

IN SHORT

Joel Bleifuss

Christie plaintiffs under country arrest

The Costa Rican government is refusing to allow journalists Tony Avirgan and Martha Honey, the two plaintiffs in the Christie Institute suit, to leave the country (see story on page 8). Last Monday Avirgan had planned to fly to Miami to meet with Christie lawyers. But when going through immigration at the San Jose airport his name came up on a computer and he was stopped. In May Avirgan and Honey were framed when they were sent a package from Managua that contained cocaine and a note purportedly written by Tomas Borges, Nicaragua's interior minister, that said, "Sell this for me... The commandantes are very happy with your mission..." (See *In These Times* May 2.) The letter went on to refer to Daniel Ortega, a man named "Pavlov" and Sen. John Kerry (D-MA). For the past year Kerry, chairman of the narcotics and terrorism subcommittee of the Senate Foreign Relations Committee, has been probing the contra-drug connection (see story on page 6). No charges have been brought against Avirgan and Honey and Costa Rican officials have assured the two there is nothing to worry about. But since the case is still pending, they will not be allowed to travel until all is settled and that "could be months from now, conceivably years," said Honey in an interview on New York's WBW "Get the Facts" radio program. "We feel we are being held as prisoners in this country," she said. "Obviously what is happening is just another attempt to stop us from working and to strangle us economically and psychologically." She is asking people to send telegrams to Costa Rican President Oscar Arias, San Jose, Costa Rica, or the country's ambassador to the U.S., Ambassador Guido Fernandez at the Costa Rica Embassy, 1825 Connecticut Ave. NW, Suite 211, Washington, DC 20009.

Accounting for the contras

The recently reshuffled contra board of directors has temporarily stabilized. There are six members on this "political directorate" and they have dropped their differences and are now united in their opposition to the Marxist policies of the Sandinistas. All were recently profiled by James LeMoine in the July 19 *New York Times*. What follows is some information that wasn't reported. The most colorful contra board member is a newly appointed Somocista, Aristides Sanchez. A report by the congressional Arms Control and Foreign Policy Caucus describes Sanchez as a "wealthy landowner and close associate of Somoza." Another contra director is a veteran of the board, Alfonso Robelo. He worked closely with Oliver North's bag man Robert Owen. In March 1985 after a conversation with Robelo, Owen wrote North saying that one of the "major things [Robelo] is concerned about is that he has not received his \$30,000 for August." It is unclear if the money was to have come from contra leader Adolfo Calero or North. A seventh member of the contra's political directorate, a Miskito Indian, will be added as soon as the power struggle between three Miskito contra leaders is resolved.

Straight power concepts

"We have about 50 percent of the world's wealth, but only 6.3 percent of its population... in this situation we cannot fail to be the object of envy and resentment... We need not deceive ourselves that we can afford today the luxury of altruism and world-benefaction... We should cease to talk about vague and unreal objectives such as human rights, the raising of the living standards, and democratization. The day is not far off when we are going to have to deal in straight power concepts. The less we are then hampered by idealistic slogans, the better." Words from the cold intellect of an Elliott Abrams? No, this was an internal State Department memorandum written by George Kennan in 1948. And the former ambassador to the Soviet Union was right, the days of dealing in straight power concepts were not far off.

Where the trains run on time

U.S. Ambassador to New Zealand Paul Cleveland said last year, "Sometimes it is more difficult to deal with a messy democracy like New Zealand than with some Asian dictatorships." Like Korea? Where Cleveland spent over a decade before being posted to New Zealand. Or like Indonesia? Where Cleveland served as a foreign service officer in 1965 when a CIA-instigated coup overthrew President Sukarno and put Gen. Suharto in power. In the several years that followed an estimated 500,000 to one million

INS strikes out at political asylum applicants

U.S. Attorney General Edwin Meese's July directive calling for special treatment for Nicaraguans was quickly recognized by a group of Nicaraguan political asylum applicants as political hogwash. And in response to their demand to know exactly how the directive would help them, they received some not-so-special treatment from the U.S. Border Patrol and the Immigration and Naturalization Service (INS).

About 50 Nicaraguans awaiting their hearings at the Port Isabel Detention Center, 20 miles from the Texas-Mexico border, began a passive hunger strike at 6 a.m. on July 24 in the yard of the Center, better known as the *corralon*. The INS sent a lawyer to appease the Nicaraguans in the afternoon, but when they refused to leave and were still in the yard at 11 p.m., the INS responded by buzzing the detainees with a helicopter and storming the yard with about 80 Border Patrol officers and INS guards. According to three striking Nicaraguans and one observing Salvadoran, the attackers—some of whom were not in uniform—club-

bed the defenseless Nicaraguans on the arms, legs and bodies. One was hit in the face and the groin. Detainees said later that five Nicaraguans were unaccounted for, presumed hospitalized.

"The helicopter arrived first, to scare us, then the patrol ran at us with clubs, screaming, 'Sit down you faggots,'" Julio Cesar Pamagua Torres told *In These Times*. "We sat down. No one fought back." Pamagua and 16 others identified by the INS as ringleaders were transferred to Starr County Jail in Rio Grande City.

All local press accounts of the incidents—including the Associated Press story—simply reported INS District Director Omer G. Sewell's account, which never mentioned the violence. In fact, Sewell denied to *In These Times* that anyone was hit. "In any situation where you have 50 people refusing to follow instructions, there will be some scuffling," he said. "They were shaking the fence and we became apprehensive that they might bolt on us as a group."

Sewell claims only 35 or 40 patrol officers entered the yard, dressed in helmets and protective vests and carrying batons. He claims and the Nicaraguans deny that the detainees were demanding immediate and unconditional release.

"There's some pretty hardened criminals in the bunch," Sewell said in justifying his decision to send in the patrol.

The violent response is particularly ironic in light of the Meese directive that urges Nicaraguan refugees to seek asylum and authorizes special treatment by INS officials to obtain work permits for them. It also urges Nicaraguans previously denied asylum to re-apply and mandates special INS efforts to educate and encourage Nicaraguans to apply for permanent residency.

If Meese was attempting to appease Nicaraguan refugees, many of whom are sympathetic with the administration's anti-Sandinista stance, he failed in South Texas. And he also failed, at least for now, at what some believe was the real motive for his directive: an attempt to undermine legislation proposed by Rep. Joe Moakley (D-MA) and Sen. Dennis DeConcini (D-AZ) calling for the temporary suspension of deportations of Salvadorans and Nicaraguans. Meese wanted to take the wind out of conservative support for the bill because of the inclusion of Nicaraguans. However, the bill passed the House July 28 and is scheduled for a Senate vote in September.

—Jane Juffer



Nicole Ferentz

Martial law and order: the Reagan-North prescription

Miami Herald reporter Alfonso Chardy reported last month that Lt. Col. Oliver North, while on the National Security Council had worked with the Federal Emergency Management Agency (FEMA) on a plan to institute military rule—martial law—in the event of “national opposition to a U.S. military invasion abroad.”

“That’s bullshit,” said Justice Department spokesperson John Russell when asked about the North martial law scheme. “We have the Posse Comitatus Act, part of Title XVIII of the U.S. [Government] Code that bars the military from engaging in law enforcement.”

Unfortunately, there are powerful people in the U.S. military and the administration who don’t seem to think much of those prohibitions. A Pentagon document, titled Department of Defense Directive No. 3025.10, dated July 22, 1981, and currently in effect, states: “In those areas in which martial law has been proclaimed, military resources may be used for local law enforcement. Normally a state of martial law will be proclaimed by the president.

“However, in the absence of such action by the president, a senior military commander may impose martial law in an area of his command where there has been a complete breakdown in the exercise of government functions by local civilian authorities. Military assump-

tion of judicial, law enforcement and administrative functions of local government will be based on necessity that is actual and present, and the performance of these functions will continue only so long as necessity of that extreme nature requires interim military intervention.”

The author of that directive was then Deputy Secretary of Defense Frank C. Carlucci, Reagan’s current National Security Adviser.

The present himself has long had a fascination with martial law. As governor of California, between 1968 and 1972 Reagan ran a series of martial law domestic “war games” under the code name “Operation Cable Splicer I, II and III.” Cable Splicer operations involved the California National Guard, local police departments and elements of the U.S. Sixth Continental Army (according to documents obtained through a 1975 Freedom of Information Act request by reporter Ron Ridenhour).

The man in charge of Cable Splicer military operations was National Guard Col. Louis Giuffrida, the man Reagan in 1981 named director of FEMA, and who Col. North worked with on the martial law project. Directing Cable Splicer was Gov. Reagan’s executive secretary Edwin Meese III. Meese said at the time that the most important factor in implementing martial law was advance intelligence gathering to facilitate the internment of leaders of civil disturbances.

There is no self-destruct clause in the Constitution authorizing its suspension. But constitutional

scholar Derek Bell of Harvard argues that this is small comfort. “The constitutional protections we rely on are only good as long as the factual situation is not dangerous,” he says.

“When the factual situation is perceived to be dangerous, either by the general public or by the people in power, then you could have here the kind of thing we’ve seen happen in the Third World. It happened with [President] Lincoln’s shocking suspension of habeas corpus, it happened with martial law [in Hawaii] after Pearl Harbor, it happened with the internment of Japanese-Americans in World War II.

“The fact is, if you look at the things this government has been doing in Central America—the mining of harbors, the illegal arms shipments to the contras—there is good cause to worry about the possibility of martial law here.”

A staff aide to Rep. Jack Brooks (D-TX) says the Congressman “plans to pursue the martial law story.”

And Rep. Don Edwards (D-CA), chair of the subcommittee on civil liberties and constitutional rights, which is investigating domestic spying, is also interested. Says Edwards, “I’m deeply disturbed by the reports of martial-law planning. We should demand that the whole thing be made public. I had no idea that this kind of thing could go on in this country, but that’s where secret government leads you. It is very ominous.”

—Dave Lindorff

U.S. shirks WHO obligation

When a reporter at a recent Washington, D.C., news conference asked the director-general of the World Health Organization (WHO) where the U.S. stands on meeting its financial obligations to the agency, the WHO director paused a moment and boomed: “It doesn’t stand—it’s lying down.”

Dr. Halfdan Mahler, a Dane who has directed the U.N. agency for the past 14 years, charged that the U.S. by not fulfilling its treaty commitments has paralyzed WHO at a time when it must play a central role in worldwide efforts to control the spread of AIDS.

So far, Mahler said, he has “refused to allow AIDS [programs] to suffer,” but only deep cuts in other WHO programs have made this possible. A nutrition project in Africa and an international plan to control drug abuse are, said Mahler, two casualties of the U.S.-induced budget crunch. Both programs were scrapped because there was no guarantee of funding.

“The other stuff we do [in addition to AIDS work] is also vital,” said a WHO official who declined

to be named. “One million children in Africa die of malaria each year; five million people die from diseases we have the complete capability of preventing through simple immunization. The budget constraints mean we aren’t dealing with these problems.”

The U.S. is on paper the largest contributor to WHO’s two-year \$600 million 1986-87 budget. But the health agency claims that the U.S. has so far delivered only \$7 million of its \$126 million share. A State Department official who declined to be named admitted that the U.S. is “seriously in arrears,” but disputed the WHO figures, saying that the U.S. has contributed approximately \$10 million of a total \$118 million obligation and in October plans to disburse another \$35 million.

But discussions with administration, congressional and WHO representatives suggest that WHO is caught between domestic deficit trouble and the Reagan administration’s contempt for the U.N. The State Department skirts the issue by blaming Congress for not appropriating necessary funds. And congressional and WHO sources accuse the State Department of failing to request and disburse money

for the international agency.

Recognizing perhaps that its position as the world leader in reported AIDS cases means it has the most to gain from AIDS funding, the U.S. has made small, off-budget contributions to WHO-administered AIDS-control programs while it shirks its other commitments to the U.N. agency. Recently the U.S. joined 11 other countries in donating \$38 million for WHO’s AIDS projects. And turning Mahler’s visit to Washington late last June, the U.S. Agency for International Development agreed to contribute an additional \$5 million to WHO-sponsored AIDS research.

These off-budget U.S. contributions have helped bolster spending for AIDS programs, but Mahler ended his Washington tour without any commitment from the U.S. to honor its WHO treaty obligations and make funds available for other health projects.

Before meeting with administration and congressional representatives, Mahler labeled himself a “romantic optimist,” adding that “I believe the U.S. cares about WHO.” But the WHO official accompanying Mahler said the director-general left Washington “deeply depressed.”

—John Schmitt

Indonesians were murdered. The *New York Times* described the bloodbath as “one of the most savage mass slaughters of modern history.” Marshall Green, the U.S. ambassador to Indonesia during the coup, said in 1973 while serving as ambassador to Australia: “In 1964, I remember, Indonesia was poised at the razor’s edge.... What we did we had to do, and you’d better be glad we did, because if we hadn’t Asia would be a different place today.”

Pollyanna’s day after

As we commemorate the 42nd anniversary of the nuclear slaughter at Hiroshima and Nagasaki, we should take note of some good news from the Federal Emergency Management Agency (FEMA) (see story on page 4). The folks who are planning today for the post-nuclear tomorrow have revised their death figures. According to the Associated Press, FEMA estimates that a nuclear war would turn only 46.3 percent of the U.S. population into corpses. This is down from a previously calculated 64.5 percent. But note that FEMA is talking instant deaths—their revised body count does not include those of you who would die from fire, starvation or radiation poisoning.

Caldicott in the antipodes

Dr. Helen Caldicott, the Australian pediatrician who has been described by Sen. Edward Kennedy as “mother of the nuclear freeze movement,” is spending the year in Australia working to convince her fellow countrymen to follow New Zealand’s anti-nuclear example. According to Jerry Fetherston writing in *Women’s Day*, Caldicott believes that if Australia were to close U.S. bases and ban U.S. nuclear warships, other countries like Spain, Greece, Japan and possibly Britain would follow suit. “The responsibility for keeping the world free of the horror of nuclear war rests with everyone,” she says. “You can’t just sit back and wait for someone else to protest. There isn’t time.”

Vanunu nominated for Nobel Peace Prize

Mordechai Vanunu has been nominated for the Nobel Peace Prize by five Australian senators and four members of the Australian parliament, reports *Israeli Foreign Affairs*. Vanunu, an Israeli nuclear technician, is standing trial in Jerusalem for disclosing details of his country’s secret nuclear weapons facility to the *Sunday Times* of London on Oct. 5, 1986. He is charged with treason and espionage. In their letter to the Nobel Committee the Israeli officials say that Vanunu was “motivated by a great and long-standing desire for world peace.” Three letter-writing campaigns in support of Vanunu are currently underway. Judy Zimet, a friend of Vanunu, says he has asked her to encourage people to write him (P.O. Box 2495, Jerusalem). The Israeli Committee for an Open Trial for Mordechai Vanunu urges letters be sent to the Israeli Embassy (Ambassador Meir Rosenne, Israeli Embassy, 3514 International Dr., Washington, DC 20008). And in the U.S. the Mordechai Vanunu Defense Committee is asking people to write their senators and representatives.

Toxic racism

Three of the nation’s largest hazardous waste dumps are located near black or Hispanic communities according to a new study by the United Church of Christ. Project director Ben Chavis says the situation “reveals an insidious form of institutionalized racism” that is neither “an accident” nor a “mere random occurrence.” The study found that communities that host one toxic waste landfill or incinerator have, on average, a population that is 24 percent minority. And those cities and towns that have two or more dumps have a minority population of 38 percent.

Coors banned at Red Sox games

Coors will no longer be sold at Fenway Park home of the Boston Red Sox baseball team. The agreement to halt sales came after negotiations between Fenway Park management, union representatives and Boston’s openly gay City Councillor David Scondras. “Boston baseball fans should not be subsidizing a terrorist war in Central America,” said Scondras, referring to Coors’ funding of the contras. “Nor should they help support a family that is dedicated to attacking the rights of gay people, blacks, women and unions.”