governing arrangements, where rights and rule of law are upheld. The executive and Congress have shown themselves not only unable to solve these social problems but increasingly resorting to violence and detentions as their only recourse. Far from being focused on November elections from the point of view of whether Democrats or Republicans will win, what is needed is a focus on building politics of empowerment — of organizing to create a democracy of our own making, where we the people govern and decide.



OBAMA'S "FAST-TRACK" DEPORTATIONS FOR CHILDREN OPPOSED

Judges' Union Calls for Separating Immigration Courts from the Justice Department

Two federal immigration court judges took a stand against President Obama's decision to fast-track deportation hearings for the tens of thousands of unaccompanied children detained at the border then sent to detention camps. They are demanding that the immigration courts, currently under the Justice Department, be established as independent courts and sufficiently staffed for the difficult job they are required to do. As one judge has put it, they are being forced to deal with life and death issues in what amounts to a "traffic court" setting (see article p.15).

The two judges, leaders in the National Association of Immigration Judges, said the recent surge of immigrant children from Central America cast a spotlight on the problems of the nation's immigration courts, spread out in more than 59 locations. Dana Leigh Marks, union president and a San Francisco-based judge, said children need special protection and time to gain their trust because of their vulnerability. "The association has come out and said it is a mistake to bring these cases to the front of the docket," Marks said in a televised news conference from Washington, D.C.

The judges face a situation where the administration has highly trained lawyers demanding deportation, while the children often have no lawyers or council of any kind. The judges are often dealing with people completely inexperienced with U.S. courts and culture and language, yet the women and children are supposed to present a clear and very specific argument for asylum. Marks warned that children need more time, particularly when there is trauma involved. She also noted that judges face disciplinary action if they refuse to speed ahead. "A truly independent court needs separation from the executive branch's enforcement prerogatives," she said.

Denise Noonan Slavin, a union vice-president and a Miami-based judge, joined Marks in rejecting what have come to be known as "rocket dockets" for the speed with which people, many children, or mothers and their young children, are brought before the judges and that decisions are supposed to be taken. Slavin and Marks said the courts role should be as neutral arbitrators with a separation from the prosecutors. They said the administration's lawyers exist in an "alternate legal universe" and, in an Alice in Wonderland literary reference, with challenges to requests for asylum that are "curiouser and curiouser."

"There is no other court that would turn the docket on its head at the request of one party," Slavin said. "But the immigration courts are flipping the docket by moving cases of newly arrived children to the front of the docket at the demand of the Department of Homeland Security." She added, "...This is not an amusement

park where you can fast-pass" proceedings, Slavin said. With the demand to fast-track the deportations, judges are being forced act counter to due process while also losing their discretion as judges in deciding the cases.

The judges said the courts were under-resourced, with a lack of staff, including judges. They said these difficulties raise basic questions such as whether notices to appear in court are sent to correct addresses or even received by the individual, with a failure to appear often meaning automatic deportation.

Many of the mothers with young children are forced to appear and tell their stories of rape and fear in front of their young children, while they are also attempting to care for them in court and trying to understand and respond to the questions being asked of them. The racism of the U.S. state is such that the culture shock the children and mothers contend with, lack of interpreters and legitimate fear of talking with police are dismissed as serious considerations in these cases.

The judges also brought out the use of force and increase in policing taking place, while the courts are not provided with the resources they require. The agency overseeing the courts — the Executive Office of Immigration Review — has a budget that is 1.7 percent of the \$18 billion spent annually on immigration law enforcement.

In related news, two lawsuits have been filed against the U.S. government on due process grounds. One suit, filed in Seattle, challenges the government on the lack of government-paid attorneys for the children. Attorneys there are asking the suit be given class-action status.

The second suit, filed in Washington, D.C., accuses the U.S. government of running a "deportation mill" in its court system in Artesia, New Mexico, a newly opened detention center for families (see July *Voice of Revolution* for more). Hearings for hundreds of detained immigrant mothers with children have been held there. Detaining families like prisoners though they are guilty of no crime is itself against international law governing the rights of children. Now in addition the cases are being railroaded through with the few lawyers available sometimes not even permitted to visit their clients ahead of time or to speak in court.

The demands of the executive for fast-paced hearings and deportations has meant a wholesale attack on due process, backed up by disciplinary actions against judges that refuse to submit. Immigration issues may be the arena where this attack is now occurring, but there is little to say that it will not be extended more broadly.

Visit our website: usmlo.org

Death Penalty Cases in a Traffic Court Setting

Dana Leigh Marks, Immigration Judge, Special to CNN

What many Americans are just beginning to realize is that a high-stakes drama is being played out in a courtroom near them right now. Not only is this storyline nonfiction, but it often involves life and death consequences. The courtrooms are located in our nation's 58 immigration courts, whose cases include what amount to death penalty cases heard in traffic court settings.

Known to relatively few lawyers, and even fewer members of the general public, these tribunals decide the fates of people fleeing persecution, including unaccompanied children who fear gang violence, and the futures of some people who have been living legally in the United States for so long that their native lands are a distant memory and the language of their youth feels like a foreign tongue to them.

At last count, over 360,000 cases were pending before only 230 immigration judges, which means the average caseload is over 1,500, almost four times the caseload carried by a typical District Court judge. They work in conditions that fans of television law dramas would not recognize — no bailiffs, no court reporters, no law clerks, and often no lawyer for the respondent who is accused of being in the United States unlawfully.

Because immigration removal proceedings are considered civil in nature, there is no right to appointed counsel. To add to the difficulties judges encounter, interpreters for more than 260 languages are used in the immigration courts, so judges must put the stories they hear in perspective, while balancing the context of a foreign culture, unfamiliar political and social settings, and a language which may not easily translate to our American realities.

Immigration judges compare these hearings to death penalty cases because an order of deportation can, in effect, be a death sentence. These cases often include a risk that the person might die if forced to return to his or her homeland, either from violence or from rampant diseases unchecked by an impoverished and/or corrupt government. But a judge cannot allow a person to stay here based on the risk — or even the certainty — of death, unless certain other technical requirements are met, despite the fact that this may force U.S. family members into homelessness or onto welfare rolls.

For example, asylum can only be granted if the harm feared is on account of a ground recognized in the law, such as race, nationality, religion, political opinion or membership in a socially distinct group. Some who apply face violence or life-threatening conditions for different reasons, like the Haitian deportee from Florida who died of cholera-like symptoms within two weeks of his return to his home country.

Since they are bound by a strict statutory framework, judges report a personal toll from being constrained by rigid legal technicalities, often feeling that flexibility and discretion in the law would allow them to make rulings that would be more tailored to the unique combination of factors they hear in any given proceeding.

Other cases do not involve a threat to someone's physical safety, but amount to permanently exiling someone who has grown up in this country and calls it home. Lawful permanent residents who violate the law — sometimes in ways as minor as repeated petty thefts, or because of issues which some consider to be medical conditions, like drug addiction — can be placed in removal proceedings with little relief available. These cases involve difficult balancing of the public's legitimate interest in safety and a crime-free environment against the personal needs of these people's dependent U.S.-citizen family members and loved ones.

Even though the immigration judges must keep up with a law so complex that it is often compared to tax law, they do so with precious little help. Instead of the three to four attorneys that assist most District Court judges, at present three or four immigration judges must share one attorney adviser. Because of the overwhelming caseload, immigration judges spend an average of 36 hours each week in court, on the bench, leaving few hours out of court to review submissions in pending cases, research thorny legal questions or keep current on legal developments in the fast-paced field.

For more than a decade, immigration judges have described themselves as "legal Cinderellas," mistreated stepchildren in the Department of Justice. Chronically resource-starved, the immigration courts are an oft-forgotten piece of the immigration enforcement puzzle. Since 2002, the budgets of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement have risen 300%, while the immigration courts' budgets have only increased by 70%.

Unprecedented numbers of unaccompanied children are arriving at our borders, yet allocations to address the problems once again fail to mention the immigration courts. Many within the system fear it is on the verge of implosion, being completely immobilized by so many cases and so few resources that paralysis will result. Even the infrastructure is failing, as a catastrophic hardware failure crippled the entire immigration court docketing system for over five weeks less than two months ago. Our immigration courts are the only face of the justice system that most non-citizens see. And, with the significant rise of mixed-status families, these decisions



increasingly have far-reaching impact on the U.S.-citizen spouses, children, parents, friends, employers, co-workers and neighbors of those who appear in our immigration courts.

America's pride in our national values of due process and fundamental fairness for all must be fulfilled by providing adequate resources to these courts to enable them to provide first-class justice. Structural reform is essential, because we can no longer justify housing an independent court system in a law enforcement agency like the Department of Justice — the tensions between the conflicting missions are too strong.

There is a solution agreed upon by the majority of experts — an Article I immigration court. By configuring the immigration courts like the tax or bankruptcy courts, many of the structural flaws which have plagued these tribunals for years would be alleviated.

This restructuring would enhance transparency — allowing the public to more clearly see how our immigration courts function and the monies they spend.

Most important, this reform would guarantee administrative and decisional independence, which are essential components of a true court system. [Article I courts are established by Congress, and are distinct from Article III courts, which include the Supreme Court, Federal Circuit and Appeals Courts. The Article I courts include patent courts, military criminal appeals courts, and others.] Do not let these dramas turn into tragedies. Do your part to assure that the immigration courts are not forgotten and abused. Help make the creation of an Article I immigration court a priority on Capitol Hill. Our heritage as a nation of immigrants requires no less of us.

Welcoming Migrant Children to New York

Camille Mackler, American Immigration Lawyers Association, New York City

On a hot, dusty summer day in the South Bronx, a small crowd gathered at a local church and community center, spilling into the street to escape the muggy air inside. By 8:30am, an hour and a half before our second Youth Assistance Fair of the summer was set to start, over a hundred recently arrived minors, mainly from Honduras, and their family members had already appeared. New York has received the second highest number of children from the surge at the border, with only Texas seeing more children being resettled within its boundaries. So far, we have over 4,000 children, all of whom have settled in NYC, the lower Hudson Valley, and Long Island. If predictions are accurate, we are on track to receive 8,000 or more children by the end of the year.

The Bronx event, the second in an ongoing series set to take place in and around New York City for at least the rest of the year, was conceived as a way to holistically address the needs of the unaccompanied children arriving here since the beginning of 2014. In addition to a legal clinic, which offers free screenings to every child and family member who attend and who have not yet appeared in immigration court, attendees can meet with a variety of city, state, and non-profit agencies and learn about the services available to them.

The New York City Department of Education, the Administration for Children Services, the Human Resources Administration, and Healthy New York are some of the participating city agencies and are on hand to offer information on school enrollment, health insurance, public benefits families may qualify for. In addition, we have many community-based organizations and non-profits offer social services, including resources for victims of domestic violence, sexual abuse, and other, more typically child-appropriate issues.

At our first event, in downtown Manhattan in late July, information was handed out on a soccer league that welcomes unaccompanied minors every Saturday. At our Bronx event, Terra Firm, a medical-legal partnership at Montefiore Hospital geared towards unaccompanied minors, gave out information on where children could receive free mental health services. The initial event grew out of a planned DACA clinic [for undocumented

youth raised in the U.S. who have received deferred action and not been deported — VOR Ed. Note], and was hastily transformed into the first Youth Assistance Fair in late July after the first set of released numbers revealed the impact of the surge on New York.

Future events have been designed to compliment the legal screenings set up in immigration court, where the five organizations who have traditionally handled the juvenile dockets have worked to assure a presence in court at each priority docket — sometimes up to four dockets a day. Children screened in court do not receive a legal screening at the community events, although they are able to access all other information and services. Of the nearly 200 children who asked to speak to a lawyer in the Bronx, however, only one had already been screened in court. None of the children who sought legal services in Manhattan had been screened before.

Ultimately, nearly 350 people came to the Bronx event, and nearly 200 to the one in Manhattan. Fairs are being scheduled in Brooklyn and Long Island in September, and plans are underway to return to the Bronx and schedule one in Queens and one in Westchester County in October. The strength of the community events, beyond the ability to bring a variety of services and information to compliment the legal screenings, is the sense of trust and comfort that is promoted by taking place in the community. Children played in the Bronx street, shut down for the day, while their parents dragged plastic chairs under the shade of the few trees. A table with paper, crayons, and a few toys was set up for younger kids. Church volunteers handed out sandwiches, watermelon slices, and cool water bottles to all who had come.

As the day's activities wound down, they began making empanadas for everyone as well. And to volunteers, the experiences can be as meaningful as they are challenging. Far from the front lines at Artesia and the Southern Border, it is nonetheless rewarding to know that these children are not only armed with enough knowledge to speak up in court, but are also cared for in all other aspects of their lives.

NINE IN TEN CHILDREN WITH NO LAWYER DEPORTED

New Data on Unaccompanied Children in Immigration Court

TRAC Immigration, Syracuse University

The recent surge of tens of thousands of unaccompanied children attempting to enter the country has touched off a heated debate. Some ask whether having Immigration Judges decide the fate of these children only postpones their inevitable deportation since it is alleged that few have any valid claim to remain in the United States. Others hotly dispute this contention.

This special report presents information derived from current and detailed case-by-case Immigration Court records tracing decisions on removal orders sought by the Department of Homeland Security (DHS) concerning unaccompanied children who have been apprehended by the agency. The data, current through June 30, 2014, was obtained by the Transactional Records Access Clearinghouse (TRAC) at Syracuse University from the Executive Office for Immigration Review (EOIR) under the Freedom of Information Act.

The data trace the status of over 100,000 such cases. The information includes every instance over the last decade flagged as a juvenile case currently recorded in EOIR files. In each of these cases, the Department of Homeland Security instituted the action requesting that the court issue an order to deport these children. Because the DHS has authority to screen and then immediately deport unaccompanied Mexican children without any formal hearing, only a small proportion of children from Mexico are referred to the Immigration Court by the DHS. For this reason unaccompanied children who are immediately deported by DHS are not part of the court data examined here.

Cases filed in the courts in the last few years (since the increase began) make up about half of the total cases filed. As of end of June, court proceedings had been completed on 59 percent of all cases (60,209 matters out of the 101,850). Proceedings were ongoing for the remaining 41 percent. [...]

While public attention has been focused on the plight of juveniles arriving at our borders and their growing numbers, unaccompanied children make up a small proportion of those impacted by the current administration's enforcement activities. Although the recorded number of new Immigration Court juvenile cases during the last three months (April - June 2014) has doubled over the previous six months of this fiscal year (October 2013 - March 2014), these cases still make up only 11 percent of the Immigration Court's backlog — a total of 41,641 pending juvenile cases out of the total backlog of 375,503 cases.



How Often Does a Child Appear Unrepresented?

It is well established that the odds of prevailing in court are much better for an individual who has the assistance of a lawyer. Yet the government is under no obligation to provide legal counsel to the indigent — even if they are children — in Immigration Court proceedings. Meanwhile, the government itself is always represented by an attorney.

Few children appearing in Immigration Court have the financial resources to hire an attorney, even though in most of the matters it is reasonable to assume they do not comprehend the nature of the proceedings they face or the complex procedural and substantive challenges of the immigration law. (Of course, there is also a language barrier, since most unaccompanied minors do not speak English.) While many immigration lawyers and law clinics attempt

to provide legal assistance on a pro bono basis, their numbers are insufficient to meet the need. One result of this is that children were not represented about half of the time (48%) they appeared in Immigration Court, although there is wide variation by state and hearing location. Less than a third (31%) have thus far been able to secure an attorney in currently pending cases.

How Often Do Immigration Judges Conclude Children Can Stay?

The data show that in a large number of cases, Immigration Judges decline to order these children's removal. Many are found to have legitimate legal grounds to remain in this country. The data also show that outcomes in these cases are all too often determined by whether an attorney was present to assist the child in presenting his or her case. For this reason, results are tabulated separately for children with and without representation. (For those cases in which Immigration Court proceedings have concluded, the child was represented in 31,036 cases, and appeared without an attorney in the remaining 29,173 of juvenile cases heard by an Immigration Judge.)

Here are the results in brief:

Outcome if attorney present. In almost half (47%) of the cases in which the child was represented, the court allowed the child to remain in the United States. The child was ordered removed in slightly more than one in four (28%) of these cases. And in the remaining quarter (26%) the judge entered a "voluntary departure" (VD) order. (While with a VD order the child is required to leave the country, the child avoids many of the more severe legal

consequences of a removal order.)

Outcome if no attorney. Where the child appeared alone without representation, nine out of ten children were ordered deported — 77 percent through the entry of a removal order, and 13 percent with a VD order. One in ten (10%) were allowed to remain in the country. [...]

Given the increasing numbers of unaccompanied children that are now arriving, it is reasonable to ask the question “Do these children appear to have any less legitimate claims to remain in the country than those who arrived earlier in the decade?” Answers to this question must be tentative, given the large proportion of cases that remain to be decided for children who have arrived recently. However, outcomes thus far do not suggest that children who have arrived during the recent surge present less worthy cases. Examining cases filed during the last 21 months (FY 2013 through June 30, 2014) for which outcomes have been reached, a greater proportion of the children have been allowed to remain in this country, and a smaller percentage were ordered deported, relative to earlier cohorts of children. This was true both for those who were represented as well as those who were not. For example, for children who had the assistance of an attorney, less than one out of three were ordered deported, while two-thirds were allowed by the Immigration Judge to stay. This is a higher proportion of children allowed to remain in the U.S. than the roughly 50/50 split that was previously seen for the decade as a whole. Even without the assistance of an attorney, over a quarter of recently arrived children have been allowed by an Immigration Judge to remain, as compared with only 10 percent for the decade as a whole. [...]

DHS itself can recommend that a case be closed and the child

be allowed to remain in the country through the exercise of its longstanding prosecutorial discretion (PD) authority. Since FY 2012, the court has included PD as a basis for the closure of a case. Since that time, PD has been the reason for 9 percent of juvenile closures. Examined another way, this amounts to 3 percent of all concluded juvenile cases filed during the last decade.

Immigration Backlog Years Long

The number of cases awaiting resolution in the Immigration Courts grew to 396,552 by the end of July 2014. This backlog increased by nearly 75,000 cases, or 22 percent, since the start of fiscal year 2013, according to very timely government enforcement data obtained by TRAC.

The California Immigration Courts continued to have the greatest backlog with 81,022 cases. Second was Texas, where the backlog of 69,625 cases rose 74 percent since the start of FY 2013. The third largest backlog was in New York, where 57,204 cases were awaiting resolution.

The longest waiting times were found at the Imperial, California hearing location, where a backlog of 1,208 cases were waiting an average of 857 days to be resolved as of July 31. The next highest wait times were found at the Omaha, Nebraska hearing location, where 4,992 cases have been waiting an average of 840 days. The average wait time for the 77 juvenile cases at Omaha was only 10 days, however.

The 10,984 cases at the Phoenix, Arizona hearing location had the third longest waiting time, an average of 805 days as of July 31. The 200 juvenile cases there had an average waiting time of only 66 days.

America’s Response to Child Refugees on the Border is Downright Shameful

Joshua Holland, Perspectives

[...] The media’s characterization of what is going on at our southern border as a “crisis,” politicians pointing fingers at one another and Washington’s refusal to provide the resources necessary to care for a small wave of refugees — not to mention the bipartisan push to send them back home — is shameful when one considers the context.

In June, the United Nations High Commissioner for Refugees (UNHCR) reported that in 2013, the global population of refugees from war and persecution hit 51.2 million — exceeding 50 million for the first time since World War II.

Half of them were children.

The vast majority were “internally displaced persons,” homeless people within their home countries. Many live in fetid refugee camps run by under funded Non-Governmental Organizations (NGOs), where they face continuing privation and abuse.

There are over ten million refugees in Africa, and five million in Asia. More than six million people have been displaced for years, and in some cases decades. The UN estimates that 6.3 million people have been displaced in Syria alone.

The U.S. has had a hand in this global crisis. According to the UNHCR, Afghanistan accounts for the world’s largest population of refugees; in Iraq, many of the two million people who fled the country after the U.S.-led invasion in 2003 are now returning, despite the fact that many of its 1.7 million internally displaced citizens remain homeless, and more than one million new refugees have fled... Iraq has also absorbed about one million refugees from Syria.

Many countries with nowhere near the wealth or infrastructure of the United States have kept their borders open on humanitarian grounds, including Lebanon, Jordan and Turkey. The BBC reported in June that “the UN is concerned that the burden of caring for refugees is increasingly falling on the countries with the least resources. Developing countries are host to 86% of the world’s refugees, with wealthy countries caring for just 14%.”

This immense global tragedy rarely even makes the evening news here. [...]

The US is not only one of the world’s wealthiest countries, we also have one of the lowest population densities in the developed world. To the degree that there is a crisis on the Southern

border, it is one of our own making: Border Patrol has been overwhelmed by the spike in detainees, especially children, and Congress refuses to devote the modest resources required to care for them in a dignified way. As economist Dean Baker pointed

out, Obama's request for \$3.7 billion to address the spike in refugees — most of which would be spent sending them back to a bloodbath rather than caring for them — represents just one-tenth of 1 percent of the federal budget.

Detention of Undocumented Families is Wrong

Barbara Hines, September 3, 2014

The recent decision of the Department of Homeland Security (DHS) to open family detention centers in response to the increasing numbers of immigrant families arriving in the United States is like stepping back in history to the agency's last failed policy of detaining children and their parents. Apparently, DHS did not learn that family detention is a misinformed approach to the current humanitarian crisis along our southern border.

In 2006, DHS began to incarcerate families under deplorable conditions at the infamous T. Don Hutto detention center, a former medium security prison near Austin, run by the Corrections Corporation of America, a private for-profit prison company. Children and their parents were housed in cells, forced to wear prison garb and confined to these units for many hours each day. Children were provided no education or medical care and items such as toys, pens and pencils were considered potential weapons under prison rules and not allowed. The University of Texas Immigration Clinic and the American Civil Liberties Union successfully sued to challenge conditions at T. Don Hutto, leading to the end of family detention there in 2009.

My previous experience working at T. Don Hutto convinced me that children and their parents should not be detained in secure facilities under any circumstances. The images of sad children and their anxious parents will remain seared in my memory. Even if DHS has learned this time around to scrap the prison uniforms, cells and the accoutrements of a harsh prison regime, detention of children is wrong and has lasting harmful psychological effects. The complaints coming from the Artesia family detention center housing women and children in New Mexico are the same that I heard repeatedly at T. Don Hutto — depressed children, weight loss, stressed-out parents and unpleasant institutional food. Another family detention center facility opened this month in Karnes City, Texas. Like Hutto, it is run by another for-profit prison company, GEO. When I visited the Karnes City facility recently for the first time, I saw the same things: anxious mothers and crying children.

Some argue that all the families and children should simply be sent home, or that we must increase the border patrol to “seal” the border, but the issue is much more nuanced. We must consider the systemic causes that have led desperate Central American parents and their children to flee violence, crime, gangs and poverty. Honduras, for example, has the highest murder rate in the world. Many families qualify for asylum protection, which in accordance with domestic and international law, prevents our government from returning a person to a country where she will be harmed.

In addition to detaining children and their mothers, DHS has implemented a policy that no family should be released from detention at any point in the proceedings, even if they have established the threshold requirements for asylum. DHS's position is a radical



departure from its prior practice favoring the release of asylum seekers and providing them with an individualized determination regarding the necessity of a bond, to ensure their appearance in immigration court. DHS's “no-bond” policy will result in lengthy detention for mothers and children as they present their asylum cases before the immigration court.

The refusal to release families on bond also conflicts with a prior court settlement in the case of *Reno v. Flores* that requires that DHS use the least restrictive alternative to detention for children. Children should not be denied this right simply because they are accompanied by and detained with a parent.

This is a refugee crisis, and there is a broad spectrum of less drastic alternatives to detention for families to ensure that they appear for their future immigration hearings.

Mothers and children should be reunited with family members in the United States rather than languish in detention. Families should be placed in community supervision programs or programs that require them to report frequently to DHS. Funding should be increased to provide lawyers for this population. Studies have shown that asylum applicants with legal representation have a high court appearance rate and far better success in their cases.

Let us not repeat the mistakes of the T. Don Hutto center and, instead, treat children and their parents compassionately.

Barbara Hines was co-counsel in the Hutto Detention Center litigation and is a clinical professor of law at The University of Texas School of Law in Austin.

Feds Planning Massive Family Detention Center in South Texas

Forrest Wilder, Texas Observer, September 5, 2014

Federal officials are planning a new for-profit family detention lockup for immigrant children and their parents in South Texas. The 2,400-bed “South Texas Family Detention Center”— as Immigration and Customs Enforcement (ICE) is referring to it — is slated for a 50-acre site just outside the town of Dilley, 70 miles southwest of San Antonio.

The detention center is part of the Obama administration’s response to the surge in children and families from Central America crossing the Texas-Mexico border. In a statement to the *Observer*, ICE spokeswoman Nina Pruneda said the facility was intended “to accommodate the influx of individuals arriving illegally on the Southwest border.”

The property is part of Sendero Ranch, a “workforce housing community,” better known in the oil patch as a “man camp” for oilfield workers. Sendero Ranch is owned by Koontz McCombs, a commercial real estate firm connected to San Antonio mogul Red McCombs. Loren Gulley, vice president for Koontz McCombs, said the company is still negotiating the deal but Corrections Corporation of America — the world’s largest for-private prison company — is expected to run the detention center, and Koontz McCombs would lease the existing “man camp” to ICE. A detailed site map provided to Frio County shows a large fenced campus, including both residential housing as well as a gym, chapel and “community pavilions.” The “man camp” has enough space to temporarily house 680 detainees while new structures are being built, ICE spokesman Bryan Cox said. Frio County Commissioner Jose “Pepe” Flores said local officials had recently met with CCA and the landowner but no one from Immigration and Customs Enforcement.

The massive facility would double the existing federal capacity for immigrant families and is certain to anger immigrant advocates who say a for-profit lockup is inappropriate for families, especially young children. They point to the failed experiment with detaining immigrant families at T. Don Hutto Family Residential Center, a CCA-run facility about 45 minutes northeast of Austin. The Obama administration removed families from the former jail in 2009 after numerous allegations of human rights abuses, accounts of children suffering psychological trauma and a federal lawsuit filed by the ACLU and the University of Texas Law School Immigration Clinic.

“Given the shameful history of family detention at Hutto, it’s beyond troubling that ICE would turn back to Corrections Corporation of America to operate what would be by far the nation’s largest family detention center,” said Bob Libal, executive director of Grassroots Leadership, a nonprofit that opposes for-profit prisons. “While little kids and their families will suffer in this remote private prison, far away from legal or social services, this multi-billion-dollar private prison company stands to make enormous profits.”

Cox, the spokesman for ICE, would not confirm or deny CCA’s involvement, saying negotiations for the project were ongoing. “We’re in negotiations,” Cox said. “We haven’t signed a contract

with anybody yet.” He said the number of beds and other details of the project could change.

Gulley, the Koontz McCombs vice president, said there was no time frame to close the deal but, he said, “if it does happen, it will happen fairly quickly.”

The Obama administration has pledged a “truly civil” detention model for housing undocumented immigrants, though immigrant advocates have said progress has been halting at best. The influx of unaccompanied minors from Central America has sent private-prison company stocks soaring, while it has helped derail the administration’s commitment to reforming the Bush-era detention system.

Just in the past month, activists were in a fury because federal immigration officials refused to release from a Karnes County detention center a 7-year-old Salvadoran girl so she could get treatment for a life-threatening cancer. The girl and her mother had fled violence in El Salvador that the mother said prevented the girl from getting treatment. After mounting pressure, ICE finally relented and freed the girl and her mom. The Karnes facility was unveiled in 2012 as a model for a more humane approach to detention.

Over the summer, ICE converted a law enforcement training center in Artesia, New Mexico to a detention center housing immigrant families, many of whom are seeking asylum. Attorneys working at the remote facility told the *Observer* the conditions are poor and that the government is doing whatever it can to deport people as quickly as possible, returning some folks to the extreme violence and persecution they were fleeing

Libal said he was not impressed by the Obama administration’s promise to make the family facilities more like residential living centers than jails.

“The stories that are coming out [of Karnes] would show that...detaining families has the exact same effect it had at Hutto, the exact same disastrous impact on families.”



I • Resistance in Ferguson

that the racist profiling and use of excessive force characteristic of U.S. policing agencies be stopped. Police impunity to get away with killing, beating, profiling, harassing and jailing minority youth with no punishment or consequences simply is no longer acceptable.

Ferguson, near St. Louis, is itself is a small town of about 21,000, about two-thirds African American. Its police statistics, typical of those in major cities and small towns across the country, reveal government racism: 86% of people pulled over in traffic stops, 93% of those arrested after such stops, and 92% of those searched by Ferguson police are African American. And, like policing agencies everywhere, there are no statistics concerning excessive use of force. But there is enough broad and repeated experience to demand that it be banned and severely punished, from top to bottom, from the federal level on down. Disarming the police, not the community, is on the minds of many.

While people everywhere applauded the people of Ferguson for their just actions, government at all levels confronted them with more use of violence and excessive force. Indeed, not only did the world witness the militarization, in both equipment and orientation of policing agencies. What occurred in Ferguson was a live exercise in joint policing that included the FBI and military, in the form of the National Guard.

St. Louis area police agencies were trained in such joint actions, including use of tear gas, stun grenades and mass arrests, at the Chicago demonstrations against NATO in 2012. They are well-versed in containing demonstrations using police barricades, in attacking or standing down, in clearing an area or leaving protesters to demonstrate. So what may have appeared as “confused” tactics of hours of tear gas one night and standing back the next very likely were part of an organized joint live-exercise. As one example, barricades, lines by police, are commonly used to keep protesters within a certain area. In Ferguson, this often was not done and instead gangs of police, automatic weapons at the ready and often pointing at protesters were used to arbitrarily move protesters, force people from areas they had been allowed in and so forth. The joint enforcement and various tactics and are part of efforts to unify the various police forces under a single, commonly federal, command and also to accustom everyone to such arbitrary policing done with impunity and brutality.

In addition the combat readiness and combat operation of this joint action against what generally was a few hundred peaceful protesters stands out. It is indicative of the fact that the U.S.



The unity of the fighting forces was seen in tweets sent from Gaza to Ferguson, encouraging the resistance and letting people know how to contend with tear gas and continue fighting. On August 25 students on dozens of campuses walked out of class and held demonstrations, vigils and meetings. Like protesters in Ferguson, they stood with their hands in the air — a sign that has become one of defiance, one that says to all police that even unarmed and with hands up, we will confront you and continue our fight!

government, from the top down, is now acting against people inside the country much as the military attacks outside the country. The racist government will especially target minorities and immigrants but not hesitate to go after all those who resist.

This was evident in their attacks on demonstrators. Clergy, well-known poets and musicians who joined the actions, journalists, all had to contend with having automatic weapons pointed at them by groups of police, tear gas, being told to keep moving, clear an area or face arrests. Hundreds were arrested. And whatever President Obama may have said about there being “no excuse” for excessive use of force, what actually took place was complete impunity for its use, with no consequences at all from the federal or state government.

One or two individuals may be sanctioned in some form, but the problem across the country of highly armed policing agencies imbued with the racist militarist culture of the U.S. state is not to even be addressed by governments, let alone dealt with. Resistance in Ferguson is what has put these problems front and center and it is the people themselves that are targeting the racism and militarism

at all levels and making them a part of what it means to have justice. This is in part why people have no confidence in the FBI or the grand jury system, controlled by the prosecutor. Too much experience says they are integral to the enforcement of the racism and militarism.

No doubt the refusal of the people of Ferguson to back down despite brutal repression surprised the policing forces — much like the determination of Palestinians. The unity of the fighting forces was seen in tweets sent from Gaza to Ferguson, encouraging the resistance and letting people know how to contend with tear gas and continue fighting.

The determined stand in Ferguson served to deprive the rich and their police agencies of their power to dismiss police killings and this inspired people and demonstrations across the country. The actions were applauded and supported by democratic minded people everywhere, as they reflect the desire of the people to end police killings and racism and create conditions, as one protester put it, of equality for everyone.

People of Ferguson welcomed the many who came in support and the many local residents who persisted in the protests. People provided water, fruit and other food for participants. They organized together to clean up the shells and canisters and other

debris left behind by the police actions. McDonald's workers, and healthcare workers joined the fight. Everywhere, the stand of the people could be seen and heard: We will keep fighting for justice. We have rights and we will not accept police killings.

On August 25, as school started, many students in the area and across the country organized actions honoring the fact that Brown was to have started college that day and joining in the demand for Justice Now! On dozens of campuses students walked out of class and held demonstrations, vigils and meetings. Like protesters in Ferguson, they stood with their hands in the air — a sign that has become one of defiance, one that says, even unarmed and with

hands up, we will confront you and continue our fight!

As the fight goes forward in various forms, such as a demonstration at the Federal Building in St. Louis and at the Justice Department in DC, it is becoming clear that advancing the fight lies not simply in making more demands to those in power, but rather in finding the ways and means, as those in Ferguson did, to deprive the rich of their ability to deprive us of our rights. The Ferguson stand of repeated actions and refusal to back down is one such tactic. Others will no doubt emerge as people persist in taking matters into their own hands and rely on their own efforts to meet impunity with resistance.

Rally At Justice Department Opposes Police Brutality and Militarization

Marsha Coleman-Adebayo, No FEAR Coalition

Our Demands:

- *Black boys and men incarcerated for minor crimes must be released immediately.*
- *Legislation must be introduced that will impose life-sentences for law enforcement officials who murder unarmed boys and men.*
 - *The excessive use of force by police must be prohibited with strong disciplinary sanctions.*
 - *All military personnel and equipment must be withdrawn from Ferguson.*
- *Recall all military equipment already given to cities and states and prohibit its ever being used domestically against U.S. citizens exercising their Constitutional rights.*

On Wednesday, August 27 at 4pm, activists rallied outside the Justice Department in Washington, DC to call for an overhaul of U.S. law enforcement tactics in order to stop police brutality and the militarization of our police forces. They called on the Attorney General to help secure justice for Michael Brown and the people of Ferguson, Missouri. The rally speakers featured legal experts and community organizers. [...] After the rally, the group marched to Busboys and Poets on 5th & K St NW to attend "Ferguson and Beyond – The Way Forward," a town hall meeting on police killings of black men. [...]

"Michael's murder is symptomatic of a systemic, racist culture that condones the murder and incarceration of black boys and men at rates highly disproportionate to the general population. U.S. police or vigilantes kill a black man every 28 hours," said Coleman-Abedayo. Matthew Fogg, a retired U.S. Marshall stated: "The criminal justice system is racist and aimed at destroying the lives of African-American boys and men. I was ordered to target the Black community for drug related imprisonment instead of following the evidence. There are Michael Brown situations occurring throughout the country and the next one could be a member of your family."

The organizers addressed the following letter to Attorney General Eric Holder:

"We, the undersigned, are outraged by the recent events in Ferguson, Missouri. Michael Brown, an unarmed, black teenager — who was allegedly surrendering with his arms up — was shot at least 6 times by a white police officer. Michael's murder is symptomatic of a systemic racist culture that condones the murder and incarceration of black boys and men at rates highly

disproportionate to the general population: African-American and Latino boys and men comprise under 30% of the general population yet represent upwards of 60% of Federal inmates; U.S. police or vigilantes kill a black man every 28 hours.

"Beyond their literal murder, incarcerating black men and boys — often for minor offenses — is a symbolic form of murder that annihilates families and weakens communities. Prison sentences confine people of color as indentured servants to for-profit prisons. Combined, these factors constitute domestic genocide.

"Birmingham, Selma and Little Rock symbolized the sixties with racial divides frozen in black and white photographs of menacing police, German shepherds, and water hoses. Whether we add Ferguson, Missouri to the lexicon of moments defining African-America — and America — will depend largely on whether your office shows the courage and leadership necessary to stop this systemic assault.

"African-American and progressive communities will not tolerate continued and routine human rights violations, incarcerations, and reckless use of deadly force by police against black boys and men.

"In 1857 the Chief Justice of the Supreme Court of the United States wrote in the Dred Scott decision that African-Americans "have no rights that white men or white women are bound to respect." Within 50 years of that ruling 3,500 African-Americans were lynched. Today's incessant police violence against black and brown communities shows that Dred Scott and the Constitution's original decree that Africans are only 3/4 human remains the de facto law of the land. According to the NAACP:

OPPOSE STATE ORGANIZED RACISM AND BRUTALITY

- African-Americans now constitute nearly 1 million of the total 2.3 million incarcerated population.

- African-Americans are incarcerated at nearly six times the rate of whites.

- African-American and Hispanics comprise 58% of all prisoners in 2008, even though African-Americans and Hispanics make up approximately one quarter of the U.S. population.

“Dred Scott’s core values — the very DNA of racism — remain largely the same today. Mr. Attorney General, you have the authority, capability and responsibility to stop this today.

“In Ferguson, American citizens, engaged in Constitutionally-protected public assembly petitioning their government for redress of grievances, are looking down the barrels of high-powered rifles that are trained on them by “police” with little discernible difference between the occupying military deployed in war zones. The police response to Mr. Brown’s murder has been to inflict more injury through arrests and injuries on citizens of Missouri and people who have traveled there to stand in solidarity with the embattled, grief-stricken, and rightfully outraged community.

“The militarized presence in Ferguson must be withdrawn immediately. Further, the national militarization of police forces must be dismantled.

“In keeping with your own statements as Attorney General about the standards for determining civil rights violations as being too high, you must now provide new guidelines that lower those standards so that it is possible to hold offending police officers, departments and individuals accountable for violations of citizens’ civil rights.

“Our Coalition respects and endorses the demands of the local population of Ferguson. We attach those demands at the end of this letter. Mr. Brown’s slaying is an individual tragedy yet it is by no means an isolated incident. We, therefore, submit the following demands to be implemented nationally:

- Black boys and men incarcerated for minor crimes must be released immediately.

- Legislation must be introduced that will impose life-sentences for law enforcement officials who murder unarmed boys and men.

- The excessive use of force by police must be prohibited with strong disciplinary sanctions.

- All military personnel and equipment must be withdrawn from Ferguson.

- Assign an independent prosecutor to the Michael Brown case.

- Transparency requires the establishment of an independent citizens’ advisory/review board composed of volunteers from civil society to fully participate in the investigation of Michael Brown’s execution and all domestic instances of law enforcement involving the use of lethal and/or excessive force.

- Body cameras must be issued to all law enforcement officers to help ensure and protect citizens from harassment, police brutality and murder and to vindicate officers acting lawfully.

- Recall all military equipment already given to cities and states and prohibit its ever being used domestically against U.S. citizens exercising their Constitutional rights.

“Ferguson has already waged a good fight. Without the well-deserved support of your office and a broad left/right coalition that can see this as a moment when the powerless outstrip the powerful, Michael Brown’s name can be added to the anonymous statistics and meaningless deaths of African-Americans at the mercy of a merciless system.”

“Ferguson has thrown itself against the iron gate of that system. It is up to you and the rest of us to see that the gate gets flown wide open. We offer our assistance to your office and other civil and human rights organizations to finally end what has been an unrelenting history of police brutality, mass incarceration and murder of black and brown boys and men.”



Failure of Justice Department and Obama in Ferguson is a Failure of U.S.-Style Democracy

In several statements concerning the just resistance in Ferguson, Missouri to the police killing of an unarmed African American teenager, President Obama urged calm instead of anger. While saying he understood the passions and anger, he did not speak to their source in the racism of police departments across the country and the whole culture of militarism that pervades policing agencies from the federal FBI, DEA (Drug Enforcement Agency), ATF (Alcohol, Tobacco and Firearms), ICE (Immigration and Customs Enforcement) and many others to state, county and local police. And in failing to identify these problems, the actions being taken, like the Justice Department investigation, are not designed to solve them. On the contrary, they are designed to admit some fault while leaving the source — the racism and militarism of the U.S. state — untouched.

President Obama did not go to Ferguson himself, saying he had to wait until the “investigations” are complete. He did send Attorney General Eric Holder, who in turn sent 50 FBI agents to Ferguson to make their presence known and question people. This is the same FBI notorious for its spying and disruption of anti-war, Palestinian and Muslim groups in the present, and its arming and protecting of the KKK while targeting civil rights groups and organizations like the Black Panthers in the past. It is an agency racist to the bone and known to ensure that state-organized racist attacks are covered up, all while being investigated!

The same can generally be said of Justice Department investigations. Invariably they admit that problems raised by the people do exist, but then take no action to actually ensure they are eliminated. Here in Buffalo, for example, a Justice Department investigation of the Holding Center confirmed the many concerns people raised about horrendous conditions, including high levels of suicide. A report was done and suggestions “for improvement” made. But those dealing today with the Holding Center know well that the much needed substantial changes, including actions against racist police profiling and excessive use of force against minority youth, have not been made.

President Obama’s comments show that the targeting of the U.S. state and its racist policing agencies — from top to bottom — is to be blocked. Speaking August 18, he said, “We have all seen images of protesters and law enforcement in the streets. It’s clear that the vast majority of people are peacefully protesting. What’s also clear is that a small minority of individuals are not.

“While I understand the passions and the anger that arise over the death of Michael Brown, giving into that anger by looting or carrying guns, and even attacking the police only serves to raise tensions and stir chaos. It undermines rather than advancing justice.” He urges protesters to “seek some understanding rather than simply holler at each other.” So, while by his own admission the vast majority are peacefully protesting, they are

still his main target. The stand of protestors against police and condemning them is what is undermining justice — not the brutal, racist actions of the police themselves, imbued as they are with a militarist culture. As people worldwide are well aware, this militarist culture is racist to the core, constantly dehumanizes the peoples and justifies their slaughter by portraying them as less than human — much as was done with slaves.

It is the military that coins racist terms and drills them into the soldiers’ heads and popularizes them in the monopoly media. A militarist culture relies on violence and force, not political solutions to social problems. Ferguson police, like the county and state police, cannot escape this pervasive culture and instead repeatedly reflect it. This is the culture of U.S.-style democracy today and reflects its failure to provide solutions or even protections in this modern day.

Obama does attempt to speak to the issue of excessive force, saying, “Let me also be clear that our constitutional rights to speak freely, to assemble, and to report in the press must be vigilantly safeguarded: especially in moments like these. There’s no excuse for excessive force by police or any action that denies people the right to protest peacefully.”

There is no excuse for excessive force by police, which is precisely what was repeatedly on display for the world to see. And this includes the continued killing of unarmed African American teenagers and men, in St. Louis, in Los Angeles, in New York City and Chicago and elsewhere.

Excessive use of force, repeatedly exercised by police on a racist basis, has no place. Yet no actions were taken by the federal government to stop the excessive use of force, and repeated display of combat-level force used against demonstrators. What is the excuse?! Perhaps an investigation is needed to prove what is right before everyone’s eyes.

The people of Ferguson and their just anger are not the problem. Young African American teenagers and men are not the problem. U.S.-style democracy, with its racist core and culture of militarism today is the problem. It is a failed democracy and its representatives necessarily fail when it comes to solving social problems.

The people of Ferguson have shown they know what justice requires and that charging the individual policeman involved with murder is necessary but not enough. They have said they have no trust in the existing system, including the various police agencies, prosecutors, grand jury, FBI and politicians. But they are not the ones deciding these issues — and they should be, just as the people as a whole should be the decision makers. It is the people, organized and fighting for their rights, as those in Ferguson have been, that are the source of justice and democracy. It is the right of the people to govern and decide and that is what is required for democracy today.