



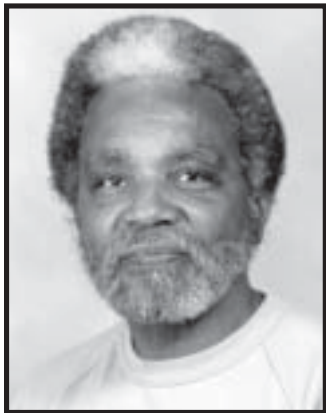
# Nebraska Report

*There is no Peace without Justice*

DECEMBER 2001

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## Two Who Have Spoken Out



**Ernie Chambers**

Noticeably absent from the protests against the military campaign in Afghanistan have been the voices of elected officials and religious leaders. Apart from Rep. Barbara Lee of California and, more recently, Rep. Jim McDermott of Washington, there has been virtually no political opposition to the Bush Administration's strategy of "bombing first, and asking questions later." Religious opposition has been equally sparse.

In Nebraska, however, State Sen. Ernie Chambers of Omaha began openly criticizing the president's inflammatory rhetoric about taking bin Laden "dead or alive," "stamping out evil" and getting "vengeance" almost immediately after the September 11 attack. He was also the first political figure in the state to oppose the bombing campaign against Afghanistan. Reprinted below are Sen. Chambers' initial comments analyzing the events surrounding 9/11, which appeared in the September 20 edition of the Omaha Star. Published over two weeks before the airstrikes even began, his straightforward analysis remains as timely as ever.

Then on November 20, at a specially called news conference in Nebraska's capital, Lincoln City Council member Terry Werner became the first partisan elected official in the state to publicly speak out against the war. His actions garnered coverage on local television and radio and articles in the Lincoln Journal Star and the Omaha World-Herald. We are honored to be able to reprint the full text of Terry's remarks to the media in front of the County-City Building in Lincoln.



**Terry Werner**

### Are America's Hands Clean— or Stained with Innocent Blood?

by Sen. Ernie Chambers

*The first casualty of war—especially a bogus, political one—is dissent.*

My cable TV program (Cox Channel 22) the night of the "incidents" apparently created such an uproar that I have been flooded with requests for a video copy or a transcript, neither of which I currently, have. However, I shall present excerpts from an audiotape made when the program was repeated the following night.

Next week, I shall discuss the shrill, foolish, over-hearted political rhetoric about America's so-called "New War," ballyhooed as a struggle between "good" and "evil." I am reminded of an old Burt Lancaster movie, "Elmer Gantry," a scathing satire of a nationally known preacher of the day who hustled religion and rooked the suckers. A related film ("Cape Fear?") started Robert Mitchum as a sinister preacher with the word "EVIL" tattooed on one hand and "GOOD" on the other. In a memorable scene with two wide-eyed youngsters, Mitchum sat at a kitchen table, interlocked his fingers and tumbled his hands about on the table to symbolize a battle between good and evil. I cannot connect to all this craziness.

President Bush has combined the worst of the two movies to produce a bad imitation  
*continued on page 3*

### Statement Opposing the Military Campaign in Afghanistan

by Terry Werner, Lincoln City Councilor

I am exercising my patriotic duty as a citizen today and questioning the actions of our government in Afghanistan. I believe that it is my right as an American and my responsibility as an elected official to voice my concerns on this most important issue.

Let me begin by emphasizing in no uncertain terms that I condemn the terrorist acts that have taken place in our country. I feel for the victims and their families. My own son was within a mile of ground zero on September 11 and could easily have been one of the thousands murdered. I deplore these criminal actions. The people responsible for terrorist activity must be brought to justice and even more efforts must be made to ensure our safety both here and abroad.

However, I must question whether six weeks of military airstrikes by the world's only remaining superpower against the poorest country on earth is an effective and wise way to prosecute this "War on Terrorism." As an American, a father, a husband and a son, I am concerned for the people of Afghanistan, especially with the coming of winter. They do not deserve to be 'collateral damage.' And I am not convinced that destroying Afghani towns and villages, killing and maiming innocent civilians and angering millions

*continued on page 9*

#### inside:

Latin America Briefs	p. 2	A Monopoly in the Making... MidAmerican Energy Makes Its Move	p. 8
War, Terrorism & Human Life	p. 3	Alternatives To the Military 2001 Report	p. 9
Why We Should NOT Honor the Government of Saudi Arabia	p. 5	Whiteclay Interim Study Testimony	p. 10
Civil Liberties Threatened by "Anti-Terrorism" Law	p. 6	From the Bottom by Sally Herrin	p. 12
A Bus To Nowhere	p. 7		

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## Latin America Briefs

compiled by Sarah Disbrow

## Nicaragua, An Afghanistan in Our Backyard

While the United States used the war on terrorism to justify its interference in Nicaragua's elections in November, even before September 11, the U.S. was hard at work undermining former Sandinista President Daniel Ortega's lead in the polls. Ortega lost the election to Enrique Bolanos, one of Nicaragua's richest landowners and a former Contra supporter. A member of the ruling Liberal party, Bolanos was incumbent president Arnaldo Aleman's hand-picked successor. Some analysts say that Aleman has plans to rule Nicaragua through Bolanos. Aleman has been labeled one of the most corrupt presidents in Nicaragua's history. Members of his own party accused him of enriching himself to the tune of \$250 million, building a vast presidential palace while Nicaragua slid deeper into poverty to become the poorest country in Central America.

In the year before the election, the United States threatened to intervene militarily if Ortega won. Early on, the U.S. pressured Noel Vidaurre, a third candidate, to withdraw from the election to bolster votes for Bolanos.

Last month terrorism became the pretext. The State Department claimed Ortega's party had "ties to supporters of terrorism." John Keane, acting deputy for Western Hemisphere affairs, drew a more direct comparison to Afghanistan: "We cannot forget that Nicaragua became a haven [under the Sandinistas] for violent political extremists from the Middle East, Europe and Latin America."

TV ads claimed that if Osama bin Laden could vote in Nicaragua, he'd vote for Ortega. Florida Governor Jeb Bush threw newly minted clichés at Ortega in a *Miami Herald* article, calling him "a friend of our enemies" and claiming, "Ortega has a relationship of more than 30 years with states and individuals who shelter and condone international terrorism."

Just before the elections, Jesse Helms, Bob Graham, and Mike DeWine put a resolution before Congress to reevaluate U.S. policy toward Nicaragua if the Sandinistas won, threatening, in effect, to cut off all aid to the impoverished country.

Nicaraguans are puzzled by the U.S. attack on Ortega. One political analyst remarked that if the CIA had any intelligence, they'd have known that Ortega's Sandinista party was taken over by yuppies long ago.

Ironically, there's a terrible truth in comparisons between Nicaragua and Afghanistan, but the U.S. refuses to recognize it. As soon as the Sandinistas were voted out of power years ago, the U.S. abandoned Nicaragua, as it abandoned Afghanistan after the Russian retreat. Today 80 percent of the population lives in poverty, and in many places unemployment has reached 70 percent. The U.S. had repeatedly promised that a post-Sandinista Nicaragua would flourish under generous U.S. aid, but after the Sandinistas lost power the U.S. ignored the deteriorating situation under President Aleman. With the latest elections it continues to reinforce a government that is looting its own population.

## Vieques Revisited

After calling a moratorium on civil disobedience in September, activists are preparing to block the next U.S. Navy exercises on the Puerto Rican island of Vieques. The moratorium was called to express solidarity with the September 11 World Trade Center victims, who included many Puerto Ricans. The leader of Committee for the Rescue and Development of Vieques (CRDV), Ismael Guadalupe, reported in October that the group would be ready to block the next military exercises, which could take place at the end of November.

## Human Rights Lawyer Assassinated in Mexico

After repeated attacks over the years, one of Mexico's most well-known human rights lawyers, Digna Ochoa, was shot to death in her office in October. Ochoa was the winner of Amnesty International's Enduring Spirit Award for defending peasant activists against false government charges. She also defended members of the Zapatista Liberation Army who were detained in prison. Ochoa worked at the Jesuit-run Miguel Agustín Pro Center for Human Rights. In 1999 she was kidnapped and beaten. Two months later she was tied, blindfolded, and tortured in her home for nine hours. No arrests were made in the attacks. Human rights advocates and environmentalists are blaming the government under Vincente Fox for the assassination. President Fox resisted efforts to open up an investigation of political crimes when he took office last year, arguing that Mexico should look to the future. Following Ochoa's murder, Fox announced that he would appoint a special prosecutor to investigate the cases of 570 leftists who disappeared at the hands of the government in the 1970s.

## Thousands Protest Army School

With the United States at war against terrorists, thousands of demonstrators marched outside Fort Benning this November to commemorate the November 16, 1989 killings of six Jesuit priests in El Salvador. The killings have been linked to graduates of the school. Many felt it was more important than ever to protest the School of the Americas because it not only harbored but trained Latin American terrorists.

# War, Terrorism & Human Life

by Frank B. Morrison, Sr.

Former Nebraska Governor Frank Morrison wrote the statement below expressly for publication in the Nebraska Report. True to its creator, it carries the accumulated wisdom of this 96-year-old Nebraska political legend.

As this Christmastime approaches, I am reminded that it is nearly two thousand years since the Roman government, on demand of the good church people of Jerusalem, ordered the killing of a prophet from Nazereth because he told them that all people should substitute love for violence. We have spent billions for churches and cathedrals in his honor, but have rejected his teaching. He is reported to have said, "As you have done it unto one of the least of these, you have done it unto me." If this be true, we have killed him all over again every one of those 2000 years.

The years of my lifetime have witnessed more brutality, bloodshed and wholesale killing of humans than any like period in human history. In 1917 we sent thousands of young men to die with the promise that they were fighting a war to end all wars and to make the world safe for democracy. Instead of ending war and tyranny, we inherited in sequence Stalin, Mussolini, Hitler, Tojo, Mao, Ho Chi Min, Saddam Hussein and Osama bin Laden. In all of these cases we either subsidized their

enemies or spent vast quantities of innocent human blood to punish the dictator. In the case of the last two, we subsidized them before they became our enemy. As I sit at my computer writing, this we are dropping bombs on supposed terrorist targets in Afghanistan. The killing of innocent civilians we refer to as 'collateral damage,' not murder. What assurance do we have that the government which follows the Taliban will help us eliminate terrorist cells from the other 60 countries?

This nation of ours has within its collective character humanity's greatest reservoir of love, compassion and generosity, as demonstrated lately in our rush to help the victims of Oklahoma City bombing and the World Trade Center massacre. But this is not the image we present to the world. The face we frequently show a world community reeking with hate, poverty, hunger, pollution and disease is that of the world's greatest arms dealer, full of powerful political intrigue—first supporting tyrants such as Saddam Hussein and bin Laden, and then killing thousands of their subjects to punish the evildoer for turning against us. Is this the America which was founded on the principle that the right to life flows from our Creator and the business of government is



to protect it? This is not the true character of America.

For the first time in world history, we have the technology to lift humanity out of the gutter of starvation, misinformation, superstition, poverty, environmental pollution and most diseases. Our challenge is to do this, not engage in wholesale murder.

Both war and terrorism are an intolerable blight upon civilization and must be stopped. America's great leaders of the immediate past knew this. Before a terrorist killed him, President Kennedy told us, "The weapons of war must be abolished before they

abolish us." General McArthur said modern technology has made war obsolete, there could be no winners. Bobby Kennedy said before a terrorist killed him, that our greatest challenge was to "tame the savagery in man and make more gentle the life of the world." President and General Eisenhower challenged us to end war or it was going to end us. Admiral Rickover told Congress he thought the human race was going to commit suicide.

The taking of innocent human life is something that a moral civilized society should not tolerate. The greatest legacy we could leave to the innocent victims of

terrorism is to abolish terrorism from the face of the earth. The future of civilization in no small degree depends upon American leadership. We must accept the challenge to organize all the nations of the world, both our friends and our enemies, to eliminate the causes of terrorism by appealing to our common humanity. We must end war with enforceable international law.

No public figure of our time was wiser than General Omar Bradley, commander of the American Army in Europe during the Second World War, when he said, "The central problem of our time is to employ human intelligence for the salvation of mankind. We have defiled our intellect by the creation of such instruments of destruction that we are in desperate danger of destroying ourselves. When are we going to muster an intelligence and dedicate it to the preservation of the satellite on which we live?"

Nobody knows better than this old, battle-scarred veteran you cannot do it with the slogan, "AMERICA STRIKES BACK." Unless we root out the causes of terrorism, the next one may be infinitely worse than bin Laden and have access to nuclear weapons, against which there is no defense. We will then die traitors to the nation we love and the morals we profess. Perhaps the man we have crucified every year in the past 2000 years since that day on Calvary had an answer we have never tried.

## Are America's Hands Clean? continued

of both. He is the Elmer Gantry/Mitchum-preacher of politics and is huckstering the most venal political opportunism. I prefer to write about that—but as Lincoln said when signing the Emancipation Proclamation: "The promise, being made, must be kept."

### Excerpts from Sept. 11 TV Program

The older I get, the more anger and indignation I experience. Remember this: I have been working as a member of these white people's government for 31 years. I have a chance to see them up close and personal. I watch the kind of laws they oppose that would benefit all people (and those) they try to pass that favor the rich, the powerful and the politically well placed. I see the discrimination throughout the system. When you have experienced these things, you do not have the same reaction toward a misfortune that befalls the oppressor that the oppressor has. Experience will determine our actions, our attitudes, our reactions to things that befall this country.

### Monumental Tragedy

On a personal level, when talking about the airplanes crashing into those buildings today (and) thinking about individual human beings, I'm able to relate to those deaths as constituting a monumental tragedy, one where the world would be better off had it not occurred.

However, when I read the caption on CNN and see on the front page of this evening's paper, the words: "America Under Attack," I shake my head and say, no; that's a lie. America was not under attack today. What happens in Iraq on a daily basis constitutes an attack—when America and Britain daily drop bombs on civilians. In the middle of the night, people may hear the roar of jet planes; and they know what that means: their land being sown with bombs, strafed with gunfire, pounded with missiles. That's a nation under attack.

How many people who expressed great sorrow about what happened today in America, even give a thought to what America and Britain have been doing consistently for over a year in Iraq? Women and children indiscriminately murdered by America.

America is a terrorist nation. But because it has so much kill-power, it can do whatever it pleases and determine what the law is.

### Bloody U.S. Hands

Many people are watching this program who don't pay attention to the news if it doesn't affect something in their front yard. They wouldn't even know where Grenada is. They don't know where Nicaragua is. They don't remember the Contras. They don't remember the times America has supported with money and weaponry, right-wing, murderous groups—they're called death squads—in places like Argentina and Brazil. They murder; literally, tens of thousands of innocent people, and America approves of it. Henry Kissinger... heiped orchestrate the undermining of Allende (in Chile).

### Mighty America in Panic and Terror

Let me touch on a few things that the events of today demonstrated about America. First of all, America is very vulnerable. These white people strut. They posture. They talk tough. They boast when they think everything is all right. And they believe that nothing can ever happen on these shores.

But what happened today? Not when America was under attack. Two buildings in New York were hit and the Pentagon; in Washington, D.C.; and terror was spread throughout this country. Can you imagine what would happen if Americans were subjected to the bombing on a daily and nightly basis that the people of Iraq suffer?

They shut down every airport in the United States. Little bitty puddle-jumper airports. Because of fear and terror. The White House was evacuated. When one of the CNN correspondents on the scene was asked by a person in the studio whether the evacuation of the White House was orderly, the reporter on the ground said it was at first, then people started running in panic. And he emphasized: "These are professionals in business suits."

*continued on page 4*

# Are America's Hands Clean? conclusion

Oh, but they were stepping fast, fast, fast. Yeah, those tough-talking people...went running like a bunch of roaches on whom the light had been shined.

The Executive Building which is not far from the White House—same thing: evacuated, and they fled in terror. The Treasury Department. The Justice Department. All shut down. Not because bombs were falling; not because missiles were flying; not because the nation was being strafed by jet fighters as happens in Iraq and to the Palestinians. And Americans care not about that.

## Misdirection

When CNN and other people on the news were trying to give these white people credit in New York for having shown such aplomb, such calmness, walking slowly from the scene, not in panic, I'm reminded of what was stated by the New York City Fire Marshal—and it was printed in tonight's paper about the scene: "Everyone was screaming, crying, running; cops, people, firefighters, everyone."

Running, screaming, crying. So why did the media, before the first day was over, have to misrepresent how these people comported themselves? Because they try to convey to the world that America is unflappable. America is calm. America has everything under control.

Then why did Congress flee? Why did they shut down all those government buildings? Even in Omaha in the early afternoon, they shut down the court system, and it will be shut down all day tomorrow. In the State Capitol Building in Lincoln, Nebraska, crawling with State Troopers.

These people are always talking about praying. That's what they always talk about because it costs nothing; it does nothing; it probably doesn't hurt anything; and it may help some people feel better. (Incidentally, when proclaimed Friday, Sept. 14, a "day of prayer," God sent New York bad weather that complicated rescue efforts.)

## The "Good," Not So Good

As I said, on the personal level of those people who died, it's not difficult for me to feel for them as others say they feel. But I cannot help remembering that when it comes to this country, the terrible things that are done to us.

As a result of this, is there going to be less racism against us and our children? Will the discrimination in housing be at an end? How about in education? Will the schools in Omaha cease to be segregated, understaffed and without adequate textbooks? Oh? You all aren't thinking about that right now because you're so caught up in what your President is telling you about America being under attack because two buildings were destroyed? What about health care? How about police abuse? Is the Chief going to explain what happened when Officer Kruse murdered unarmed George Bibins? Or don't those things count? That's what America is about for those of us who are conscious.

## Political Opportunism

This incident is a godsend for Bush and his administration. They have destroyed the economy. His tax cut has created untold, perhaps unsolvable in the short run and the medium run, problems. It's looking like he's going to have to dip into the Social Security surplus. So this completely takes away the public's attention from those problems that relate to them.

Bush was talking this evening, and I wrote the comment he made about America being attacked because it is a "beacon of freedom," and some people don't like that. Is it a beacon of freedom for those of us in this country with a complexion like mine? America is not attacked because other nations are envious. America is attacked because America is hated, not only for the bad things it does toward other nations and other people but toward people within this country. Its conduct is the same as that ascribed to Satan.

## Empty American Chatter

Isn't America the one who always talks about "democracy," how you are to sit down and discuss problems? Well, when racism was to be discussed, America chose not to even sit at the table and talk. And now that there is a problem, what is the first thing they resort to? Violence and the threat of it. That's the only thing they'll be talking about: "We gotta hit back, and we gotta hit hard!"

They shouldn't say "we." Those young men and women are the ones that these fat, white, bumbling men are going to send to do the fighting against some people who may not have done anything other than be non-white and resistant to the 'oppression of America.

## Run. Rabbit. Run!

They are so brave that from Virginia, the port where their aircraft carrier and battleships are—they will put out to sea because they don't want to be caught in port in the harbor. Aircraft carriers—in terror. Battleships—in terror.



Liz Taylor

Nebraskans for Peace lost a faithful friend last month when Omaha member Liz Taylor died suddenly November 25. A long-time supporter of NFP both with the Omaha Chapter and the state organization, Liz had just ended four years of service on the State Board of Directors this past winter, and was only taking a temporary break from active duty to attend to family matters. Our hearts go out to Liz's family, particularly her children and husband, Charles. Workers for Peace and Justice come no finer. We are all diminished by her death, but will carry on. Liz would have insisted on it.

When Madeline Albright, former Secretary of State under Clinton, was asked about these ships putting to sea, she said, "Well, that's to give a message to the world that we're the most powerful military in the world, and we're proud of our military." But they're not putting to sea to attack an enemy. They're putting to sea because they're afraid if they sit there in the harbor, somebody will blow them to smithereens. The most powerful military in the world, on the run already, and there's not even an enemy in sight.

## Action/Reaction

Some people will see this as payback time, that America has pushed and pushed and bullied and tormented to the point where payback is occurring. The chickens are coming home to roost. Do innocent people die? Always. Whenever politicians are going to deliver what they call a "message," innocent people have to die—that's why they are bombing civilians in Iraq. America

has sown the wind, and now they are reaping the whirlwind. When America is truly under attack from bombs, missiles and strafing from aircraft, then we will see what Americans will do.

## Forked Tongue

The sure-enough Godzilla was abroad in the land today. The smoke and the fire from Godzilla's breath still are in evidence, and Americans are saying: The whole world now has to join America and present a united front against what they call terrorism. They don't want the world to present a united front against racism. They didn't want racism discussed. They don't want the world to present a united front against American oppression and murder in Iraq or Israeli murder against the Palestinians.

This country which, ever since it came into existence, has engaged in duplicity, violation of treaties, enslavement, murder and rapine; undermining other governments, assassinating leaders, underwriting death squads all over the world, finally gets a tiny bit of payback...

Is it a tragedy? Of monumental proportions. Is it a tragedy of America's creation? Without question. It was just a matter of time. This was not a real attack on America; it could be taken, in a sense, as a warning. Suppose in this confusion, terror and dread that people feel, somebody does decide to use some chemical or biological agents that can spread disease. What then?

## Return of the Yappers

Now that things have settled down a bit, those hypocritical Congressmen are talking tough again: "We're gonna hit 'em, and we're gonna hit 'em hard!" Who are you gonna hit? "Well, we don't know yet, but there's somebody out there and, by God, we're gonna hit 'em!" Old holy-joe Orrin Hatch, the preacher from Utah who talks about family values, Christ and God, said: "We'll find the bastards and kill 'em!" All of this wild, crazy talk.

Then they all assembled and sang "God Bless America," which was one of the most sickening, disgusting displays I ever witnessed. See, I'm a politician; that kind of stuff doesn't move me. These are the "courageous" white men. Do you know why they can talk tough? There are young men and women who will be told to bark, will be told to bite, who may die, and will certainly do some killing because these politicians tell them to do so.

## End of the Excerpts

Now, I'm sure some of you will be sitting, breathlessly, at your telephone just waiting to dial up and light into me. And I'm going to give you the opportunity—You can ask me why I don't swallow the line that Bush is spreading. We can talk about anything you'd like.

I conclude this column by disagreeing with Congressman John Lewis' prayer proclaiming that "we are all one family, one nation, one people." America remains two nations, one black, the other white. And racism is alive and flourishing in the USA. Naught has changed nor will it. Nothing changed after the real war; nothing will change as a result of this bogus, political one.

Until next time.

# Why We Should NOT Honor the Government of Saudi Arabia

by Mohammed H. Siddiq

*A native of Saudi Arabia and naturalized U.S. citizen, Mohammed Siddiq has lived in Lincoln for nearly two decades. He is a member of Nebraskans for Peace.*

The lack of freedom and the abuse of human rights in Saudi Arabia are something that cries out for condemnation by the United States government, and yet it has largely been ignored by Washington. The political struggle in South Africa, by contrast, received considerable attention from U.S. officials. Yet for decades, Washington has missed the essential similarity between the South African ruling elite and the Saudi ruling elite.

Just as was the case in South Africa, the majority population in Saudi Arabia is ruled by a minority which enjoys all the privileges, all the power and all the advantages. Saudi politics is strictly a family affair, with the 5,000-member ruling family controlling the political agenda to the detriment of the vast majority of Saudi citizens. Three hundred thousand whites were doing the same thing in South Africa while the world watched and voiced its censure. In Saudi Arabia, this much smaller number operates with international impunity.

Consider the major organ of Saudi government, the Council of Ministers, which contains no authority of its own separate from the king, who since 1964 has also operated as prime minister. The top six ministers are always from the royal family. The remaining ministers are technocratic elites. Ostensibly, the Council makes policy with reference to internal, foreign, financial, economic, educational, and defense policies, as well as public affairs pertaining to the kingdom of Saudi Arabia. This means little since all decisions must be sanctioned by the King.

Thus, the House of Saud limits decision-making to a ruling technocratic and royal elite, and then limits even that by approving or disapproving of whatever decisions its chosen council makes. The Saudi people know that this is the case, and every other institution in Saudi life reflects this basic fact. Local newspapers are all controlled by the ruling elite, as are radio and television. The media, in fact, indicate their knowledge of the reality of Saudi life in the way they address the ruling family as Al-Iyallah Al-Malikah, which literally

means “the owner family.” Tellingly enough, the family has never objected to the use of this expression. Clearly, they feel that they own the country.

Saudi politics are for the elite. Large groups of the population are completely excluded from participation in the political structures that decide their future. They are excluded because they are *not* of the right race, *not* of the right sex, *not* of the right religion, and *not* of the right family background. They are, in short, the subjects of Al-Saud.

Consider the plight of Saudi women. They constitute about 57 percent of the population, but they are excluded from participation in public life and have virtually no rights. The ruling members of the Saudi family and their clergymen assert that women are emotional, irritable and have inferior faculties of reason and memory. The courts discount the testimony of women, placing them in the same class as the blind, the handicapped and children. Women cannot travel without their husbands’ permission. They are forbidden to drive an automobile. They have absolutely no legal means for improving their lot or for challenging their present position. They are economically dependent, legally powerless and politically vulnerable. There are clear parallels between the position of women in Saudi society and the position of blacks in old South Africa.

Other racial groups in Saudi Arabia are excluded from participation as well. Blacks are found in a group of about a million, and quite a few are highly educated. However, there is not a single black in high public office, and racial slurs such as “abd” (slave) are used publicly by Saudi princes with reference to black citizens. There are over a million Shiites, but again there is not a single Shiite in high public office. Because of the Iran-Iraq war, the plight of this group got even worse—Shiites are now prevented from teaching, preaching, or even holding middle-management public jobs.

Then, there are the Hejazis who live near the Hejaz Mountains along the Red Sea. The Saudi royal family views these

people as virtual foreigners even though the Arabian Peninsula is as much their land as it is anyone else’s. Some of these people did come from elsewhere, taking the trek to Makkah and then staying. They are called “Mukhalfat Hujaj” (left-overs of pilgrims) by Saudi princes, both

privately and publicly. Indeed, ridiculing those who are powerless is a major occupation of Saudi ruling elites.

Any objective look at Saudi politics shows one thing quite clearly—birth is all that really counts, and those who are born to rank, wealth, and privilege will rule, while the vast majority will be ruled

whether they like it or not. What bed you are born in determines your position in Saudi society, and also your ability to have any control whatsoever over your own destiny. This is the case only for men, of course; women are subjugated no matter where they are born.

We ridiculed and derided South Africa for basing the right to rule on the color of one’s skin. We called that racism, and clearly it was. We called it as well inefficient, dangerous, and patently unfair. We can call the situation in Saudi Arabia the very same. Saudi rule is based exclusively on membership in one family. Is this not also a form of racism? Is there anything else we can call this sort of elitist “ownership” of a country and its peoples?

Saudi politics has been taken away from the people of Arabia and placed in the hands of one family. The ruling class is racist, elitist, sexist and self-serving. For 70 years now, the Saudi ruling amirs (princes) have subjected the people of Arabia to oppression, political manipulation, abuse and exploitation. In Saudi Arabia, the amir is everywhere, and everything is “Saudi” from politics to education, from business to sports. His power is imperial and he acquires everything via the tip of the sword. Therefore, the United States, the leader of the democratic world, should not honor the government of Saudi Arabia.



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# CIVIL LIBERTIES THREATENED BY “AN

## An analysis of the new “USA

by Tim Butz, Executive Director  
ACLU Nebraska

*Of all the enemies of public liberty war is, perhaps, the most to be dreaded.*  
James Madison, *Political Observations* –  
April 15, 1775.

When one looks at what Congress and the President have done in creating sweeping new legislation in the name of combating terrorism, it becomes obvious that the terrorists have scored a major victory. The victory came not from flying planes into buildings, but rather by scaring politicians into damaging the Bill of Rights.

In the wake of September 11, we face danger not just from acts of terrorism but also from our own government, which has responded to terrorism by abandoning some of our constitutional principles and enacting “feel-good” legislation that will do little to make us safe but will do much to limit civil liberties. American political leaders have shown a lack of courage in dealing with the threats to civil liberties that have been created by new legislation. This, of course, is nothing new in American history.

Abraham Lincoln suspended the writ of habeas corpus and allowed civilians to be tried before military tribunals. Wilson suppressed free speech and Roosevelt ordered the internment Japanese-Americans in camps. The Korean War gave life to the McCarthy Era and the suppression of First Amendment rights of speech and association. Vietnam brought about military and CIA spying upon American citizens, and Nixon attempted to suppress the publication of the *Pentagon Papers*. In the aftermath of September 11, it is sad to report that nothing has changed in this trend.

The government has already taken steps to allow military tribunals to prosecute non-citizens charged with terrorism, even those who are lawful permanent residents of the U.S. The military tribunals have the power to conduct their trials in secrecy and give the death penalty to those found guilty of certain crimes. This is unprecedented in a time where Congress has not issued a declaration of war.

When President Bush signed the USA Patriot Act (an acronym for “Uniting and Strengthening America by Providing Appropriate Tools Required To Intercept and Obstruct Terrorism”) into law on October 26, he significantly increased the government’s law enforcement powers while continuing a trend to cut back on the checks and balances that Americans have traditionally relied upon to protect individual liberty. The USA Patriot Act was

hastily drafted and pushed through Congress without much of a chance for debate or amendment. The major significant change between the original draft and the final draft was the incorporation of a “sunset” provision that requires that the law be reviewed and re-enacted in four years.

In four years, however, the USA Patriot Act will have done its damage to the Bill of Rights.

### **Abriding the Rights of Non-Citizens**

Included in this misnamed Act are provisions that will allow for the indefinite detention of non-citizens, who are not terrorists, on minor visa violations. Such detention would occur if the person cannot be deported because they are stateless, their country of origin refuses to accept them or because they would face torture in their country of origin. Foreign citizens can be deported based solely only on the Attorney General’s certification that he has “reasonable grounds to believe” the non-citizen endangers national security. No court will review the Attorney General’s action, and his judgment is final. While immigration or criminal charges must be filed within seven days, these charges need not have anything to do with terrorism, but can be minor visa violations of the kind that normally would not result in detention at all.

As of October 26, Attorney General John Ashcroft and the Secretary of State Colin Powell have been given the authority to designate U.S. political groups as terrorist organizations and deport any foreign national who is a member or supporter of those groups. Groups such as the World Trade Organization protesters, the Vieques protestors and even People for the Ethical Treatment of Animals (PETA), would, on the basis of minor acts of violence or vandalism, meet this overbroad definition. Non-citizens who provide assistance to such groups—such as paying membership dues—will run the risk of detention and deportation.

### **Expanding Police Power to Search and Wiretap**

The new legislation engages in massive “court stripping”—minimizing judicial supervision of police activities. Law enforcement has been given greater ability to get federal warrants for telephone and Internet surveillance without having to prove to a judge that there is any evidence of a law being broken. In the past, federal agents had to show a low level of proof

(probable cause) in order to get a warrant, but even this protection has been removed.

This expanded ability to get warrants without probable cause also applies to the use of “sneak and peek” warrants, which allow the government to search a home or business without the knowledge of the owner. The purpose behind serving a warrant before a search has always been to allow the individual to protect their rights by challenging the warrant, i.e. telling the officers they had the wrong place or reminding them when they began searching beyond the limits of the power granted in the warrant. With “sneak and peek” warrants, federal agents have legal sanction to commit burglary.

The Act allows the government to use its intelligence-gathering power to circumvent the standard that must be met for criminal wiretaps. Other existing laws regarding foreign intelligence surveillance, which does not contain many of the same checks and balances that govern wiretaps for criminal purposes, can be used only when foreign intelligence gathering is the primary purpose. The new law allows use of such surveillance authority even if the primary purpose were a criminal investigation. Intelligence surveillance needs to be only a “significant” purpose. This provision authorizes unconstitutional physical searches and wiretaps: though it is searching primarily for evidence of crime, law enforcement can conduct the search without proving to a judge that there is probable cause of crime.

The Act extends a very low threshold of proof for access to Internet communications that are far more revealing than numbers dialed on a phone. Under current law, a law enforcement agent can get a pen register or trap-and-trace order requiring the telephone company to reveal the numbers dialed to and from a particular phone. To get such an order, law enforcement must simply certify to a judge—who must grant the order—that the information to be obtained is “relevant to an ongoing criminal investigation.” This is a very low level of proof, far less than probable cause.

This provision apparently applies to law enforcement efforts to determine what websites a person had visited, which is like giving law enforcement the power—based only on its own certification—to require the librarian to report on the books you had perused while visiting the public library. This provision extends a low standard of proof—far less than probable cause—to actual “content” information.

In allowing for “nationwide service” of pen register and trap-and-trace orders for wireless phones, the law further marginalizes the role of the judiciary. It authorizes what would be the equivalent of a blank warrant in the physical world: the court issues the order, and the law enforcement agent fills in the places to be searched. This is not consistent with the important Fourth Amendment privacy protection of requiring that warrants specify the place to be searched. Under this legislation, a judge is unable to meaningfully monitor the extent to which her order was being used to access information about communications.

### **Opening Up Business and Health Records**

The Act also grants the FBI broad access in “intelligence” investigations to records about a person maintained by a business. The FBI need only certify to a court that it is conducting an intelligence investigation and that the records it seeks may be relevant. With this new power, the FBI can force a business to turn over a person’s educational, medical, financial, mental health and travel records based on a very low standard of proof and without meaningful judicial oversight.

### **Spying on U.S. Citizens**

The Act also allows for the broad sharing of sensitive information in criminal cases with intelligence agencies, including the CIA, the NSA, the INS and the Secret Service. It permits sharing of sensitive grand jury and wiretap information without judicial review or any safeguards regarding the future use or dissemination of such information.

These information sharing authorizations and mandates effectively put the CIA back in the business of spying on Americans: Once the CIA makes clear the kind of information it seeks, law enforcement agencies can use tools like wiretaps and intelligence searches to provide data to the CIA. In fact, the law specifically gives the Director of Central Intelligence—who heads the CIA—the power to identify domestic intelligence requirements.

### **Destroying the Attorney-Client Privilege**

The Attorney General is using his new authorities to promulgate a program of eavesdropping on attorney-client conversations, thus damaging the Sixth Amendment right of a defendant to effective legal counsel. The stated purpose of this eavesdropping is to prevent attorneys from becoming a conduit for instructions or information passing between a terrorist suspect and others. The proposed Bureau of Prisons regulations contain a “firewall” so that those who listen in on privileged conversations will not report what they learn to prosecutors. But such an arrangement

# "ANTI-TERRORISM" LAW

## "Patriot Act"

makes it difficult if not impossible for defense attorneys to have the honest conversations with their clients that allow for an adequate defense.

### Decreased Financial Privacy

The USA Patriot Act continues the unfortunate trend of expanding government access to personal financial information rather than safeguarding it against intrusion. While there is certainly a need to shut down the financial resources used to further acts of terrorism, the USA Patriot Act goes beyond its stated goal of combating international terrorism and instead reaches into innocent customers' personal financial transactions.

Under the new law, financial institutions are required to monitor daily financial transactions even more closely and to share information with other federal agencies, including foreign intelligence services such as the CIA. The law also allows law enforcement and intelligence agencies to get easy access to individual credit reports in secret. The law provides for no judicial review and does not mandate that law enforcement give the person whose records are being reviewed any notice.

### Decreased Privacy of Students

The USA Patriot Act allows law enforcement officials to cast an even broader net for student information without any particularized suspicion of wrongdoing. When the changes in federal law dealing with student records privacy are combined with other information-sharing provisions contained in the new law, it becomes clear that highly personal student information will be transmitted to many federal agencies in ways likely to harm innocent students' privacy.

Since September 11, law enforcement agencies from all levels of government have faced few barriers in accessing student information. According to the American Association of Collegiate Registrars and Admissions Officers, about 200 colleges and universities have turned over student information to the FBI, INS and other law enforcement officials.

But law enforcement agencies wanted even easier access to a broad range of student information and the USA Patriot Act gave it to them by allowing them to receive the student data collected for the purpose of statistical research under the National Education Statistics Act. The statistics act requires the government to collect a vast amount of identifiable student information and—until now—has required it to be held in the strictest confidence without exception.

The USA Patriot Act, however, eliminates that protection and—while it requires a court

order—allows law enforcement agencies to get access to private student information based on a mere certification that the records are relevant to an investigation. This certification, which a judge cannot challenge, is insufficient to protect the privacy of sensitive information contained in student records.

### Impact on our Daily Lives

What does all this mean to the average citizen? Most Americans may take comfort in the belief that their liberties will not be violated. After all, few of us anticipate becoming suspects in a terrorist investigation. Unfortunately, the 1.9 million Muslims and 3.5 million Arab-Americans living in the United States cannot be so sanguine. Immigrants and citizens of Arab descent face an increased risk of being branded disloyal and losing their liberties—the same risk faced by other minority groups during past national crises.

Menacing powers are now in place, including the possibility that immigrants could be jailed and deported without trial, or even an opportunity to establish their innocence.

There is more than a little irony in the fact that a bill called the USA Patriot Act abridges civil liberties. Everyone has his or her own definition of patriotism. Some will define it as supporting the war in Afghanistan and others will define it as opposing the war. Neither camp should define it as blindly following the government without examining facts. Patriotism should not be defined by acquiescence to government power, but rather should be inspired by rising to defend civil liberties at this time of crisis.

We have a right to demand that the government keep us both safe and free. The efforts to make us safe from terrorism should not come at a cost of destroying the very things that make us free. In the rush to "do something" and not appear to be powerless in the wake of the Sept. 11 attacks, congressional representatives, senators and the president all joined forces to do what the terrorists could never do without them—damage the Bill of Rights.

Our country is in danger and in the face of danger people must respond with the courage to cling to, rather than abandon, our civil liberties. We seek safety, but not by any means necessary.

(For more information on civil liberties issues such as the USA Patriot Act, contact ACLU Nebraska, 941 'O' Street, #1020, Lincoln, NE 68508, or by e-mail to HuskerACLU@aol.com. Additional detailed

## A Bus To Nowhere

*Nebraskans for Peace representative Jason Nord boarded a bus in Lincoln November 13 for a 36-hour trip to Ottawa, Ontario to attend the protest at the International Monetary Fund/World Bank meeting. The November 16-17 IMF/World Bank conference had originally been scheduled for late September in Washington, D.C., but had been postponed and transferred to Ottawa after the World Trade Center attack. As Jason explains in his report, though, he never got across the border into Canada.*

The border guard asked me where I was going. I told her Ottawa. She paused, her eyes scanning over me with a heightened level of scrutiny.

"Why are you going to Ottawa?"

"I'm doing interviews for a small newspaper called the *Nebraska Report*. The World Bank and International Monetary Fund are having meetings in Ottawa, and I'll be talking to local professors about their views concerning these organizations."

Honesty is apparently not always the best policy. Before you could say "freedom of speech" all of my belongings were spilled out on a long metal table. One guard sat down and carefully read through my personal journal. Four others searched through everything I had with me.

"At least he didn't try to lie to us," one of the guards argued on my behalf.

When the hour-long search was finally complete, they told me that I couldn't enter Canada unless I had my original birth certificate, \$600 in cash, and written confirmation from Nebraskans for Peace stating that I was an employee. During my hour-long detention, none of the other travelers who passed by were searched as thoroughly nor were any denied entry.

Preventing activists from crossing borders seems to have become a favorite tactic for many national governments. The Quebec Legal Collective estimates that during the Organization of the American States conference in June of 2000 more than 90 percent of the activists who attempted to cross the Canadian border were denied entry. Thousands of activists from the United States reported being stopped at the border during the FTAA demonstrations in April of 2001.

Perhaps the most striking occurrence of these border blockades was during the G-8 demonstrations in Genoa this past July. An entire ferry boat carrying hundreds of people was turned away once it touched ground in Italy. A train full of activists leaving from

Britain was stopped at the French border. It only started moving again when French railroad workers threatened to go on strike if the activists weren't allowed to continue their journey.

Restricting the free movement of these demonstrators is especially ironic when the demonstrators' message is considered. The organizations and agreements which comprise what is being called "globalization" are making it easier for corporations to travel where they want, when they want, with fewer and fewer limitations. Products and factories can bounce across borders more easily, severely hurting the lower classes in many countries. Yet citizens still face severe restrictions on where they can live and work; activists cannot follow corporate and political leaders in order to voice dissent.

In retrospect, luck may have been with me when I was denied entrance into Canada. The demonstrations in Ottawa, like many in the past, were marred by police violence. Officers reportedly tackled and arrested suspected anarchists for no obvious reason. Independent media reports claim that activists attempted to stop these arrests, including a number of middle-aged pagan women who threw themselves between riot police and a group of people dressed in black. According to witnesses, the police quickly responded with a wide range of weapons. Water cannons drenched demonstrators in near zero-degree weather, causing several cases of hypothermia. Police used pepper spray and rubber bullets liberally. Attack dogs were released into the crowd, causing dozens of injuries. By the end of the day local media estimated that around 50 people were in jail and that many more were being treated by medics. Protesters estimate that somewhere between 4000 and 6000 demonstrators attended the main rally.

When Canadian customs finally released me, I was searched again by American police. As I sat there, my belongings being sifted through for the second time that night, two teenage Americans literally stumbled through the customs line. One of them was so intoxicated he could hardly stand, and the other was by no means sober. They were ushered through, without being searched, with only driver's licenses for identification. The only comment the border guards made was to the slightly more sober of the two. "Perhaps you should drive, instead of your friend." They all laughed.

For more information, go to [www.indymedia.org](http://www.indymedia.org), [www.ontario.indymedia.org](http://www.ontario.indymedia.org) or [www.flora.org/gdo](http://www.flora.org/gdo)

## A Monopoly in the Making...

# MidAmerican Energy Makes

by Mark Zimmerman  
Treasurer, Nebraska Green Party

For advocates of a progressive energy policy in America, the last year has been a discouraging one. The long-awaited report by the Inter-governmental Panel on Climate Change predicted an even worse global warming forecast than expected. The Bush administration offered up a national energy scheme (to call it a policy seems an exaggeration) which will only increase drilling on sensitive public lands, greenhouse gases and other pollutants in the atmosphere, and profits for the multinational oil industry that helped put Bush in the White House to begin with. And just as technological advances in fuel cells, wind and photovoltaics are starting to offer the tantalizing promise of a decentralized and locally controlled micropower revolution, consolidation in the energy industry continues unabated, and with it, a massive concentration of economic and political power.

We don't have to look farther than Omaha to find a current example of this consolidation. Headquartered in Des Moines, Iowa, MidAmerican Energy Holding Company (MEHC) is privately owned by three well-known Omaha business executives: Warren Buffett (Berkshire Hathaway), Walter Scott (Peter Kiewit) and David Sokol (CalEnergy). Its subsidiary, MidAmerican Energy, has 670,000 electricity and 650,000 gas customers in the Midwest, primarily in Iowa, where it has about 90 percent of the market. Another subsidiary, Northern Electric, serves 1.5 million electric and 650,000 gas consumers in the United Kingdom. A third subsidiary, CalEnergy, has geothermal and gas exploration projects in California and around the world. MEHC's fourth major branch, HomeServices.com, is one of the largest residential real estate brokerages in the U.S. with more than 140 offices in 12 states.

MidAmerican got its start through the mergers of local Iowa utilities and in 1999 was bought by Sokol's CalEnergy to form MEHC. In early 2000, Buffet, Scott and Sokol bought MEHC for \$9 billion and made it a privately owned company. Buffet's Berkshire owns 75 percent of the stock, but because of federal regulations (and the creative financing to comply with them) can only exercise 10 percent control over the company. In a corporation with only three owners who have known one another for years, this doesn't seem to present a problem.

This summer MidAmerican announced

plans to invest another billion dollars in Northern Electric, which when completed would make it the second largest electrical distributor in Britain. Even that might pale in comparison to its plans in Asia. At about the same time the British deal was announced, Sokol was in Hong Kong to investigate China's plans to open its power industry to outside development. According to an interview in *Reuter's* (8/3/01), Sokol said that MidAmerican has been eyeing China for a long time and that it presented some good investment opportunities. He also said the company was looking at investments in Thailand and South Korea.

So how big does MEHC plan to get? Buffet has been quoted as saying he would like Berkshire to invest \$10-15 billion in the global energy sector over the coming years. In an article last year in the online *Motley Fool* (fool.com 3/27/00), Sokol said that with deregulation the 150 or so energy companies can be whittled down to about 20, and of those 150, with Berkshire Hathaway's resources, MidAmerican will buy "as many as we can. The deal-making days are just beginning."

While this may be a rosy scenario for its three owners, or perhaps for those who are heavily invested in Berkshire Hathaway stock, what will it mean for a farmer in China, a factory worker in Britain or a small business in the Midwest? Because so many factors affect the energy market, such predictions are not always easy. But perhaps some perspective can be gained by looking across the river at Iowa's experience with MidAmerican.

### The Iowa Experience

In 1983 forward-thinking legislators there passed an alternative energy bill requiring investor-owned utilities like MidAmerican to start providing a small percentage of their electricity from renewable resources. To get the law passed, enforcement provisions were left out and this led to the utilities using litigation in order to avoid having to comply. After their legal excuses ran out, they tried to get the law repealed in 1995. Proponents of renewable energy quickly organized to defend the law. Iowa Citizen Action, the Union of Concerned Scientists (UCS) and 16 other environmental, agricultural, and consumer organizations pooled their resources to form the SEED (Sustainable Energy for Economic

Development) coalition, which for the next two years successfully opposed efforts to repeal and weaken the renewables law. Today Iowa has more than 240 megawatts of wind generation on line.

Not only did these utilities not want to use renewables, they also opposed Iowa's net metering law which allows electric consumers to feed renewable energy into the grid. Under net billing arrangements, homeowners and businesses who install wind, solar, or hydro generators can reduce their electric bills by having their meters run in reverse as they feed excess energy into the grid. MidAmerican filed a petition in 1998 with the Federal Energy Regulatory Commission (FERC) to overturn the Iowa law, claiming that the state didn't have the authority to pass such a law. In their arguments to the FERC, it turned out that their opposition wasn't so much against homegrown electricity (though they could hardly have been enthusiastic about the idea) as the fact that they only wanted to reimburse the local generators at a wholesale or "avoided cost" rate, not at the same rate they charged those generators. In other

in which rates will be frozen for five years and MidAmerican will build two new power plants (one natural gas, the other likely coal).

All in all, the relationship between MidAmerican and many Iowans has been a contentious one. So how protected are we in Nebraska from a similar situation?

### Moving in on Nebraska

MidAmerican's name does pop up here and there due to the interconnected nature of the electrical industry. They buy electricity from the Cooper nuclear plant and recently sued it over decommissioning assessments. They are joining with OPPD and NPPD and several other Midwestern utilities to form a regional transmission company called Translink. The formation of regional groups like Translink was prompted by the FERC in order to improve and maintain long distance electrical lines. Translink will charge its members for use of the lines at a federally regulated rate. Since our lines in Nebraska are publicly owned they can't be sold or leased to the new company, but our power districts will have to comply with how Translink wants to operate them. While it's hard to argue



its MOVE.

words, they wanted the meters to run slower in reverse than they did in MidAmerican's direction. Again the SEED coalition and the UCS went to work and supported the law before the FERC. In March of this year the FERC upheld the Iowa law. Soon after, MidAmerican filed for a rehearing.

Over the past three to four years, MidAmerican and other investor owned utilities have lobbied hard to promote deregulation in Iowa and several bills to do just that were narrowly defeated in the state legislature. A pilot program allowing retail choice was approved for Council Bluffs, but the only alternative choice thus far is another MidAmerican subsidiary.

More recently the state's Consumer Advocate filed a case with the Iowa Utilities Board, asserting that MidAmerican's rates were too high. In response, MidAmerican proposed a 5.4 percent across-the-board rate hike to offset inflation and transmission line maintenance. The state's Attorney General negotiated a settlement this summer

against improving the reliability of the regional grid, the suspicion rise that such an arrangement helps set the table for large conglomerates if Nebraska ever decides to deregulate. In a series of stories (8/21-23/2001) the *Washington Post* looked at just this issue, detailing the battles between the giant power wholesaler Enron and a group of southern utilities whose lines Enron wants to use to compete for retail customers.

So how likely is deregulation for us? Some folks in the industrial sector have supported the idea for years; of course they would be the first and perhaps only ones to benefit. State Sen. Kermit Brashear of Omaha and Omaha financier Mike Yanney have both stated that they favor not just deregulation, but privatization (selling off) of Nebraska's public systems.

But since the troubles in California the last couple of years, that scenario seems a

*continued on page 11*

# Terry Werner, conclusion

in the Muslim world to try and find Osama bin Laden will enable us to root our terrorism and enhance our security. I fear, in fact, that it will do just the opposite.

By our government's own admission, the bin Laden's al Qa'eda network has 15,000-20,000 members in over 50 countries in the world—and it's not the only Islamic fundamentalist network. On October 25, in an exclusive interview in *USA Today*, Defense Secretary Donald Rumsfeld frankly admitted that getting bin Laden "dead or alive" will not end the threat of terrorism. "If bin Laden were gone tomorrow," the Secretary was quoted as saying, "the same problem would exist."

And it will continue to exist because the problem is international, not national. It cannot be confined to any one country. It cannot even be confined exclusively to Islamic fundamentalism. What about the terrorist groups within our own borders? It was white Americans, remember, who were behind the Oklahoma City bombing. And according to the FBI, it's probably an American who's behind the current anthrax attacks.

If indeed what we are conducting is a War on Terrorism—and not a war on the Taliban or Afghanistan—then I am afraid that what our six-week bombing campaign has mainly succeeded to doing is to breed a new generation of terrorists and suicide bombers. A story in the November 15 *Lincoln Journal Star*, entitled "11<sup>th</sup> hour attack by terrorists feared," stressed that very point. "With the Taliban retreating and in seeming disarray, Osama bin Laden may be more dangerous and unpredictable than ever."

It is undeniable that the military airstrikes have succeeded in dislodging the Taliban from the cities, and I am personally glad to see the Taliban in retreat. I am happy for the people of Afghanistan—particularly the women, about whose plight we have heard so much. What freedom-loving person wouldn't be?

But we went to Afghanistan to rid the world of terrorism, not to fight for freedom. And the fact that we as a nation choose to defend democracy and freedom only when it is in our best interests is one of the reasons our government is so hated around the world. In our recent history we have been more likely to defend democracy for oil than human rights. Just like with the Taliban, we armed and aided Saddam Hussein when it served our political purposes. And when it no longer did, we went to war with him to liberate Kuwait. Ten years after the Gulf War, however, Kuwait remains an important oil ally, but the women of that country still cannot vote and legally remain the property of their husbands and fathers.

I am encouraged that President Bush wants to turn the peacekeeping and nation-building duties over to the United Nations. If the United Nations is deemed worthy enough to rebuild a shattered Afghanistan and to keep the peace, however, it is also capable of tracking down the terrorists responsible for the attacks and bringing them to justice. This, in fact, is what we should have done in the first place. Instead of unilaterally launching a crusade to exact vengeance after the horror of 9/11, the Bush Administration should have turned this matter over to the UN and the World Court. It is imperative that the UN take total command of the operation in Afghanistan before the U.S. launches a ground war and makes matters even worse.



Terry Werner speaking at his news conference in front of the County-City Building. The banner reads, "Bombing Is Breeding More Terrorists."

With every passing day, I believe it becomes ever more obvious that we as taxpayers are not getting the political or economic value from the billions of dollars that have been spent on bombing Afghanistan over the past six weeks. As an elected official responsible for protecting the public trust, however, I am further concerned at how our government is using this national tragedy to promote ill-conceived tax credits, reckless abandonment of our environment, bailouts of businesses that are poorly run and wild military spending with little regard for the American worker and small business. This is a labor issue. This is an issue for small business. This is an issue for the average American. These costs are directly impacting business and workers in Lincoln, Nebraska. Why would we the people offer tax incentives to giant corporations that remove jobs from the U.S.? Where is their patriotism when they take our money and move jobs to foreign soils?

I implore our government to reconsider its actions. Let's bring the terrorists to justice, without 'collateral damage.' Let's stimulate the economy, but not on the backs of the middle and lower class. Let's provide security for all of our citizens, but without wasting billions of dollars waging a war that will wind up making us even less secure.

Finally, I would just like to end by explaining why I am doing this. I believe that all citizens should speak their beliefs, especially if they want to affect change. However, I believe that as a public servant one is obligated to express alternate points of view. This is the democratic process. In this instance, I have waited patiently for others to take the lead. I could not remain silent any longer.

## Alternatives to the Military 2001 Report

by Nye Bond & George Eisele

Alternatives to the Military is a committee of Nebraskans for Peace working to inform high school students of options and opportunities to achieve their career their goals other than by joining the military. Many recruiters are persistent and convincing in persuading students that all the answers to their personal goals of selecting and financing a vocation or trade is with one of the branches of the military. We encourage students to think seriously about this important decision before they enlist in the armed services. This is done in various ways:

1) Since the beginning of the Gulf War we have leafleted each high school every other year in the early morning as students arrive. The principal is informed ahead of time and is most always helpful. We stand off school property unless otherwise permitted by the principal. We hand out approximately 500 leaflets with questions for students to consider before signing up with the military.

2) Since 1996, the High School Principals Council of Lincoln Public Schools has given permission to ATM to bring materials into the schools for students. We provide such information for display in the guidance department and media

centers and table each semester in each school during lunch hour in a hallway. Two committee members are at the table where usually 20-30 students ask for information. The materials we



Peacemaker of the Year Elizabeth Goodbrake

provide each of the four high schools and the Bryan Learning Center include Americorps and Peace Corps information; Careers in Peacemaking and Social Change; Financing College without Joining the Military; Do You Know Enough to Enlist?; How Militarism Equals Violence Against Women; Adventures Working for Peace and Social Justice; The Military's Not Just a Job--It's Eight Years of Your Life; The Myth of Military Economic Opportunity;

Are Your Students Getting a Balanced Education about the Military?; Questions to Consider before Seeing Your Military Recruiter.

For the ninth consecutive year, Alternatives to the Military honored a Nebraska Peacemaker of the Year at its annual summer potluck supper in July attended by former winners, friends and stalwarts from of the Lincoln peace community. This year's recipient, Elizabeth Goodbrake, is well-known to members of Nebraskans for Peace, having served as the organization's Membership Coordinator and Field Organizer from May 1999 to her graduation from University of Nebraska-Lincoln this past spring with a major in International Studies. Now living in Austin, Texas, Elizabeth was honored for her dedicated service attending the committee meetings and leafleting and tabling efforts at Lincoln's high schools.

ATM committee members are currently: Nye Bond, Ed Maynard, George Eisele, Roy Bailey, Jay Schmidt, Bobbie Kierstead, Marge Manglitz, Ruth Thone, Molly Ruhlman and Timothy Niessen. Others who regularly help with leafleting and tabling are Don Tilley, Bob Hall, Margaret Vrana, and Fran Kaye. High school speakers are: Danny Ladely, Jaime Obrecht, Larry Zink, Paul Olson, and Dwight Ganzel.

# Whiteclay Interim Study Testimony

## for the Legislature's General Affairs Committee

by Byron Peterson

*This past session, the Nebraska Unicameral passed LR 124 directing the legislature's General Affairs Committee to conduct an Interim Study Hearing on the issue of alcohol sales in Whiteclay. As a rule, such hearings are conducted between legislative sessions, and a hearing was scheduled to take place in Whiteclay on October 30. Governor Johanns' decision to call a Special Session of the legislature because of the state's budget shortfall, however, obliged the General Affairs Committee to postpone the hearing until sometime this next spring. Printed below is the testimony that Nebraskans for Peace had originally prepared for its presentation in October.*

The alcohol trade in Whiteclay, Nebraska has been an ongoing scourge for the Oglala Lakota Tribe virtually from the moment the Pine Ridge Reservation was established. -As early as 1882, President Chester Arthur was prevailed upon to issue an executive order establishing a 50-square-mile "buffer zone" on the Nebraska side of the Reservation border to protect the Oglalas from "whisky peddlers" operating out of this Agency town. Seven years later in 1889, Congress itself intervened, formally making this protective five-mile-deep, ten-mile-wide buffer zone federal law.

In 1904, however, President Teddy Roosevelt unilaterally—and probably illegally—rescinded the buffer zone by executive order, permitting the resumption of alcohol sales in Whiteclay. Except during the 13-year period of Prohibition, the alcohol trade in this unincorporated village has operated uninterrupted for the better part of the past century, marketing its product to an almost exclusively Reservation clientele living in the poorest county in the United States. Literally generations of Oglalas have grown up victims of an alcohol abuse that has immiserated them socially, economically, culturally and medically.

Plagued with one of the highest alcoholism-related mortality rates in the nation, the leadership of the Oglala Tribe has taken aggressive measures to control the substance abuse of this drug. Apart from educational efforts encouraging sobriety and abstinence, the Tribe actually voted to ban alcohol on the Reservation outright in the early 1970s—outlawing not only the sale, but the

possession, of alcohol on Tribal property. Pine Ridge has been officially "dry" ever since.

Over the past three decades, however, our own state government has worked to effectively thwart and undermine the Oglala's prohibition policy. In this unincorporated village that is bracketed on two sides by the Reservation and within easy walking distance of the Reservation's principal town of Pine Ridge, the Nebraska Liquor Control Commission has consistently licensed four off-sale dealerships in Whiteclay, just 200 feet beyond the Tribe's control.

More a "commercial enterprise" than a community, Whiteclay functions primarily as a place for residents from the Reservation to go to buy beer. While 750 vehicles per day are estimated to enter the village from the Reservation and a population of from 50-100 people may gather on the streets at any one time, only 14 people actually live there. The four merchants who annually sell the 4.1 million cans of beer and operate this \$3 million annual trade only come to the town to run their stores. Every one of the dealers chooses to live elsewhere.

Unlike other Nebraska communities, Whiteclay exists only to make money. It has no schools, no churches, no civic organizations, no parks, no benches, no public bathrooms, no fire service and no law enforcement. Tribal police are of course stationed immediately to the north (only two miles away in Pine Ridge), but their jurisdiction does not extend into Nebraska. The closest Nebraska law enforcement available—the Sheridan County Sheriff's Department—lies about 21 miles to the south in Rushville, and the Nebraska State Patrol also has officers who are available on call. While both units are believed to offer routine patrols into the town, the major portion of each day lacks on-site enforcement. Indeed, in the five-year period from 1996-2000, only five citations were issued to the four dealers in Whiteclay, compared to the six citations issued in just three months after Governor Johanns temporarily ordered stepped up enforcement this past February.

Oglala Sioux Tribal President John Yellow Bird Steele calls Whiteclay "a wide-open town" because of its reputation for lawlessness. And this lawlessness stems not just from the fact that there are disreputable dealers in Whiteclay who are selling alcohol on

credit, regularly permitting the consumption of alcohol on their off-sale premises, trading goods and sex for beer and selling to minors and intoxicated individuals. Nor does it stem just from the fact that in this border town brutal murders, like those Ronald Hard Heart and Wilson Black Elk, Jr., can be committed and allowed to go unsolved for years on end. No, this lawlessness stems mainly from the fact that the Nebraska Liquor Control Commission is licensing the sale of alcohol in Whiteclay to a customer base from the Pine Ridge Reservation that for all practical purposes has no legal place to drink it. Annually, the four dealers in Whiteclay peddle 4 million cans of beer to Pine Ridge residents who legally have no way to consume it in Whiteclay since none of the dealers have an on-sale license, and who are knowingly violating Tribal law if they haul it back onto the Reservation.

Confronted with this dilemma, the Liquor Control Commission simply answers that "it is legal to sell alcohol in Nebraska," as if this state-sanctioned judicial body has no responsibility whatsoever for the consequences of its decisions. But if this is indeed the legal fact of the matter—that it is legal to sell alcohol in Nebraska and the Commission has no option but to enforce the law—I will wager that not once in the four years that the problems at Whiteclay have been in the public eye has a commissioner approached the legislature requesting some sort of legislative solution to address the endemic lawlessness there.

What the Commission has done this past year, under public pressure from Nebraskans for Peace and others, is request law enforcement by the Nebraska State Patrol for all the hours alcohol is sold in Whiteclay. And I am here today to tell you that representatives of both the State Patrol and the Sheridan County Sheriff's Department told me to my face last August that they cannot, and will not be able to, provide that degree of on-site law enforcement in Whiteclay. When asked to put this revelation in writing, they refused, saying the Commission already knows it. Thus, as things stand right now, with the Liquor Control Commission pleading that they are bound by state law to license alcohol sales anywhere in the state, and Nebraska law enforcement asserting that they will never have the human resources to provide a permanent presence in Whiteclay, the lawlessness is set to continue with no end in sight.

And so, despite the many marches into the town to protest its many abuses, the tragedy and the shame of Whiteclay goes on unabated. For sure, the remoteness of the place within the state makes it easy to ignore the problems there. Behaviors by dealers and patrons that would not be tolerated—not for one minute in any other town in Nebraska—are all too often simply accepted as the realities of doing business in Whiteclay. Not just our state's private sector, but our own state government profits handsomely from this Indian misery to the tune of \$150,000 annually in liquor and sales taxes. And to mollify our consciences for continuing to license beer sales there and for directly contributing to so much pain and suffering on Pine Ridge, we repeat the rationale that the Indians from the Reservation are going to drink anyway, and the farther they have to drive into Nebraska to get it, the greater the vehicle accident toll on Nebraska's highways.

This past September, in a speech at Nebraska Wesleyan University in Lincoln, Native American activist Winona LaDuke called Whiteclay "Nebraska's hate crime." It is almost impossible to calculate how much of the Oglala Tribe's human and economic resources have been extracted by this enterprise over the past century. After having worked intensely on this issue for the past two years, however, I can tell you that neither the Liquor Control Commission nor the Nebraska State Patrol can be counted on to end this tragedy. It will take a change in state law by the Nebraska Legislature.

Prohibiting the sale of alcohol within a five-mile radius of a dry Reservation will not solve all of the alcohol abuse problems on the Pine Ridge Reservation. But it will do this: It will place alcohol sales beyond easy walking distance of Pine Ridge, which will go a long ways towards limiting supply (not unlike what the United States is asking of the government of Colombia). It will stop the flagrant profiteering off of Indian misery that the State of Nebraska is heartlessly, reprehensibly and maliciously now engaged in. And, for the first time in three decades, it will demonstrate some respect on the part of the State of Nebraska for the prohibition policy of the sovereign people of the Oglala Lakota Nation and some consideration for the needs of its people.

Doing this, we believe, is the very least we as Nebraskans can and ought to do.

# MOVE, conclusion

little less likely for the foreseeable future. Governor Johanns went on record this year as supporting our public power system. And popular support for our system remains strong, particularly in the rural two-thirds of the state. There are probably still a few people out there who remember that one of the main reasons we have public power in the first place is because private companies didn't want to serve rural areas with lots of miles of line and few customers.

As usual in cases involving large amounts of money and a captive market, opinions and endorsements are overwhelmed by hard-nosed legal wrangling, and such is the case in Nebraska. In 1996 when the Legislature first began looking at the issue of deregulation, they commissioned a three-year study. In early 2000, based on recommendations from the study, they passed LB 901 which applied what is called a "conditions certain" approach to any potential attempts at deregulation. In some other states deregulation was phased in according to a series of deadlines. LB 901 differs in that it says deregulation cannot be considered unless particular conditions exist. The Nebraska Power Review Board (NPRB), which oversees the activities of all the power districts on a state level, was charged with conducting an annual review and hearing to ascertain these conditions. Its first report was made public in early October.

## Nebraska's Report Card

Tim Texel, executive director of the NPRB, said that "its findings support the current system" but that the Board doesn't recommend for or against deregulation; it just reports on its given set of conditions. The report and a summary of it can be found at the NPRB web site ([www.nprb.ne.state.us](http://www.nprb.ne.state.us)). The report is divided into five conditions or "issues" and can be briefly summarized as follows.

The first is "whether or not a viable regional transmission organization and adequate transmission exist" in our region. In order for deregulation to work, big companies must be able to move their supplies of electricity easily around the region and in and out of the state. While our state system was found to be adequate for our own use under normal conditions, it is short of what would be needed for an active wholesale market. This is where the formation of the Translink organization comes into play. Most likely Translink will fulfill this condition and help set the stage for possible deregulation.

The second condition is "whether a viable wholesale market" exists in the region. To the west of us there are capacity shortages and interconnect problems, so that market is not likely. There was found to be a more viable market to the east but not enough transmission lines to make it practical. Again this points up the significance of the Translink announcement. The report also noted that these markets are more volatile than what we are used to in a consumer-owned, cost-based system.

Which leads us to the third and probably most visible issue, that of prices. Nebraska's average retail rate is 5.31 cents per kilowatt hour, about 20 percent below the national average. Some of this is due to our proximity to cheap coal from Wyoming. And


while public financing and lack of a corporate tax accounts for some difference, Omaha Public Power District paid out \$17.5 million last year in lieu of taxes to local schools, cities and counties. Texel said that a "significant difference" though is that there are no dividends to pay out to stockholders; rather the money is either reinvested or rates are held steady. Add to that the fact that the executives at our public power companies don't pull down the astronomical salaries and stock options their counterparts in the private sector do, and public power really looks like a bargain.

The NPRB also looked at two other areas: one being whether our rates are "unbundled," meaning are they broken out like a phone bill into separate costs for generation, transmission, fees and the like? Since our power districts are vertically integrated (they generate, distribute and bill), there has been no need for this and it likely won't happen (unless as a part of some future deregulation plan). The fifth and final area regarded legislative, regulatory and industrial developments in the field, in order to keep legislators abreast of relevant issues. While the Bush Administration has proclaimed a national energy policy, no action has been taken to date. The House of Representatives did pass an energy bill last summer, but the Senate has yet to take it up or act on energy bills of its own. Finally, this section looked at how deregulation is proceeding in other states and, in what must be one of the most significant findings of this report, stated that "No state was found that had a vibrant competitive retail electricity market." In other words, there is not yet an example of where deregulation has actually worked as its proponents promised.

It's important to remember that LB 901 doesn't proscribe deregulation at any particular point, even if all the conditions in the report are fulfilled. It simply presents information to the Unicameral which it can act on or not. It may be telling that not one person testified at the hearing which accompanies the report process, although industry representatives sent observers. If there was a big clamor for deregulation, that would have been the place to hear it. The NPRB's Texel said he sensed that at this point most senators agreed with the governor.

And as for MidAmerican's plans? In an interview with the *Omaha World-Herald* in 1999, Sokol was nonchalant about selling electricity here, saying Nebraska's laws "are what they are." But that doesn't mean they won't be doing business here, because they already are. MidAmerican's real estate subsidiary owns CBS Realestate in Omaha. Sokol has said he would like MidAmerican to become a turnkey operation, providing not just real estate services but arranging the hookup, if not provision, of various household services and utilities. And while he has said MidAmerican does not plan to buy into phone and cable businesses (and go into competition with partner Walter Scott's Level 3 Communications), it doesn't seem likely he would turn down the opportunity to compete in Nebraska, at least in metropolitan areas, should the legislature ever give it to him.


If not, there's always the rest of the world.



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# Blame LB 775 for Why We're Broke



With a projected \$220 million shortfall in state tax revenue, the Nebraska Legislature met in Special Session in October to balance the state's budget. Following Governor Mike Johanns's direction, the legislature dutifully cut \$170 million in spending out of this year's budget, with another \$50 million set to be slashed in January. As Nebraskans for Peace supporters pointed out at a news conference during the session, however, corporate tax breaks for Big Business deserve much of the blame for why we're broke. Last year alone, LB 775 cost the state \$140 million in lost revenue. Over the last 13 years, the price tag for this giveaway program has reached a whopping \$1.5 billion. "This is the 800 pound gorilla in our budget crisis, and nobody will talk about it," an NFP spokesperson said. Repealing LB 775 is the logical solution for balancing the state's books, not cutting education and social services. Expect to hear this idea talked about a lot in the coming legislative session.

Photo by Gail Folda. Reprinted from Nebraska StatePaper, <http://nebraska.statepaper.com/>

## 2001 Farm Bill: Call Me Cassandra

When I was a young, innocent and self-important poet, I planned to call my first book of poems Cassandra. Cassandra was a prophet in Greek mythology. A god who loved her gave her an unparalleled gift for seeing the future. The catch (there's always a catch) was, she would never be believed.

In the end, I called my book (still unpublished) *The Chicken Shack*. The years have put a lot of dents in my innocence and self-importance. Me, I'm still making predictions. A lot of the time, I hate being right.

A few months back, I published "The Top Five Red Herrings on the Trail of Meaningful Reform for U.S. Farm Policy," detailing the most dangerous dead ends and non-solutions for Congress as it struggles to build a new Farm Bill to succeed the disastrous 1996 FAIR Act (also known as Freedom to Farm, Freedom to Fail, Freedom to Go Broke and other variants).

I identified five pitfalls for Congress. Let's see how I'm doing so far.

### Business as usual.

The Big Lie of U.S. farm policy is that farm income will improve with more exports at discount prices. All major ag commodities are now priced below the cost of production. Read My Calculator: A loss

times volume is just a greater loss!

**Volume** of major agricultural commodities did not increase over the past 25 years of export-based farm and trade policy, despite forecasts and promises by each administration. "**Value** of exports to producers, in inflation-adjusted dollars, has declined by 30-40% for these commodities in that same quarter century," I said. "Export-based farm policy has created a flood of cheap product for the grain and meat traders, and stolen value from producers."

Prices to producers for all major commodities suffered the greatest decline in history last month, but neither the House nor the Senate Farm Bill proposal restores price-impacting tools to ag producers.

Called this one.

### Expanded role for insurance.

Senator Richard Lugar tried to recycle this idea in the form of a five-year bill, which would phase out farm programs altogether. Not one farm organization supported this proposal, not even those with major insurance holdings.

I was right—it did come up—but mercifully, this one is DOA.

### Fast track authority for the President.

Now called Trade Promotion Authority, this bad idea is high on the permanent Republican wish list. TPA would relieve Congress of much of its role in trade negotiations, limiting debate and

allowing only up-or-down voting on deals negotiated by the Presi-

dent. TPA would strip Congress of its power to examine trade agreements closely, to determine the interests of this nation and others, and to approve agreements that benefit Americans and uphold social and environmental standards for all parties.

Will the same war fever that gave the Attorney General expanded powers to wiretap and detain finally give TPA the momentum to succeed? Maybe not. TPA faces determined opposition from labor, human rights, and environmental concerns, as well as from progressive farm organizations.

Still, rust never sleeps. This one is not going away.

### Counter-cyclical payments.

An extraordinarily effective red herring. It looks very much as though Congress will go for this one. The complex, cumbersome formula in the Senate Ag Committee Farm Bill proposal will still not secure ag producers cost-of-production, much less a fair profit. But it will keep the bureaucrats busy. And above all, it stays the course by making the federal farm program into a welfare program the next to last step in dismantling farm programs altogether (see Expanded role for insurance, above).

Right again.

### Making the Farm Bill into a Conservation Bill.

The Senate Ag Committee Farm Bill proposal has some very good bits and pieces for the environment, a strong en-

ergy title, for instance, which stresses renewables, and some expanded conservation programs. Another proposal, the much-ballyhooed Conservation Security Act, would tie the level of support to environmental practices. Absent a meaningful commodity title, however, all bets are off.

Several national environmental groups have spent the past couple of years cozying up to family farmers. The hope was that a coalition of consumers, environmentalists and family farm interests would hang tough to protect the nation's safe, reliable food supply and to support land stewardship by the two million farm families who produce that food.

This coalition has quietly evaporated, however. Farm organizations like Farmers Union and American Corn Growers answer to constituencies who are going broke and want a Farm Bill that will secure them a fair price for what they produce. Many national environmental groups make their policy from the top down, have no real constituency, and are answerable primarily to a handful of grant-making foundations that set their agenda.

"Environmental groups should not let themselves be used to high-jack the Farm Bill. CRP and WRP, without the other price-impacting tools farmers need, won't stop the hemorrhaging in rural America...the environmental community needs to know that no separate peace is possible in this matter."

I saw it coming, and I said so.

**From the Bottom** by Sally Herrin  
The real political spectrum isn't right to left...it's top to bottom.

