

Tells the Facts and Names the Names

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Ken Silverstein & Alexander Cockburn

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■ IN THIS ISSUE

BUREAU OF PRISONS EXACTS REPRISAL FOR OUR McDUGAL SCOOP

- CounterPunch Source Denied Needed Medical Care

EARTH FRIENDLY, OR CASH FRIENDLY?

- Whole Foods Talks A Good Game, Plays Fast and Dirty

WHEN IS A SPOOK NOT A SPOOK?

- A Guide to CIA Job Descriptions

CALLING OPRAH

- Could Juries Have Spared US Civil War?

BRINGING NUKE WASTE BACK HOME

- Yes, Bringing It to Bernard Sanders' Own Back Yard

HITLER: WILL HE SUE?

How the Labor Dept. Helps INS

Keeping Sweatshops Profitable

The Immigration and Naturalization Service (INS) has, over the past few years, embarked on a special program that targets undocumented workers at garment factories for deportation. In 1996, the INS raided scores of sweatshops in New York City alone and arrested nearly 2,000 workers for illegal status. In some cases, garment companies - which depend heavily on undocumented workers — have taken advantage of the raids by fingering union organizers for arrest.

And who is turning the workers in? In many cases the very agency that is supposed to be protecting them: the US Department of Labor. CounterPunch has found out that the Department's Wage and Hour Division has been reporting to the INS when it comes across undocumented workers in the course of its factory inspections. In other words, if workers complain to Wage and Hour about being cheated out of their overtime pay they're more likely to get deported than they are to recover the stolen money. "It has a significant chilling effect on workers and worker-based organizations", Peter Rukin, attorney with the Latino Workers Center in New York, tells us. "We cannot assure a worker that information [given to Wage and Hour] will not be shared with the INS." Rukin refers complaints only to the New York State Department of Labor, which is prohibited by state law from giving information to the INS.

Former Labor Secretary Robert Reich recalls that when he accompanied WHD inspectors to garment factories, the workers were frightened and sometimes hid when they arrived. "The commitment to ridding our workplaces of undocumented workers has been and continues to be a much higher priority than shutting down

sweatshops," he says.

Some background: In the 1940s and 1950s, US garment workers were highly unionized and wages were at an all-time high. Salaries began to decline steadily through the following decade as industry ran south to seek non-union labor, then plummeted during the 1970s as globalization took hold and companies found even cheaper, more exploitable workers in the Third World.

Government policies as well as economic forces have contributed to the downward pressure on wages. In the 1980s, the Reagan administration undermined the domestic garment industry by encouraging US firms to locate abroad and produce for export back into this country. The US Agency for International Development provided subsidies for US manufacturers to relocate overseas.

Such policies have accelerated the downward spiral of the industry and sharply reduced the number of domestic apparel jobs, which dropped from 1.45 million in 1973 to 750,000 in 1998. The decline in jobs and wages decimated the two big unions that represented garment workers, the International Ladies Garment Workers Union and the Amalgamated Clothing and Textile Workers Union (which merged to form UNITE in 1995). Not coincidentally, it was during this period that sweatshops began to regain their hold in the US.

As is the case abroad, domestic manufacturers and retailers pass onto subcontractors the problems of holding down wages and disciplining workers. A 1997 Department of Labor survey found that in New York City, where the industry is centered, nearly two-thirds of garment shops failed to comply with federal wage

(Sweatshops, continued on page 6)

Our Little Secret

AND NOW THE REPRISAL

Jim McDougal's death in a federal prison, apparently caused by medical negligence, is having a sinister sequel. Now it seems that officials at the Fort Worth Medical Center, where McDougal died, are retaliating against T.J. Lowe, the inmate who wrote to us with the real story of McDougal's demise five months ago (see *CounterPunch*, June 15, 1998).

In mid-October, corrections officers raided Lowe's cell, where he has been in solitary confinement and seized all of his correspondence, on the preposterous grounds that it posed a fire hazard. They also took away his medicines, an extra blanket, and a radio he had smuggled in to solitary to, as Lowe's friend Kay Lee told us, "try to stay sane". (Lowe was arrested in San Diego in 1993 and charged with growing and selling marijuana. Though a first-time offender, he was sentenced to a seven-year prison term.)

Lowe's health has deteriorated since his arrest and he now faces serious medical risks, diagnosed with Crohn's disease, an excruciatingly painful ailment of the lower intestine. Six doctors have said Lowe needs surgery. Lowe had an emer-

gency operation at San Diego's Lompoc prison and had a second surgery scheduled to definitively treat the disease. Since then, Lowe has been shipped around to four different prisons and the surgery has never been performed.

Lowe's doctor at Fort Worth Medical Center—the prisoners call it the Pine Box Medical Center—has said that surgery isn't required. Instead, Lowe has been treated with a variety of drugs that have done little good. Indeed, one drug, sulfasalazine, has done harm: Lowe was taken off that medication when it was found to have caused liver damage.

During the past month, Lowe has lost 25 pounds. He is suffering from nausea, internal bleeding, cramps and vomiting. Kay tells us that Lowe's doctor has recommended that he take Pepcid, the over-the-counter product used to treat indigestion, to counter these symptoms. (She says that doctors at Fort Worth prescribe aspirin for prisoners with AIDS.)

Lowe is scheduled to be released from prison next September, but Lee fears he won't make it. "If nothing is done he's going to die like McDougal did."

JURIES AND OPRAH

Ignored by every slavery historian, by Oprah Winfrey's new film *Beloved* as well as by the current traveling exhibit on slavery shown in public libraries, is the possibility that slavery might have been resolved peaceably through trials by jury - without war, without KKK, without proclamation of emancipation. No "Thirteenth Amendment" needed!

This is the contention of our friend Godfrey D. Lehman, author of *We The Jury* (Prometheus Books), one chapter of which shows how northern juries, particularly in Massachusetts, did just that 80 years earlier. In a group of trials extending over about 13 years, culminating in a series of four, between 1781 and 1783, juries, although consisting exclusively of white men, decreed that "They in Africa had the Same Right to enslave us."

John Adams, as vice-president in 1795, reminisced about pre-Revolutionary experiences in a letter to Rev. Jeremy Belknap that "I never knew a Jury by a Verdict to determine a Negro to be a slave. They, always found them free." The "mortal blow"

was struck in 1783 when a jury had been asked to interpret a clause in the new Massachusetts state constitution declaring that all men were born free as covering blacks as well as whites. The jury - albeit twelve white men - unhesitatingly decreed that it did. As a result, "escaped" slave Quock Walker, seized and beaten by his putative master, was set free, and the institution lost all legal support in the state.

Lehman, whose in-progress fourth book on the jury includes a chapter on southern juries, observes that it is the more surprising not that a majority of panels upheld slavery, but that there were as many as there were - again white men only - which rejected it. Recall that many panels called "juries" were stacked exclusively with slaveholders, and blacks were often not permitted to offer testimony.

According to Lehman, an ardent promoter of jury nullification, as are we, "the tantalizing question is: Would southern juries have followed the Massachusetts pattern had they been true juries - that is not stacked, fully informed of the evidence and their powers, and not judicially dominated. There is evidence this was happening in some states".

THE HOME CROWD

On October 6, the National Audubon Society held an Environmental Economics Symposium in Miami, Florida. The star of the event was EPA director Carol Browner, who was presented with the "Guy Bradley Lifetime Conservation Award". Browner was back on her home turf, having served as director of Florida's environmental management department before she joined the Clinton administration. Her tenure in Florida was less than stellar, as her department made one deal after another with developers, timber companies, utilities and sugar barons. Browner's acceptance speech at the event featured yet another homage to win-win environmentalism. "Economic growth and environmental protection can co-exist", Browner said.

This equation certainly came as reassuring news to the event's three main financial sponsors: Florida Power and Light, operator of a troubled nuclear plant; South Florida Water Management District, prime facilitator of the destruction of the Everglades; and the St. Joe Company, the DuPont-owned timber and land company, which reigns as Florida's biggest real estate developer.

Editors

KEN SILVERSTEIN
ALEXANDER COCKBURN

Co-writers

SAM LOEWENBERG
JEFFREY ST. CLAIR

Design

DEBORAH THOMAS

Counselor

BEN SONNENBERG

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P.O. Box 18675

Washington, D.C. 20036

202-986-3665 (phone)

202-986-0974 (fax)