

Columbia Foundation
Articles and Reports
December 2011

Arts and Culture

ALONZO KING'S LINES BALLET

\$40,000 awarded in 2011 for two new world-premiere ballets, a collaboration with architect Christopher Haas (*Triangle of the Squinches*) and a new work set to Sephardic music (*Resin*)

1. [San Francisco Classical Voice, October 14, 2011](#)

Spellbinding: Alonzo King LINES Ballet

Review of *Resin*; the writer says, “*Resin*, a stunning new ballet, will — no, I can’t help it — stick with you for a long time. Created for the Alonzo King LINES Ballet by its eponymous founder and set to an array of recorded Sephardic melodies, *Resin*, a cohesive suite of dance for solos, duos, and ensembles is over 40 minutes long and continuously spellbinding. Never (except, of course, at any Mark Morris show) have I seen dancers (men and women; six of each, all superb and some even more so) deployed so confidently as glorious interpreters and enhancers of rhythm and melody.”

2. [Forum with Michael Krasny on KQED Radio, October 17, 2011](#)

Alonzo King

Celebrated choreographer Alonzo King discusses the new season of LINES ballet. The San Francisco contemporary dance troupe is performing a world premiere set to music in the Sephardic tradition. [The radio report is linked above.]

3. [San Francisco Chronicle, October 18, 2011](#)

Lines Ballet review: 'Resin' turns out a jewel

Review of *Resin*; the writer says, “Alonzo King adds one more jewel to his collection of multicultural movement explorations in *Resin*, Lines Ballet’s latest offering, which launched the company’s fall season Friday evening at Yerba Buena Center for the Arts’ Novellus Theater. Perhaps this one glows like a garnet, rather than glittering like a diamond.”

4. [Stanford Arts Review, November 3, 2011](#)

Humoring Gravity: LINES is Sublime

Review of *Resin*; the writer says, “In the world of a LINES dancer, the floor is a kind and forgiving surface, from which one departs without noticeable effort, lusciously unfurling a set of limbs composed of delicately sculpted and intricately connected muscles—limbs that extend infinitely before humoring gravity and arriving back at the floor, softly, silently, sublimely.”

ASIAN ART MUSEUM

\$255,000 awarded since 2003, including \$50,000 in 2012 for the first major exhibition of Asian contemporary art from May 18 to September 2, 2012, which explores the question “What is Asia?” through the lens of supernatural, non-material, and spiritual sensibilities in art of the Asian region.

5. [The New York Times, September 29, 2011](#)

An Ailing Asian Art Museum Adopts a New Attitude

After 45 years of presenting mostly ancient art in “understated settings”, the Asian Art Museum, which was on the brink of bankruptcy less than a year ago, is now bringing contemporary art into its galleries.

DOOR DOG PRODUCTIONS

\$70,000 awarded since 2011, including \$20,000 in 2011 to commission five internationally renowned traditional-music masters to compose pieces that the youth orchestra will premiere in November 2011 and \$50,000 in 2012 for *The Opera Project*

6. [The San Francisco Examiner, October 20, 2011](#)

Epic storytelling abounds at SF World Music Festival

The Epic Project: Madmen, Heroines & Bards from Around the World is a three-evening world-music festival, which receives its inspiration from a journey festival founder and artistic director Michael Santoro took to Kyrgyzstan several years back. Santoro says, "One of the people I met was a musician called Manas, who sings the epic of Manas, Kyrgyzstan's national hero. Surpassing the length of Greek epics by multiples, this epic is recited in intense trance, sometimes for over a week, by Manasgees who go without food. I was in a small room with this musician when he just started singing. It was one of the most intense things I've ever experienced, like nothing else I'd seen before."

7. [San Francisco Chronicle, October 27, 2011](#)

San Francisco World Music Festival: peace rhythms

The San Francisco World Music Festival presents a series of newly composed works by a global array of artists. Michael Santoro, founder and artistic director says, "We are trying to figure out what is at the core of all of this conflict within our species. How do you come up with new models for conflict resolution? How can you make yourself a student again, humble yourself and allow yourself to be changed to incorporate other realities, so you're better equipped to be a peaceful animal?" The collaboration is unique in that so many forms of traditional music are being blended into performance pieces. Santoro says, "Historically this has never been done, analyzing the scores and the music, and notating things that have never been notated. We have to create pedagogy to bridge these cultures. We have international Skype sessions and in-person workshops to figure out the details. The end result is not a dissertation, it's living, breathing new music that didn't exist before." The festival also employs technology to collapse distance, projecting video collected during Santoro's trips in the field to meet with musicians. The three-part Epic Project kicked off last year with commissions focusing on sacred rituals, and culminates in 2012 with *The Opera Project*, a trans-Pacific collaboration slated to unfold simultaneously in Beijing, Taipei, and San Francisco.

8. [San Francisco Chronicle, October 27, 2011](#)

From Kyrgyzstan to S.F. World Music Festival – Exploring Epics in S.F.

The Epic Project is part of an ambitious trilogy grounded in Santoro's and his colleagues' belief that music is a catalyst for social change and a means to connect ancient belief systems to what he calls "the chaos of our world". Last year's festival, the first part of the trilogy, was called the Ritual Project and presented artists who use music to channel religious and spiritual realms. Next year, the trilogy ends with *The Opera Project*, bringing together traditional operas from around the world. Founder and artistic director Michael Santoro says, "We have access through media, technology and travel to so much in the world. But do we know what to do with it? My hope is that people will walk away from this show and not only feel they have heard the highest-quality music, but they will have a sense of who they are relative to this world."

9. [San Francisco Examiner, October 30, 2011](#)

The San Francisco World Music Festival features Madmen, Heroines and Bards.

Review of the San Francisco Music Festival, the writer says, "The San Francisco World Music Festival is a great accomplishment and one of the best festivals in the area. It is held at the Jewish Community Center near California and Divisadero streets, which has an excellent auditorium. The stage design was pure elegance and all the performers could be heard clearly."

10. [Youtube.com, November 12, 2011](#)

San Francisco World Music Festival 2011 Highlights

[Links to video of selections from the San Francisco World Music Festival.]

11. [UStream.tv, October 27 – 30, 2011](#)

2011 San Francisco World Music Festival

[Links to video of the full-length performances]

EAST BAY CENTER FOR THE PERFORMING ARTS

\$135,000 awarded since 2010, including \$75,000 in 2012 for the Winters Building Restoration Project

12. [Contra Costa Times, September 28, 2011](#)

Richmond's East Bay Center for Performing Arts reopens after \$16 million renovation

After a two-year temporary stay in a smaller building, The East Bay Center for the Performing Arts returns to its home in the Winters Building in downtown Richmond after a \$16 million renovation. The facility, once a 1920s dance-hall and a World War II bomb shelter that became the arts center in 1968, retained its ornate exterior while enduring what artistic director Jordan Simmons calls “a complete gutting” of the interior. For many young people in Richmond, like 17-year old Rashida McGee, “It’s a second home.” The building includes 17,000 square feet of renovated instructional space and two new 200-seat theaters, to be used for a variety of public performances. The center teaches about 2,000 young musicians, dancers, and actors every year. Ruthie Dineen, the deputy director of programs, says, “It’s pretty phenomenal what’s happened here. Just look down the street. A lot has changed in Richmond. It’s a great symbol for what’s to come. It’s become a hub for the community.”

ENGLISH NATIONAL OPERA

\$100,000 awarded from the Columbia Foundation Fund of the Capital Community Foundation since 2009, including \$50,000 in summer 2010 for a new opera commission (*Two Boys*) by composer Nico Muhly and librettist Craig Lucas, to be presented in a co-production between ENO and the Met, with ENO staging the world premiere in June 2011

13. [The Guardian \(London\), June 24, 2011](#)

Two Boys – review

2-out-of-5 star review of *Two Boys* by composer Nico Muhly; the writer says, “Nico Muhly’s first opera may have its origins in a true story from Manchester in 2003, but, as presented in Craig Lucas’s libretto, *Two Boys* seems far removed from any kind of hard-edged reality. ...the opera unfolds the whole rather pathetic tale in flashback. ...If all that sounds like a plot from a run-of-the-mill British TV detective series with a female protagonist (Lynda La Plante’s Prime Suspect perhaps), then that is unfortunately what all too much of the opera seems to be, with the rather leaden text sung rather than spoken, and Muhly’s music providing the tasteful backdrop. Musically it unfolds far too sedately, with vocal declamation over smoothly contoured orchestral ostinatos...”

14. [The Independent \(London\), June 25, 2011](#)

Two Boys, English National Opera

5-out-of-5 star review of *Two Boys*; the writer says, “The most surprising thing about *Two Boys* is the consonance and quiet sensuality of the score. Many words spring to mind: elegiac, mournful, poetic, melismatic – a digital age score without digitalisms, without electronics, actual or simulated, without amplification. And it’s clear, so clear – but never clinical – in word and gesture and thought: a preposterous tale of intrigue and attempted murder (or is it?) born of false identities and fiction masquerading as fact. Opera was ever thus. But it’s just gone viral.”

15. [The Telegraph \(London\), June 25, 2011](#)

'Two Boys' shows how British opera is charging into the 21st century

Review of *Two Boys*; the writer says, "Opera has always been a prisoner between four walls, except in vast arenas, where it was amplified beyond distortion. *Two Boys* takes us into territory where no opera has gone before. It does not set out to shock, rather to force us to reflect on the risks presented by the second life we enter when we turn our computers on and click on social media, Facebook or Twitter, suspending natural prudence. Beyond opera is where *Two Boys* boldly goes. Sitting alone in my box at last week's general rehearsal, I was amazed at how gripping the work could be simultaneously on different planes of engagement – total and detached, virtual and real, human and online. Opera, I realised, can succeed better than any other performing art in reflecting the split levels of our lives, the psychological complexities of our electronic times. Every art has its moment. The immediate future could well belong to opera."

16. [The Telegraph \(London\), June 28, 2011](#)

Does Nico Muhly's new opera live up to the hype?

Review of *Two Boys*; the writer says, "Having spent the past year or so trumpeting Nico Muhly as the young composer most likely to succeed Thomas Ades into the pantheons of super-stardom, I hate to say this – but his first opera, *Two Boys*, doesn't leap from the stage with the impact expected."

17. [The New York Times, June 30, 2011](#)

On the Internet, Nobody Knows You're a Youngster With Issues

Review of *Two Boys*; the writer says, "it was clear that Mr. Muhly, at 29, writing his first full-length opera, has done just that: been inside and outside, both an active participant in our culture and a detached observer of it. It is the delicate balance of every great piece of art, and *Two Boys* is Mr. Muhly's best work yet."

18. [The Daily Mail \(London\), July 1, 2011](#)

Two Boys: A compelling opera for our time inspired by real-life internet crime

4-out-of-5 star review of *Two Boys*; the writer says, "The young American composer Nico Muhly's complex and often compelling new opera was inspired by a real-life internet crime in Manchester."

19. [The New York Times, November 4, 2011](#)

Keeping Operas, And His Life, In Brisk Motion

Nico Muhly received a degree in English literature from Columbia in 2003 and a master's degree in composition from Juilliard in 2004, and is a disciple of Philip Glass. Muhly's composing career quickly developed after Juilliard, and he was tasked with a number of high-profile projects, including the two operas written side by side: *Two Boys* and *Dark Sisters*. *Two Boys* has been criticized for both the music and the "dramatic contour". The opera will undergo significant revisions before its debut at the Met in the 2013-14 season.

20. [The New Yorker, November 28, 2011](#)

The Long Haul

Nico Muhly "now thirty, is the ebullient star of New York's young-composer scene". In the past year, he has completed two full-length operas: *Two Boys*, about "a teen-aged boy who is lured into an online world of fictive identities and furtive longing, and is eventually tricked into stabbing a younger boy", which had its premiere at the English National Opera in June 2011; and *Dark Sisters*, about an imagined government raid on a family of polygamists, which was presented earlier this month by the Gotham Chamber Opera and the Music Theatre Group. The two operas were written at the same time. The writer says, "Muhly employs, as he has before, an extended tonal language, combining aspects of American minimalism with a nostalgia for the Anglican choral tradition and a French ear for pristine sonority. And he shows dazzling technical skill; notation is in his bones."

KRONOS QUARTET

\$100,000 awarded since 2009, including \$50,000 in 2012 for *Kronos: Made in America*

21. [The Philadelphia Music Project of The Pew Center for Arts and Heritage, October 21, 2011](#)

American Impresario: David Harrington, The Music of Possibility: David Harrington and Kronos Quartet

In 1973, at the age of 24, David Harrington founded the Kronos Quartet. Harrington has served as artistic director and first violinist ever since. The writer says, “For Harrington, voracious curiosity and artistic ingenuity are symbiotically linked. Each drives the other, with the result that Harrington seems perpetually poised both on the verge of epiphany and at the edge of musical terra incognita, ready to set out on yet another expedition of discovery.” Through his 38-year leadership of Kronos, he has provided the opportunity for listeners to accompany him through this “door of curiosity”. The writer continues, “Harrington has not only discovered worlds of music, he has created them – or been instrumental in their creation – through the more than seven hundred fifty commissions that Kronos has awarded to composers to develop new works for the quartet.”

OPERA GROUP

\$206,555 awarded since 2007, including \$60,718 from the Columbia Foundation Fund of the Capital Community Foundation in 2011 for *Seven Angels*

22. [The Guardian \(London\), June 14, 2011](#)

Seven Angels: Kyoto beef to the rescue

Glyn Maxwell writes, “So a man and a woman, hand in hand, are at the heart of our opera, called *Seven Angels*. They begin as angels, but take on roles in a fairytale: a waitress, and a gluttonous prince who falls in love with her face reflected in his licked-clean silver plate. And, while the other five angels abandon the once-again despoiled planet to resume their eternal falling, these two struggle to stand on the Earth, recall their humanity, do something. Those who believe we humans truly are ‘solitary’, that the world is all that’s before us, have only this to go on, but it’s everything. Helpfully to stand or helplessly to fall is a choice made every day.” [The piece is written by Glyn Maxwell, the librettist for *Seven Angels*, describing how he turned Milton’s *Paradise Lost* into this opera.]

23. [The Guardian \(London\), June 19, 2011](#)

Seven Angels - review

3-out-of-5 star review of *Seven Angels*; the writer says, “It’s an earnestly well-meaning eco-parable, with just a glimmer of hope in its final moments, when two of the angels refuse to abandon the devastated world and remain behind when the others leave. But for all its contemporary relevance and the neatness with which the plot is packaged, the opera never communicates emotionally or imaginatively on any level.”

24. [Financial Times \(London\), July 13, 2011](#)

Seven Angels, Linbury Theatre, London

2-out-of-5 star review of *Seven Angels*; the writer says, “The opening had promise. A cataclysm like a nuclear explosion, possibly the end of the world, turns the earth into a desert, with a set created out of hundreds of books collapsing under the force of the blast and clouds of smoke erupting from the floor – not bad for a touring opera production on a limited budget. Unfortunately, ‘promising’ is as far as Luke Bedford’s new opera, *Seven Angels*, ever gets.”

25. [The Stage Reviews \(London\), July 13, 2011](#)

Seven Angels

Review of *Seven Angels*; the writer says, “Despite committed performances from everyone involved, and the expert playing of the Birmingham Contemporary Music Group under conductor Nicholas Collon,

Fulljames's production cannot resolve this conflict. Tadasu Takamine's set consists of books standing in circles, some of which collapse before their cue as the audience enters – a foreseeable enough event to count as a design fault. But it's the glib right-on-ness of Maxwell's approach that ensures that the piece sinks under the weight of its own insufferable worthiness."

26. [London Evening Standard, July 13, 2011](#)

Seven Angels: The Opera Group, Linbury Studio, Covent Garden – review

2-out-of-5 star review of *Seven Angels*; the writer says, "It's an imaginatively conceived reworking of Milton that questions our record as custodians of the planet. But somehow it fails to cohere. Glyn Maxwell's libretto, clearly projected for the most part, veers between the banal and the abstruse, often infuriatingly so."

TENDERLOIN ECONOMIC DEVELOPMENT PROJECT

\$50,000 awarded in 2012 for planning and organizing for the development of the *Mid-Market Arts District* to revitalize and transform this central area of San Francisco

27. [Urbanist \(a publication of SPUR\), July 2011](#)

Four ways to transform Mid-Market

Elvin Padilla [executive director of the Tenderloin Economic Development Project] makes four suggestions to revitalize the Tenderloin and Mid-Market area of San Francisco: (1) creating a Mid-Market Arts District; (2) securing new resources for the neighborhood by establishing either a redevelopment area or an infrastructure-financing district (IFD); (3) promoting housing for all income levels; and (4) investing in public safety.

28. [Urbanist \(a publication of SPUR\), July 2011](#)

Linked fortunes: Mid-Market and the Uptown Tenderloin

According to the writer, there has been a century-long connection between the Mid-Market and Uptown Tenderloin neighborhoods. They were a center of activity and nightlife in San Francisco as far back as the 1890s. However, decades of decline began in the 1960s as poverty took hold and the neighborhoods have not recovered. There have been no shortage of strategies to revitalize the area since the 1980s, but none have come to fruition. The writer says, "The area's history offers a road map for revitalization, as its authenticity attracts patrons to its restaurants and bars. Mid-Market's location near transit lines makes it a perfect site for new arts and theater uses, the key to its successful past."

29. [San Francisco Chronicle, December 1, 2011](#)

Mayor Ed Lee offers Mid-Market revival strategy

The Mid-Market area of San Francisco is "plagued by rampant crime, soaring unemployment and empty storefronts and offices". Mayor Ed Lee announces a plan to revitalize the neighborhood in a 45-page report that "paints a picture of a business-friendly area blessed by a central location with easy transit access, a growing artistic community and plenty of plazas and public spaces".

YOUTH SPEAKS

\$300,000 awarded since 2004, including a three-year \$150,000 grant awarded in 2009 for the creation and performance of new works of writing, including poetry, spoken word, and hip-hop theater to be presented annually at the *Living Word Festival* in October at the Yerba Buena Center for the Arts, Project Artaud Theater, and other venues throughout the San Francisco Bay Area

30. [San Francisco Chronicle, December 3, 2011](#)

Left Coast Leaning Festival review: hit and miss

The Left Coast Leaning Festival, in its third year of co-production by the Yerba Buena Center for the Arts and The Living Word Project, aims to seek out works of a distinctively West Coast voice that, according

to director Marc Bamuthi Joseph, “emanate from a guttural, visceral place”. The writer says, “What are you trying to say?” It’s a question that could be sardonic, frustrated or genuinely curious, and the latest edition of the Left Coast Leaning Festival, which opened at the Forum at the Yerba Buena Center for the Arts on Friday, evoked a combination of those moods in a program of works that was inventive, perplexing, combative and delightful.”

Human Rights

CENTRO DE LOS DERECHOS DEL MIGRANTE (CDM)

\$50,000 awarded in 2009 for this transnational center’s work in indigenous areas of Oaxaca and Guerrero Mexico to educate and protect the rights of migrant labor coming to California to work. The Center uses education, community organizing, and legal representation in its work with communities of migrant laborers, in order to protect their rights (as laborers in the U.S.) and to provide legal recourse for those whose rights have been violated by U.S. employers.

31. [\(The\) HuffingtonPost.com, September 15, 2011](#)

Lobbying Group Launches 'Defense Fund' To Fight Raises For Guest Workers

A recent lawsuit brought by advocates for low-wage workers resulted in a new federal rule raising wages for migrant laborers. A host of interest groups representing various industries, including hotels, forestry and seafood-packing, are suing the Labor Department in federal court in Louisiana, alleging the new rule will make labor costs prohibitively expensive and the H2B guest-worker program unusable. According to Rachel Micah-Jones, executive director of Centro de los Derechos del Migrante, a workers’ rights law center based in Mexico, H2-B guest workers are some of the more vulnerable workers in the seafood industry, in which many workers end up earning less than minimum wage because they get paid by the pound of seafood handled, and many of them are afraid to report workplace abuses because they are not U.S. citizens and can work only for the employers listed on their visas. Micah-Jones says that the low wages paid to guest workers help drag down wages for everyone, including American workers, and that the wage raises are long overdue. [The article quotes Rachel Micah-Jones, executive director of Centro de los Derechos del Migrante.]

32. [List of Spanish-language articles related to CDM filing, September 20, 2011](#)

[The articles below] focus on CDM’s filing of a complaint on September 19, 2011, in Mexico City, against the U.S. Government in reference to the North American Agreement on Labor Cooperation (NAALC). The petition calls attention to routine violations by U.S. employers including (1) failure to pay the minimum wage set by law; (2) failure to pay workers overtime; and (3) failure to reimburse guest-workers for their travel expenses to the place of employment. Under the NAALC, the U.S. government is obligated to enforce regulations, which require U.S. employers to respect and protect the basic workers’ rights of migrant laborers.

(1) [Univision](#)

Trabajadores temporales reclamaron abusos de empresas de EU – Laborar en precarias condiciones

(2) [Washington Hispanic](#)

Trabajadores con visas H2B demandan a la nación

(3) [Telediario](#)

Incumple EU obligaciones con trabajadores, acusan

MISSION ECONOMIC DEVELOPMENT AGENCY (MEDA)

\$250,000 awarded since 2009, including a three-year \$150,000 grant in 2011 for Plaza Adelante, a 21,000-square-foot community facility that serves as a one-stop center for asset development, workforce development, and family-support services explicitly designed to improve the economic standing of low-to moderate-income Latino families in San Francisco

33. [MEDA newsletter, Fall 2011](#)

Program Highlight: SparkPoint

MEDA is chosen as the lead agency for the first SparkPoint Center in San Francisco. SparkPoint centers are “family-friendly places where hard-working, low-income people can access a full range of services provided by multiple service providers to help them get out of poverty and achieve long-term financial stability in San Francisco.”

34. [San Francisco Chronicle, October 5, 2011](#)

Report: Basic cost of living soars in Bay Area

A study conducted by the Insight Center for Community Economic Development in Oakland says that the cost of living in the bay area has increased by 18.9 percent in three years. The report analyzed the cost of basic needs in the Bay Area – rent, food, health care, child care, transportation and taxes. According to a formula called the Self-Sufficiency Standard, a family of four (with two adults, one preschooler and one school-age child) in the nine-county Bay Area now needs \$74,341 a year to get by, compared with \$62,517 three years ago. At the state level, the cost of basic needs for a family of four rose 15.9 percent, to \$63,579 from \$54,853, between 2008 and 2011. The most dramatic increases were for health care, child care and taxes. In the region, health care costs rose 35 percent in three years, while child care rose 21 percent. Eric Brewer Cuentes, special projects coordinator for the Mission Economic Development Agency/Plaza Adelante, says that the Self-Sufficiency Standard is key to judging the effectiveness of programs to help low-income clients increase their income through entrepreneurship. The agency is one of several United Way-backed Bay Area SparkPoint Centers for financial education and asset building. Cuentes says, “We help people to start their own businesses so eventually they can achieve the level of income identified through the Self-Sufficiency Standard. We want to make sure we can measure the impact our services have on our clients' lives.”

OUR CHILDREN'S TRUST

A two-year \$200,000 grant awarded in 2011 to develop and file lawsuits, called *Atmospheric Trust Litigation (ATL)*, in states throughout the U.S. and other countries as part of a coordinated legal challenge to governments regarding their duty to preserve the health and safety of the atmosphere as an essential part of the "commons" (air, oceans, forests, et. al.) and the rights of future generations

35. [Daily Journal, September 30, 2011](#)

Suit claims U.S. violating public trust in failure to curb climate change

Citing public-trust doctrine, lawyers representing a group of children, Our Children's Trust, and Kids v. Global Warming file a motion for a preliminary injunction in San Francisco federal court seeking to force government action on global warming and to come up with a climate recovery plan by next year. The lawsuit is the federal version of similar suits filed in California and 13 other states alleging that the government is failing in its duty under the public-trust doctrine to protect the earth's atmosphere to be guarded for future generations. Julia Olson, director of Our Children's Trust, says, “We have a climate crisis going on and we're facing an issue that's more than environmental; it's a crisis for the economy, national security and the health of future generations. The public-trust doctrine is the critical law to address these issues in a comprehensive manner.” The U.S. Department of Justice and the state Attorney General are seeking dismissal of the suit. [Judge Chen will hear argument on these critical motions on December 15, 2011.]

Public financing of campaigns

BRENNAN CENTER FOR JUSTICE

\$50,000 awarded in 2011 for support of the Center's defense of the Arizona public-finance law before the U.S. Supreme Court

36. [The Charleston Gazette \(West Virginia\)](#), June 24, 2011

Justice: Cash taints process

In 2009, Brent Benjamin, a West Virginia Supreme Court Justice, ruled in a case in favor of Massey Energy, a corporation whose CEO had spent \$3 million to elect Benjamin. The U.S. Supreme Court demanded that he be removed from the case and that the state supreme court reconsider. Benjamin was replaced, but the verdict remained the same after it was reconsidered. In the wake of the Citizens United decision by the U.S. Supreme Court, which allows unlimited campaign contributions without disclosure, the Brennan Center for Justice is leading a campaign to prevent corruption of the courts by focusing on the West Virginia case. The Brennan Center says, "Judicial election spending has spiraled out of control in the past decade, with high court candidates raising \$206.9 million in 2000-2009, more than double the \$83.3 million raised in the 1990s. The Caperton case – in which Massey CEO Don Blankenship spent \$3 million to elect Justice Brent Benjamin while he was seeking to overturn a \$50 million jury award – sparked national publicity on the potential conflicts caused by special-interest spending on judicial elections. Most states have failed to take any meaningful action."

37. [The Guardian \(London\)](#), December 5, 2011

NAACP warns black and Hispanic Americans could lose right to vote

NAACP is petitioning the UN High Commissioner for Human Rights over what it sees as a "concerted effort to disenfranchise black and Latino voters ahead of next year's presidential election". William Barber, a member of NAACP's national board, says it is the "most vicious, coordinated and sinister attack to narrow participation in our democracy since the early 20th century". In *Defending Democracy: Confronting Modern Barriers to Voting Rights in America*, the NAACP reports on voter-suppression measures instituted particularly in southern and western states. According to the report, fourteen states have passed a total of 25 measures that will unfairly restrict the right to vote, among black and Latino voters in particular. These measures are concentrated in states with the fastest growing black populations (Florida, Georgia, Texas and North Carolina) and Latino populations (South Carolina, Alabama and Tennessee). In 2008, black and Hispanic voters turned out in record numbers in the presidential election: (1) more than 2 million more black voters turned out than 2004, a 15% increase; and two million more Latino voters turned out than 2004, a rise of 28%. According to the Brennan Center for Justice, the scale of the assault on voting rights is substantial, estimating that the new measures could bar as many as 5 million eligible voters from taking part in the presidential election in 2012.

CALIFORNIA VOTER FOUNDATION

\$125,000 awarded since 1996, including \$50,000 in 2006 for the *California Election Verification Program*, to assure and monitor implementation of the new state requirement that electronic voting is backed up by a voter-verified paper trail, and that local election officials conduct random audits to assure that the electronic voting is accurate

38. [Los Angeles Times](#), September 17, 2011

Kim Alexander advocates for clean, fair elections, voter rights, and a participatory voting process in California. Alexander says, "We need to make voting as easy as possible, and that starts with registration. We have 6.4 million eligible people in California who are not registered. That's 27% of our voting population. That places us 42nd in the nation. That's appalling." [This is an interview of Kim Alexander, president of the California Voter Foundation.]

COMMON CAUSE

\$100,000 awarded since 2010, including \$50,000 in 2011 for *One Person, One Vote, One Voice*

39. [The Nation, July 12, 2011](#)

ALEC Exposed

The American Legislative Exchange Council (ALEC) is “a critical arm of the right-wing network of policy shops that, with infusions of corporate cash, has evolved to shape American politics.” According to the article, ALEC task forces consisting of corporate representatives have developed model legislation for conservative members of Congress. The task forces cover issues from education to health policy. ALEC’s priorities for the 2011 session included bills to privatize education, break unions, deregulate major industries, pass voter ID laws and more. In states across the country they succeeded, with stacks of new laws signed by GOP governors like Ohio’s John Kasich and Wisconsin’s Scott Walker, both ALEC alums. Until recently, the details of ALEC’s model bills have been available only to the group’s 2,000 legislative and 300 corporate members. However, The Nation magazine and the Center for Media and Democracy have uncovered more than 800 documents representing decades of model legislation. Bob Edgar, president of Common Cause, says, “Dozens of corporations are investing millions of dollars a year to write business-friendly legislation that is being made into law in statehouses coast to coast, with no regard for the public interest. This is proof positive of the depth and scope of the corporate reach into our democratic processes.” [The article links to several other Nation articles that are the product of the examination of the ALEC documents. The full archive of documents are available at www.alecexposed.org.]

40. [\(The\) HuffingtonPost.com, October 26, 2011](#)

Philanthropy that Supports Private Wealth – Koch 'Philanthropy' Advances Koch Business, Political Agendas

The Philanthropy Roundtable honors Charles Koch for his philanthropic leadership at its annual meeting. Charles and his brother David own Koch Industries, a firm that runs oil refineries (among other businesses) and is the second largest privately held company in the U.S. According to the writers, closer examination suggests Charles Koch’s philanthropy is mostly geared towards influencing the political system to promote and strengthen policies that favor his company, while at the same time, hurting the general public. “The Kochs use their vast corporate resources to fund an entire political network that includes think tanks, elected officials and undisclosed front groups to advocate for public policies and the dismantling of regulations that help their bottom line, but are bad for the public. They favor dramatically lower personal and corporate income taxes, less government oversight of industry – particularly environmental regulations that impact their businesses. They have spent millions to fight health care reform, energy independence and combating global warming. Companies controlled by Koch Industries have rigged prices with competitors, lied to regulators and repeatedly run afoul of environmental regulations, resulting in five criminal convictions since 1999 in the U.S. and Canada.” Common Cause has recently reported on the Kochs’ ties to Supreme Court Justices Antonin Scalia and Clarence Thomas, both of whom have been featured guests at two political fundraising and strategy sessions sponsored by Koch Industries. The company was a major beneficiary of the court’s decision in the Citizens United case, which legalized unlimited corporate spending in elections without disclosure. Scalia and Thomas sided with the position benefiting the Kochs. The writers continue, “When a wealthy person like Charles Koch creates a private tax-exempt foundation, he or she is indirectly diverting a portion of tax revenue that goes to pay for things like supporting the military, building and maintaining roads and public transportation and public schools to projects of his or her liking. When that happens, the rest of us – especially the lower and middle-class – who don’t have foundations and fancy tax lawyers, shoulder more of the cost of public services. Philanthropy, at its best, involves selfless giving by individuals and foundations to advance equity and democracy, and promote the common good. It reaches down to serve the poor and powerless, such as by assuaging homelessness, hunger and illiteracy and through advocacy for public policies aimed at solving those problems. Paying for policy reform that harms the public good

and benefits one's own economic interests isn't consistent with the spirit and history of philanthropic giving in this nation. Given his self-interested giving, Charles Koch seems an odd choice to become philanthropy's poster boy. It says a lot about the Philanthropy Roundtable that they chose Koch over the many other outstanding philanthropists in the country to receive this year's award." [The piece is co-written by Bob Edgar, president of Common Cause.]

41. [\(The\) HuffingtonPost.com, November 14, 2011](#)

'Impartial' Supreme Court Justices Raise Money for Opponents of Health Care Law

Bob Edgar writes that three members of the U.S. Supreme Court were guests at an annual fundraising dinner sponsored by the Federalist Society, an association of conservative and libertarian lawyers that is providing much of the intellectual firepower behind efforts to overturn the landmark health care reform law passed last year. Justices Antonin Scalia and Clarence Thomas were honorees and speakers at the black-tie event and Justice Samuel Alito was in the audience. Their appearance came just hours after the Supreme Court met to consider placing a case challenging the health care law on its docket, which they did. Edgar writes, "This kind of activity by members of our highest court undercuts any claim of impartiality in the health care litigation by the justices involved. Worse yet, it clearly violates the Code of Conduct for U.S. Judges, a set of ethical standards the Supreme Court helps enforce on lower federal courts, but has refused to impose on itself." [written by Bob Edgar, president of Common Cause]

42. [\(The\) HuffingtonPost.com, November 21, 2011](#)

"Super" Committee Produces Super Breakdown in Leadership

The "super committee" of Congressional Democrats and Republicans fail to agree on measures to cut the federal deficit. Bob Edgar, president of Common Cause, writes, "What a sad spectacle. We've now had three successive "wave" elections, in which voters disturbed at the inability or unwillingness of those in power to act in the public interest rather than the interest of their big campaign contributors, have voted to replace one party with the other. Each party has ridden its waves but neither has captured and acted on the voters' larger message, their desire for a fundamental change in the way Washington works."

JUSTICE AT STAKE

\$50,000 awarded in 2011 for a nonpartisan campaign with more than 50 national partners working to keep state and federal courts fair and impartial

43. [The New York Times, June 15, 2011](#)

Can Justice Be Bought?

Two years since the Supreme Court decision in *Caperton v. Massey*, in which the Supreme Court ruled that a West Virginia Supreme Court Judge recuse himself from a case over which he was presiding because a party to the case had donated a significant amount to election campaign, states have been slow to respond and develop rules to prevent judicial corruption. According to Justice at Stake and the Brennan Center for Justice, courts in only nine states – Arizona, California, Iowa, Michigan, Missouri, New York, Oklahoma, Utah and Washington State – have developed some rules related to financing judicial elections. A ruling by the Supreme Court [*Citizens United*], allowing unlimited campaign donations without disclosure in elections, makes the situation worse. [In this New York Times editorial] the writers say, "A good rule would have four basic elements. It should explicitly recognize that recusal may be necessary because of campaign spending by litigants or their lawyers. It should specify that the final decision about whether a judge's impartiality can reasonably be questioned not be left to the challenged judge. It should require that decisions on recusal requests be in writing. Finally, litigants and attorneys must be required to disclose any campaign spending relating to a judge or judges hearing their case."

44. [The Nation, June 28, 2011](#)

Supreme Court Removes Another Barrier to Corporate Ownership of Elections

The McComish decision by the U.S. Supreme Court strikes down the matching-funds provision of Arizona's campaign-finance law, which allowed matching funds to go to candidates accepting public funding, triggered by privately funded candidates and independent groups reaching a spending threshold. The Justices declared the provision to be an unconstitutional restriction on the free-speech rights of privately funded candidates and corporate-funded groups. Coupled with the Citizens United decision by the Supreme Court, corporate-backed candidates will have unlimited political advantage over candidates choosing to run campaigns using public financing or relying on small individual donations. According to the writer, "The court has removed one of the few remaining tools for maintaining a level playing field in politics, on which candidates of differing views might have won or lost elections based on their skills and ideas – as opposed to their relative financial advantages. In so doing, the Court has tipped the balance even further toward wealthy and corporation-allied candidates in a move that says the only speech right now protected in our politics is the right of those with the deepest pockets to shout down everyone else." Bert Brandenburg, executive director of Justice at Stake, says that it still might be possible to write public financing laws that work in judicial contests. Brandenburg says, "Today's ruling is disappointing, but not fatal for America's courts. State judicial elections are drowning in special-interest spending. Properly crafted public financing laws are more critical than ever, so that judges do not have to dial for dollars from major donors who may appear before them in court."

45. [Reuters, June 28, 2011](#)

New rule takes aim at judges and their campaign supporters

New York has adopted a rule prohibiting elected judges from overseeing cases involving their major campaign contributors. According to Justice at Stake, New York is one of 39 states that elect some judges.

46. [Birmingham News, July 30, 2011](#)

OUR VIEW: Alabama officials need to break the stalemate over a law that would regulate campaign contributions to state judges

According to Justice at Stake, from 2000 through 2008, Alabama Supreme Court candidates raised close to \$41 million; by far the most in the country, almost doubling the state with the second most, Ohio, where high court candidates raised \$21.2 million. Alabama's Supreme Court has refused to write a rule required for a 16-year-old law to go into effect that would force judges to recuse themselves from cases where they have a conflict of interest, specifically, where a party to a case has given over \$2,000 to the judge's election campaign.

47. [Reuters, August 8, 2011](#)

ABA votes to adopt new rules on judicial disqualification

The American Bar Association (ABA) votes to adopt guidelines urging states to enact new procedural rules on judicial disqualification in response to what the ABA sees as an increasing influence of money in judicial politics across the U.S. The effort was generated in part by two recent U.S. Supreme Court decisions: (1) *Capteron v. A.T. Massey*, a 2009 decision, which urged states to adopt "more rigorous" recusal rules for judges; and (2) *Citizens United v. Federal Election Commission*, a 2010 decision, which allowed unlimited spending in political campaigns. The *Citizens United* ruling created concern that spending in judicial elections has risen exponentially. According to Justice at Stake, fundraising in state supreme-court races more than doubled in the decade ending in 2009 from the decade preceding it.

48. [The Washington Post, October 26, 2011](#)

The Influence Industry: Judicial elections, corporate policies give glimpse into 2012

A Justice at Stake, Brennan Center for Justice, and National Institute of Money In State Politics study reveals that almost a third of the money spent on state judicial elections last year came from outside

interest groups – “a dramatic departure from historic norms”. According to another study by the Center for Political Accountability, “most companies in the S&P 100 have adopted policies requiring that they disclose any direct corporate spending on politics”, and “many are limiting or banning such spending”. According to the article, both studies illustrate rapid changes in campaign-finance restrictions, as evidenced by the Citizens United decision by the Supreme Court, allowing corporations to spend unlimited money in elections. The decision has paved the way for a surge in fundraising and spending by outside advocacy groups, including a new kind of political-action committee called super PACs, which can raise and spend unlimited amounts of money. Bert Brandenburg, executive director of Justice at Stake, says, “This is the new normal. It could well be that this is a signpost of where political spending as a whole is going.”

49. [\(The\) HuffingtonPost.com, October 27, 2011](#)

Independent Groups Pour Money Into State Judicial Elections

According to a report released by Justice At Stake, the Brennan Center for Justice, and the National Institute of Money In State Politics, spending on state Supreme Court elections by candidates and special-interest groups in the 2009-2010 elections reached \$38.4 million. While this total was lower than the \$42.7 million spent in the 2005-2006 election, it included a major increase in spending by outside groups. These outside groups accounted for nearly a third of all spending, or \$11.5 million, in state Supreme Court elections, rising from less than one-fifth of all spending in 2005-2006. Nearly 40 percent of that spending is by a group of 10 “super spenders”. Justice At Stake communications director Charlie Hall says, “What we're seeing in the continuation of what we've seen over the past 10 years [in judicial elections] is what the people are really starting to see at the national level with the super PACs. A small group of interest groups are starting to take over Supreme Court elections in America.”

50. [The Washington Post, November 5, 2011](#)

Buying and selling judges

Citing the Justice at Stake study, the writers say, “Judges should not have to worry about pleasing political constituencies – whether they are business groups, unions or those who support a particular definition of marriage. Judges in many circumstances are meant to be a check against these forces and the unconstitutional excesses of the elected bodies. The notion of impartial justice for all is obliterated when judges are forced to think like politicians and to curry favor with monied interests just to keep their jobs. [This is a Washington Post editorial.]

MAPLIGHT

\$190,000 awarded since 2008, including \$50,000 in 2011 to track campaign donations and the subsequent votes by elected officials on issues of interest to campaign donors, and publish it on their website

51. [Los Angeles Times, April 5, 2011](#)

Amid bailouts, banks spent big to thwart foreclosure legislation

The article says, “Through the depths of the recession, major Wall Street banks and other financial institutions spent nearly \$70 million in California to try to defeat or water down California legislation aimed at slowing real estate foreclosures.” [Custom research and data analysis by MapLight was central to a [recent exposé](#) produced by ACCE examining Wall Street contributions to California legislators. The report later became the foundation for this article in the LA Times highlighting MapLight's data on campaign contributions and the legislation under consideration.]

52. [List of editorials related to report by MapLight.org regarding payday lending](#)

Earlier this year (2011), California Assembly member Charles Calderon introduced a bill that would raise the borrowing cap for payday lenders from \$300 to \$500. Payday loans come with high interest rates (459% APR), and consumer groups have warned that increasing the borrowing cap would trap more borrowers in a cycle of debt. Before the bill even made it to the Assembly floor, MapLight released

a [report highlighting the money behind the bill](#): Assembly member Calderon, the bill's sponsor, received more money from the payday loan industry than any other assembly member. The report garnered much press coverage, including several editorials citing Maplight data and calling for the bill to be voted down. [The bill passed the California Assembly on June 1, 2011, and moved to the California Senate. On June 29, 2011, it passed the Senate Committee on Banking, Finance and Insurance and was referred to the Committee on Judiciary.]

(1) [San Jose Mercury News, May 5, 2011](#)

Mercury News editorial: Payday lending legislation would be a disaster

(2) [The Sacramento Bee, May 9, 2011](#)

Editorial: Don't let payday lending outfits buy a bad bill

(3) [The Bakersfield Californian, May 9, 2011](#)

OUR VIEW: Hey, what's that smell? Debt from payday loans

53. [Mother Jones, June 28, 2011](#)

A Congressional Bailout for a Pharma Firm?

[The articles] focuses on an amendment that would allow the pharmaceutical company Medicines Co. to maintain its patent on a very profitable drug for four extra years. By Mother Jones' estimation, the extension is worth anywhere from \$500 million to \$1 billion in profits. According to MapLight, "from 2009 to 2010, lobbying, public relations, and pharmaceutical groups (combined) gave 60% more to House members that voted for the amendment than to those who voted against it."

PUBLIC CAMPAIGN

\$480,000 awarded since 2003, including \$80,000 in 2010 to continue to provide national leadership to advance understanding of and support for public finance of political campaigns through Public Campaign and the Fair Elections Now Coalition

54. [\(The\) HuffingtonPost.com, November 18, 2011](#)

Democracy For The 99%

Lawrence Lessig, in an op-ed in The New York Times, suggests a constitutional amendment to overturn the Supreme Court's Citizens United decision [allowing unlimited campaign donations without disclosure], is not as important as encouraging small-donor clean-elections systems. Nick Nyhart, president of Public Campaign, disagrees with Lessig that a constitutional amendment to overturn the decision is unimportant, however, he says, "I don't think any of us believe politics were much better, or less bought, two years ago." According to Nyhart, clean-elections systems have been successful in electing hundreds of candidates in Maine, Arizona, Connecticut, and North Carolina. Also, the Fair Elections Now Act had the support of a bipartisan group of more than 200 Senators and House members last year, passing out of a congressional committee in September 2010. Fair Elections candidates would collect donations of \$100 or less from constituents, which would then be matched on a 5-to-1 basis, raising the voice of small donors in the political process. Nyhart says, "There's no silver bullet to fixing the problems of our democracy in which a handful of wealthy elites are increasingly in control of the country's decisions. We know, however, that systems like Clean and Fair Elections make a difference, including bringing working folks – waitresses and veterans – into the legislature. When half of the Members of Congress are millionaires, it's the kind of change we need. As Americans across the country stand together today to protest a political system that benefits the wealthiest Americans at the expense of poor and middle class families, it's time to turn that system upside down, moving politics and power from the money to the many."

Marriage equality

FREEDOM TO MARRY (FTM)

\$675,000 awarded since 2002, including \$50,000 in 2011 for continuing support of this national-strategy center on marriage equality

55. [Politico, July 27, 2011](#)

Bush, Obama pollsters see 'dramatic' shift toward same-sex marriage

Republican pollster Jan van Lohuizen and Democratic pollster Joel Benenson of Benenson Strategy Group argue that support for same-sex marriage is increasing at an accelerating rate and that the shift is driven by independents. The report is commissioned by Freedom to Marry.

56. [U.S. News and World Report, July 27, 2011](#)

New Study: Support for Gay Marriage Grew Faster in Past Two Years

A bipartisan report commissioned by Freedom to Marry shows that there is a 500 percent increase in the rate of change for support of marriage equality in the last two years versus the period from 1996-2009. Polls now show a majority of the American public supports marriage equality. Evan Wolfson says that increased conversation about the topic has generated the change. “Even where antigay ballot measures succeed at the time, the net result is that people are prompted into these conversations. The more people talk about this, the more they move into support of the freedom to marry.”

57. [The Advocate, July 27, 2011](#)

Poll Analysis: Clear Trend for Marriage Equality

Former Bush pollster Jan van Lohuizen of Voter Consumer Research and Obama pollster Joel Benenson of Benenson Strategy Group present results of a study at the National Press Club in Washington, D.C., showing that a majority of Americans now support marriage equality. In contrast, a poll by the Alliance Defense Fund, a conservative group, claim that 62% of Americans do not support the freedom to marry. In reference to the Alliance Defense Fund poll, Evan Wolfson, president of Freedom to Marry, says, “When you set it against these independent national polls, Gallup and others, who all have found something different, I think it says something about the wording and the methodology being as suspicious as the motives behind it.”

58. [The Hill, July 27, 2011](#)

Freedom to marry's changed political equation

At the first ever Congressional hearing regarding the repeal of DOMA, which defines marriage as a union between a man and woman, many of the same Senators, who 15 years ago voted for the bill, are now arguing for its repeal. This is indicative of the change in public opinion, as evidenced in the report: “The Rapid Increase in Support for Marriage Changes Political Equation: Emerging Majority Supports the Freedom to Marry”. Fifteen years ago, only 27 percent of Americans approved of ending discrimination in marriage. Today, six national polls confirm that support has doubled to 53%, a national majority in favor of the freedom to marry. Evan Wolfson, president of Freedom to Marry, writes, “The freedom to marry reflects basic values of love, commitment, family, and fairness – and that’s what has inspired a majority of Americans and their elected representatives to decide to support it. And, happily, support for the freedom to marry is not only the right thing to do, it’s the politically smart thing to do.”

59. [The Advocate, October 2, 2011](#)

GOP Lobbyist Joins Strategy to Repeal DOMA

Jo Deutsch, a liberal Democrat who previously worked for Barbara Boxer, is the new federal director of Freedom to Marry. Kathryn Lehman, a conservative Republican, who previously worked for Newt Gingrich and helped to write DOMA, is now working with Deutsch as a strategist to help repeal DOMA. Lehman was not out of the closet when she was helping to draft the law. Lehman says, “I’m not an

activist personality. I've been a staffer my whole career. It's not a secret that I'm gay, it's not a secret that [Lehman's partner] Julie [Conway] and I have been together for seven years. ...But I really felt like it was time to step up, to step out. And I've recognized the work of people who I don't really agree with politically in the gay and lesbian community, but who have done a lot of work to make my life better." The House Republican leadership is nonetheless defending DOMA from several legal challenges.

Food and Farming

AGRICULTURE AND LAND-BASED TRAINING ASSOCIATION (ALBA)

\$310,000 awarded since 2005, including \$30,000 in 2010 to advance economic viability, social equity and ecological land management among limited-resource and aspiring farmers. ALBA works to create opportunities for family farms while providing education and demonstration on conservation, habitat restoration, marketing, and whole-farm planning.

60. [CivilEats.com, July 6, 2011](#)

Next Generation Farmer: Ana Catalán

María Catalán graduated from the Agriculture and Land-Based Training Association (ALBA) over 15 years ago and has run her own organic farm ever since. Her daughter, 23-year old Anna, plays a crucial role in the workings of this Hollister-based organic farm. Having learned under the guidance of her mother, Anna says, "I am basically trained to run the business right alongside my mother."

61. [Monterey County Weekly, October 20, 2011](#)

Fruits and Bolts – ALBA expands to Watsonville, partners with neighboring commercial kitchen incubator.

ALBA trains, and generates opportunities for, farmworkers and limited-resource, aspiring farmers to grow and sell crops from two organic farms in Monterey County. In 2002, ALBA started a retail wing, ALBA Organics. Its 40 farmers are now producing more than they can sell at their Salinas-based location, so they have expanded and opened a new 8,000 square-foot facility in Watsonville. Alfred Navarro, ALBA's interim director, says, "It was ideal for us in terms of complementing what we have at the farm." ALBA will lease half the building, and El Pájaro Community Development Corporation will occupy the other portion with a commercial-kitchen incubator, slated to open by spring of 2012, and provide a code-compliant food prep and cooking area to up-and-coming entrepreneurs. El Pájaro already has 15 bakers, picklers, and cooks signed up to use its incubator. Many are not using organic ingredients today, but there's potential for purchasing from adjacent ALBA.

62. [Monterey County Weekly, October 24, 2011](#)

Tasting the Goods at a New Small Purveyor Incubator

El Pájaro Community Development Corporation (EPCDC) receives a \$90,000 grant from the U.S. Small Business Administration for this incubator to support more than 15 different businesses planning to spread a wealth of local cuisine to local customers. ALBA needed more refrigeration for its distribution arm. EPCDC Chair Jorge Reguerin says, "The goal is very simple: To create jobs and energize the economy."

63. [Latino USA on KQED Radio, November 10, 2011](#)

Turning Farm Workers into Farm Owners – The Agricultural Land-based Training Association

Located in the Central Valley, the Agriculture and Land-based Training Association is helping turn farmworkers into farm owners and operators. It's a unique program that has sparked a growing trend across the country. Karina Canto and Efren Avalos, two recent graduates and farmers, are profiled. [The radio report is embedded.]

CALIFORNIA CLIMATE AND AGRICULTURE NETWORK (CALCAN)

\$135,000 awarded since 2009, including \$35,000 in 2011 to advance policies that recognize and provide financial rewards for sustainable agricultural practices that mitigate and adapt to climate change

64. [KQED News, August 24, 2011](#)

Making Renewable Energy from Farm Waste

With the possible passage of SB 489, California farmers could connect machines to the electrical grid that create bioenergy from crop byproducts. Russ Lester, the owner of Dixon Ridge Farms, burns walnut shells at high temperature to create fuel for his generator, and to dry his walnuts. He then mixes the leftover char ash into his soil to sequester carbon in a stable form and enriches his soil. The bill has a broad range of supporters, including CalCAN, a sponsor of the legislation.

65. [CalCAN Funder Update, October 2011](#)

CalCAN-Sponsored Renewable Energy Bill Becomes Law!

The Renewable Energy Equity Act (SB 489), authored by Senator Lois Wolk and sponsored by CalCAN, is signed into law by Governor Jerry Brown. According to CalCAN, "The bill will remove barriers to small-scale renewable energy projects by allowing biomass and biogas to participate in the state's Net Energy Metering (NEM) program."

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)

\$37,500 awarded in 2008 for *California Agriculture Vision*

66. [Western Farm Press, September 27, 2011](#)

CDFA meeting to focus on age of California farmers

The CDFA hosts a meeting to discuss the aging population of farmers and efforts to encourage new, young farmers, featuring speakers from several organizations, including [Columbia Foundation grantees] Tom Tomich, Agriculture Sustainability Institute; Gary Peterson, Agriculture and Land Based Training Association; and Brett Melone, California FarmLink.

CALIFORNIA FARMLINK

\$555,000 awarded since 2006, including \$50,000 in 2010 for capacity building to strengthen the organization's ability to provide a comprehensive set of resources that facilitates land access for a new generation farming sustainably, and a \$350,000 program-related investment in 2007 for the *Farm Opportunities Loan Fund*

67. [The Modesto Bee, July 3, 2011](#)

Valley farmers making harvest yield more dollars

California FarmLink hosts an event encouraging value-added agriculture, particularly farmers processing their own crops, rather than selling them in bulk to someone else.

68. [San Francisco Chronicle, July 23, 2011](#)

Funding challenges keep number of new farmers low

The federal government says that the country needs to add 100,000 new farmers in the next several years to replace its aging workforce, yet potential cuts to USDA programs aiding new farmers could exacerbate the problem. It's unclear how much USDA funding will be cut from regional organizations such as California FarmLink, which connects new farmers with leasing and financing opportunities or the Agriculture and Land-Based Training Association, which runs a farm incubation program in Salinas. [The article quotes Rebecca Spector, the West Coast director of the Center for Food Safety.]

CENTER FOR BIOLOGICAL DIVERSITY (CBD)

A five-year \$125,000 grant awarded in 2000 for the *Golden State Biodiversity Initiative* to use science and the law to protect imperiled species and habitats throughout California and to increase public understanding and support for the protection of biodiversity and preservation of plant and animal species in the state

69. [Earth Island Journal, Autumn 2011](#)

Conversation – Kieran Suckling

Kieran Suckling is the founding director of the Center for Biological Diversity, and is often invited to present the environmental position at public debates and on radio and television news programs. According to the interviewer, the Center for Biological Diversity has been one of the most successful environmental groups in the country to protect wilderness. Much of Suckling's success in protecting wildlife and the environment has been through negotiation with their adversaries rather than through court orders. Though Suckling says that all negotiation must come from a position of strength and speak truth. Suckling says, "Our strategy is to develop a strong position through using law, science, and legislation that puts us in the position of being able to negotiate strong, long-term agreements. But you've got to go at the negotiations from a position of strength and you've got to have a bright line, know when to walk away and not be afraid to walk away. And you've got to be willing to negotiate hard and ruffle feathers." In terms of solving major environmental problems including global warming, Suckling says that there is no "silver bullet" and that "every major environmental issue in this country has always been solved by a web of multiple laws and policies coming together to solve the problem." [This is an interview of Kieran Suckling, director of the Center for Biological Diversity.]

CENTER FOR FOOD SAFETY (CFS)

\$465,000 awarded since 2003, including \$50,000 in 2011 the *California Food and Agriculture Initiative*, which uses policy, legal, and public education tools to promote human health and environmental protection by ensuring that genetically engineered food is appropriately regulated, tested, and labeled; and promotes sustainable food systems that are humane, socially just, ecologically sound, and appropriately scaled

70. [Mother Jones, July 8, 2011](#)

Wait, Did the USDA Just Deregulate All New Genetically Modified Crops?

The USDA announces that it will not regulate genetically modified Kentucky bluegrass. The decision was not reached based on environmental assessment, but by claiming that neither the Plant Pest Act nor the noxious-weed provision of the Plant Protection Act apply. According to Doug Gurian-Sherman, senior scientist at the [Columbia Foundation grantee] Union of Concerned Scientists' Food and Environment Program, both regulatory hooks were weak to begin with and, until this announcement, were the primary basis for GMO regulation. The USDA says that it has no jurisdiction, and has confirmed it will not be conducting environmental-impact statements for GMO Kentucky bluegrass and by extension, any other crops that it decides do not count as plant pests or noxious weeds. George Kimbrell, an attorney for the Center for Food Safety, says, "Look, [the USDA] is a rogue agency. It has been rebuked time and time again by the courts for its failed oversight of these crops."

71. [Mother Jones, July 14, 2011](#)

Welcome to the Age of GMO Industry Self-Regulation

USDA secretary Tom Vilsack acknowledges that GMO Kentucky Bluegrass could contaminate non-GMO bluegrass. But rather than conduct an environmental assessment, regulate it, or not allow its planting, Vilsack says in a prepared statement that "USDA therefore strongly encourages Scotts to discuss these concerns with various stakeholders". According to the writer Tom Philpott, "Whereas before the agency regulated novel crops weakly, it now seems content not to regulate them *at all*. This is a critical change. The National Environmental Protection Act (NEPA) requires that the USDA conduct an

environmental impact study for all the crops it deregulates. But to deregulate a crop, the agency has to regulate it first. ...the USDA has two "regulatory hooks" under which it can regulate GM crops: "plant pest" status and "noxious weed" status. In the bluegrass decision, the USDA signaled that it won't be applying those hooks to a broad variety of novel crops. That leaves new crops unregulated—and not subject to NEPA requirements for environmental impact statements." Previously, under the regulatory hooks, the Center for Food Safety successfully sued the USDA for violating NEPA with regard to the GM alfalfa. A federal judge ordered the release of GM alfalfa be delayed pending an environmental-impact statement. Despite this order, USDA deregulated alfalfa with no restriction. This set a pattern for how USDA views GMOs.

72. [Associated Press, August 12, 2011](#)

Ban Sought on Gene-Altered Crops on Federal Land

The Center for Food Safety files a lawsuit to stop the planting of genetically modified crops on 44,000 acres of federal land in the South. They argue that the Fish and Wildlife Service did not follow proper procedures in permitting farmers to grow on the public lands. Their suit seeks an injunction that would order a halt to the planting.

73. [Grist.org, August 25, 2011](#)

ConAgra sued over 'natural' GMO cooking oils

ConAgra's Wesson cooking oils are derived from genetically modified crops, yet they are marketed as "100% natural", including on the label itself. A class-action lawsuit is filed against the company for "deceptively marketing the products as natural". According to the Center for Food Safety, "Upwards of 70 percent of processed foods on supermarket shelves – from soda to soup, crackers to condiments – contain genetically-engineered ingredients."

74. [Mother Jones, September 8, 2011](#)

Monsanto Denies Superinsect Science

Scientists in Iowa have documented the existence of corn rootworms in genetically modified crops, which were genetically modified ostensibly to prevent rootworm. Pests have developed resistance to the genetically-altered crops, creating a superinsect that is threatening corn crops. The problem has also arisen in Minnesota and Illinois. According to the USDA, 65% of corn planted in the U.S. is genetically modified. Monsanto has denied the scientists' findings. As Bill Freese, science policy analyst for the Center for Food Safety, points out, there was another study in 2008 conducted by University of Missouri researchers and published by the Proceedings of the National Academy of Sciences on this precise question of Bt [GMO] corn and rootworms. The researchers discovered that in three generations, rootworms had achieved total resistance. Monsanto is listed in the acknowledgments as a supporter of the study. [The article quotes Bill Freese, science policy analyst for the Center for Food Safety.]

75. [Mother Jones, September 9, 2011](#)

Monsanto Superinsects Eating Your Corn? Diversify!

According to Bill Freese, science policy analyst for the Center for Food Safety, Roundup-resistant "superweeds" first appeared in isolated fields in the early 2000s, and Monsanto's first reaction was to deny the problem existed. Yet Roundup resistance soon exploded, and now affects a 11 million acres, and growing, nationwide. Similarly, today, with the discovery of Bt-resistant rootworms, Monsanto denies there is a problem. Despite the current technological failure of these crops (and the denials of it), Monsanto is promising additional GMO technology as the answer. According to Freese, Monsanto's market share makes it difficult for farmers to find alternatives. Union of Concern Scientists [a Columbia Foundation grantee] senior scientist Doug Gurian-Sherman says that the problem is systemic. Until farmers move away from corn and soy monocultures, and use crop rotation techniques, they will be beholden to Monsanto.

76. [SustainableBusiness.com, October 4, 2011](#)

Groups Demand FDA Label Genetically Engineered Foods

A coalition of nearly 400 businesses and organizations, including the Center for Food Safety, files a legal petition with the U.S. Food and Drug Administration (FDA) to require mandatory labeling of genetically engineered foods.

77. [Reuters, October 4, 2011](#)

Groups petition FDA to require labeling of GMO food

The Center for Food Safety, Public Employees for Environmental Responsibility, and Beyond Pesticides, file a legal petition with the U.S. FDA seeking mandatory labeling for foods made from genetically engineered crops, a move long opposed by big biotech companies. According to the article, there are thousands of unlabeled items on grocery store shelves that contain at least traces of genetically altered corn, soybeans and other crops. Andrew Kimbrell, executive director of the Center for Food Safety (CFS), says, "They should label the foods and let consumers know. This carte blanche they've been giving the industry is not acceptable. There are novel ingredients in the food that have never been there before." Kimbrell says that the legal action by CFS requires a formal response from the FDA and is the first step toward ultimately filing a lawsuit against the government agency to try to force labeling. A majority of U.S. consumers wants such labeling as well, according to polls. Also, many other developed countries such as the 15 nations in the European Union, Japan, Australia, Brazil, Russia and China, have laws requiring labeling of genetically engineered foods.

78. [Reuters, October 27, 2011](#)

Food companies petitioned to ban new Monsanto GMO corn

A coalition of health, food safety and environmental organizations, including the Center for Food Safety, is petitioning national food retailers and processors to ban Monsanto's new genetically modified sweet corn, which is not labeled as GMO. They have collected more than 264,000 petition signatures from consumers who refuse to buy the corn, are pressing 10 of the top national retail grocery stores to ban the corn (including Wal-Mart, Kroger and Safeway), and asking top canned and frozen corn processors (including Bird's Eye and Del Monte) to ban the modified corn. General Mills and Trader Joe's have already indicated that they will not be using the Monsanto GMO sweet corn in their products.

79. [Reuters, November 4, 2011](#)

Groups Sue U.S. Over GMO Crops in Wildlife Refuges

The Center for Food Safety and two other groups file a lawsuit to stop the planting of genetically-modified crops on federal land in eight states in the Midwest. The groups claim the federal agency broke the law by entering agreements with farmers that allowed planting of biotech crops on refuge land without environmental reviews required by law. Paige Tomaselli, an attorney for the Center for Food Safety, says "National Wildlife Refuges are sanctuaries for migratory birds, native grasses, and endangered species. Allowing pesticide-promoting, GE (genetically engineered) crops degrades these vital ecosystems and is antithetical to the basic purpose of our refuge system. Worse still is approval without meaningful review of these crops' impacts."

80. [Portland Press Herald \(Maine\), November 9, 2011](#)

Maine Farmer Heads Group Challenging Genetics Giant Monsanto

Organic seed potato farmer Jim Gerritsen is president of the Organic Seed Growers and Trade Association (OSGATA). OSGATA, with legal backing from the Public Patent Foundation, filed a lawsuit in March against the chemical and biotechnology giant Monsanto. OSGATA has since been joined in the lawsuit by 82 other seed businesses, trade organizations and family farmers, which together represent more than 270,000 people. The lawsuit questions the validity of Monsanto's patents on genetically modified seeds, and seeks protection from patent-infringement lawsuits for the plaintiffs should their crops become contaminated with Monsanto's transgenic crops. According to a 2005 report from the

Center for Food Safety, Monsanto had at that time filed 90 lawsuits against American farmers. The report also contends Monsanto employed 75 people armed with a budget of \$10 million devoted "solely to investigating and prosecuting farmers."

81. [CommonDreams.org, December 2, 2011](#)

Arsenic—It's in Animal Feed Too

The Center for Food Safety and the Institute for Agriculture and Trade Policy (IATP) file a series of petitions with the FDA to greatly reduce the legally permissible levels of arsenic in meat. According to the writer, pharmaceutical companies produce and sell four arsenic compounds that are added to animal feed for turkey, chicken, and swine production to increase weight and improve pigmentation of the meat.

82. [Bangor Daily News \(Maine\), December 8, 2011](#)

Aroostook farmer the face of organic growers' fight against Monsanto

Jim Gerritsen, who has operated Wood Prairie Farm in Bridgewater, Maine since 1976, is also the president of the Organic Seed Growers and Trade Association. Gerritsen is the lead plaintiff in a suit to protect growers and consumers of organic foods from Monsanto's GMO crops. According to the Gerritsen, airborne or insect-borne transgenic pollen can contaminate organic crops. He continues, "Farmers lose not only the value of the organic crop, but we are also open to patent infringement lawsuits. Monsanto can contend that the (organic) farm is in possession of a (patented) Monsanto product." According to the Center for Food Safety, to date, Monsanto has sued 90 American farmers for patent infringement, receiving an estimated \$15 million from judgments in its favor. Gerritsen leads 83 plaintiffs in the lawsuit.

83. [Mother Jones, December 8, 2011](#)

Monsanto (Still) Denies Superinsect Problem, Despite Evidence

In August, the Wall Street Journal reported that rootworm was killing corn crops in Iowa, particularly Monsanto's Bt corn crops that were genetically engineered to prevent it. In November, EPA released a report confirming that resistant rootworms had risen up in four states (Iowa, Minnesota, Illinois, and Nebraska) and was suspected in three others (Colorado, South Dakota, and Wisconsin), rebuking Monsanto for poor monitoring. EPA reveals that Monsanto has been receiving reports of possible resistance since 2004. Previously, in 2003, to avoid rootworm resistance, EPA announced that farmers using the Bt corn had to plant a "refuge" crop of non-Bt corn alongside the GMO corn, so that rootworms that developed Bt resistance would mate with peers that had not been exposed to it, diluting the resistant trait and keeping it under control. The debate centered around the size of the refuge. The Center for Food Safety's Bill Freese points to research from University of Illinois crop scientist Michael Gray suggesting that in some Illinois farm counties, 40 percent of farmers lack access to high-quality non-Bt corn seed. That same problem likely affects farmers throughout the corn belt. Despite all of this, Monsanto is still publicly denying that there is a problem, but nevertheless is offering a solution – another strain of GMO corn.

COMMUNITY ALLIANCE WITH FAMILY FARMERS (CAFF)

\$490,000 awarded since 1993, including a three-year \$225,000 grant in 2008 to expand *Buy Fresh Buy Local (BFBL)* into a statewide campaign, increase support from the public for BFBL, and build towards self-sufficiency

84. [San Francisco Chronicle, October 30, 2011](#)

State asks funds for healthy food in new Farm Bill

Congressional agricultural-committee leaders have recommended substantial cuts from the Farm Bill. Many in California are concerned that conservation and nutrition funding could be cut in favor of subsidies to big commodity-crop producers. Groups such as the California Association of Food Banks, California State Grange, Center for Food Safety, Community Alliance with Family Farms and the

Ecological Farming Association have sent a petition with more than 16,000 signatures to California's congressional delegation and to Gov. Jerry Brown, urging them to make sure that the state gets funding to protect conservation, nutrition and research programs. The California Department of Food and Agriculture submitted to the Ag committees and super-committee its recommendations for the Farm Bill, asking to either maintain or in some instances increase funding for conservation, job creation, revitalizing rural economies, investing in research and education and improving health and nutrition.

FOOD AND ENVIRONMENT REPORTING NETWORK

\$20,000 in 2011 to fund, aggregate, and distribute investigative and in-depth reporting in the critical areas of food, agriculture, and environmental health by linking journalists, new media, and major media outlets while working to train journalists in investigative techniques

85. [CivilEats.org, November 28, 2011](#)

Good (Food) News: The Food & Environment Reporting Network Launches

The Food and Environment Reporting Network, an investigative journalism non-profit focusing on food, agriculture, and environmental health launches operations. [The announcement links to the FERN website.]

86. [High Country News, November 28, 2011](#)

A citizen activist forces New Mexico's dairies to clean up their act

In 2007, Jerry Nivens, a citizen from rural New Mexico, discovered that a proposed new dairy farm, ParaSol, would be located next to Percha creek and close to the Rio Grande, a drinking-water source for local communities. To Nivens, it looked like a disaster in the making, as flash floods could flush manure from the dairy into the creek, polluting the shallow groundwater and eventually the Rio Grande, threatening the drinking water of nearby residents and possibly contaminating crops growing downstream. Nivens organized local residents, and partnered with a local Sierra Club chapter, and convinced the state's secretary for the environment to deny a dairy permit to ParaSol. This sparked a four-year battle with the company. It resulted in new water-quality rules and changes in the permitting processes for dairies in New Mexico focused on protecting the environment and higher health and safety standards.

INVESTORS' CIRCLE

\$50,000 awarded in 2005 for the *Slow Money Project*

87. [CBS San Francisco, October 12, 2011](#)

ConsumerWatch: 'Slow Money' Investing Gains Followers

A three-day conference on slow money takes place at San Francisco's Fort Mason Center. Entrepreneurs who take their lead from the slow food movement ideal of locally grown gather to meet investors who do not see a contradiction between small scale and big growth. The idea is for individuals to invest small amounts of money directly into local food-related businesses. Woody Tasch, founder of Slow Money, says, "By taking a little money out and putting it to work near where we live, we keep the economic benefits of that investment circulating in the local economy."

PEOPLE'S GROCERY

\$180,000 awarded since 2003, including \$30,000 in 2010 for for planning, capacity-building, and expansion activities to implement the first phase of the West Oakland Food Enterprise Network (WOFEN)

88. [Mother Jones, August 11, 2011](#)

Berkeley and Oakland Come to the Table

Nikki Henderson and Alice Waters come to the sustainable food movement from different perspectives. Waters is white, was born into the middle class, and runs an “iconic white-tablecloth restaurant in well-heeled Berkeley”. Henderson is black, grew up with seven foster brothers, and “runs an iconic anti-poverty nonprofit in low-income West Oakland”. Organized by Waters, Henderson is co-teaching a course with Berkeley journalism professor Michael Pollan, author of *The Omnivore's Dilemma*, called Edible Education on the sustainable food movement. Henderson says, “Something else that happened at Slow Food Nation is that Van Jones and Alice Waters were on stage together for a panel. And at that point I was working for Van as his aide, and I was the one who kind of prepped him for that panel. And so something else that I saw there was Oakland and Berkeley coming together. And right after I left Green for All, I went to work for Slow Food USA to try to figure out what the real story was, and fell head over heels in love with the concept of slow food, and didn't find it at all conflicting with the food justice movement's principles. It was just that race and class and power and privilege were not dissected enough to allow these two communities to come together healthfully. And so one of the things about this course is that it's an exploration over 14 weeks of those class and race and power dynamics.” [Tom Phipott interviews Nikki Henderson, executive director of People's Grocery and Alice Waters, president and founder of Chez Panisse Foundation.]

ROOTS OF CHANGE FUND (ROC FUND)

\$1,600,000 since 2002, including a five-year grant of \$1,000,000 awarded in 2007 to strengthen the institutional and political base for, and commence the implementation of, a campaign to transition California food and farming systems to sustainability by the year 2030

89. [Youtube.com, June 17, 2011](#)

Food Movement Rising

[Embedded video] focuses on the growing movement for sustainable food and farming systems in America

90. [San Francisco Chronicle, October 26, 2011](#)

California shut out of shocking new farm scheme

According to the writer, the farm bill, which sets food and farm policy for the next five years, is being developed by legislators behind closed doors for the first time. It's a process that Kari Hamerschlag, a senior analyst for the Environmental Working Group, calls “a profoundly undemocratic process”. According to the writer, California, despite being the nation's largest farm state, has been locked out for decades from the commodity subsidy system because it grows mainly fruits, nuts and vegetables, and is “sure to get short-changed by this process”. California food, health, and environmental groups such as Roots of Change, Prevention Institute, among others, send a letter, with more than 16,000 signatures by Californians, urging California's Congressional delegation, Gov. Jerry Brown as well as state farm and health officials to lobby for changes that would protect current conservation programs, and the incorporation of fresh fruits and vegetables into federal food programs.

91. [Roots of Change news, November 17, 2011](#)

Time to Occupy California's Food System

Greg Ostroff writes, “After a long Wall Street career that included time as a global research director at a major investment bank, even I was shocked to see our nation's financial system come to the brink of collapse in late 2008. As the dust began to settle I was compelled to look where similar danger might exist and was startled to find parallels in the development of our nation's food system to some of the root causes of the financial crisis, namely (1) a laissez faire regulatory environment that allowed extreme industry concentration and the significant growth of an ultimately “toxic” product, (2) over-reliance on faulty math and models instead of street-smart common sense, and (3) the prevalence of “just in time” business thinking, which led to the elimination of fail-safe measures inappropriately branded as system redundancies.” Ostroff says that the rapid growth of the Occupy Wall Street movement is “evidence

we've reached a tipping point among ordinary citizens dissatisfied with their lack of representation in the political process and the top down solutions, debated and created by 'experts' and imposed from afar. It gives me hope that we're beginning to see a much bigger conversation take place on how the financial system can best serve "the people" it was meant to serve. And the same must be said about our food system." Because of this, Ostroff has joined the Stewardship Council of the ROC Fund, "a model-busting NGO/philanthropic intermediary working on public policy and programs that support the creation of a network of diverse stakeholders united by the vision of healthy, affordable, safe, just and ecologically responsible food and agriculture. The ultimate goal is a new mainstream food system for California by 2030." Ostroff continues, "In the last five years, Roots of Change has started a conversation among groups of farmers, labor, conservationists, food security activists, entrepreneurs, distributors, retailers, foundations, government officials, consumers and others about the type of food system that will best serve their needs and those of their communities at large. It's time to take our conversations to another level. It is my hope to see the 99% gathering together to demand replacement of the current vertically imposed, industrially oriented national model. A strong, horizontally structured, regionally based food system, guided and regulated by broadly representative food policy councils can occupy California's food system!" [Greg Ostroff is a Columbia Foundation advisor and a member of the ROC Fund Stewardship Council.]

SAN FRANCISCO PLANNING AND URBAN RESEARCH ASSOCIATION (SPUR)

\$128,000 awarded since 1977, including \$35,000 in 2011 to launch a new *Food Systems and Urban Agriculture Program* to develop municipal policy that reshapes the role cities play in managing and strengthening their urban food systems and regional foodsheds by providing research, education, and advocacy that builds broad-based support for specific policy changes at the city and regional level

92. [Los Angeles Times, July 31, 2011](#)

Across the Bay Area, urban farming is in season

In 2009, former Mayor Gavin Newsom issued an urban-farming directive requiring, among other things, that city departments convert unused lots, median strips and rooftops into gardens. San Francisco leaders then revised zoning laws to allow the cultivation and sale of produce in all neighborhoods. Berkeley and Oakland are following suit. The three cities are the first in California to develop modern urban-farming regulations. Eli Zigas [director of SPUR's Food Systems and Urban Agriculture Program] says that the urban-farming movement is driven by people's desire for a connection to their food source and for more affordable organic food. Zigas says the movement "is forcing cities to think about how to bring back activities that we pushed out of cities a long time ago." [The ROC Fund conceived of and convened the San Francisco Urban-Rural Roundtable, a group of 40 urban and rural leaders charged with forming a market-development and food-access plan for the city and its rural neighbors, and to further develop the concept of regional foodsheds. Hosted by the ROC Fund, the process included a series of workgroups, which included participation from city staff and mayor, resulting in a series of recommendations upon which Newsom based his directive.]

SUSTAINABLE AGRICULTURE EDUCATION (SAGE)

\$120,000 awarded since 2002, including a two-year \$100,000 grant in 2006 to support the development of *Urban Edge Agricultural Parks*

93. [San Francisco Chronicle, November 13, 2011](#)

Bay Area's foodshed stretches from backyard to farmland

SAGE co-sponsors an event with Bay Nature magazine, and the Bay Area Open Space Council, called Urban Gardens to Open Range, to discuss how the local foodshed works. According to the writer, the term "foodshed" was coined in 1929 in Walter Hedden's book "How Great Cities Are Fed" to refer to "the physical area defined by a structure of food supply – where it's produced, how it's transported, where it's consumed". SAGE created the Sunol Water Temple AgPark on land leased from the San Francisco Public

Utilities Commission. Currently, there are four farming operations, include Mien farmers from Laos and Fred Hempel, who raises heirloom tomatoes, peppers and squashes, in the park. Sibella Krause, president and director of SAGE, says, "The AgPark is one way to help beginning farmers who have limited resources to acquire land. Visitors can see a living agricultural tradition. It won't be a farming museum where people dress up in period costumes."

UNION OF CONCERNED SCIENTISTS

94. [Reuters, September 20, 2011](#)

Super Weeds Pose Growing Threat to U.S. Crops

In August 2011, representatives from the U.S. EPA, USDA, and the Weed Science Society of America tour the Midwest crop belt to see the impact of rising weed resistance. According to the writer, an estimated 11 million acres are infested with super weeds, some of which grow several inches in a day and defy even multiple dousings of the world's top-selling herbicide, Roundup, whose active ingredient is glyphosate. Monsanto, the world's biggest seed company, is the developer of Roundup and "Roundup Ready" crops, which are genetically modified to tolerate treatment with Roundup. Monsanto's crops have developed glyphosate resistance. Monsanto officials say they are asking farmers to use different types of herbicides to fight weeds, but insist that Roundup remains effective for the majority of U.S. farmers, despite mounting evidence to the contrary. Some scientists believe glyphosate is harming the plants it is supposed to protect by tying up nutrients in the soil the plants need to grow and survive. A study released in August by the U.S. Geological Survey Office (USGS), a part of the U.S. Department of the Interior, provides evidence that glyphosate is also polluting the air and waterways. The chemical was found in waterways through Mississippi and Iowa, according to the report. The USGS says that more than 88,000 tons of glyphosate was used in 2007, up from 11,000 tons in 1992. Margaret Mellon, director of the food and environment program at the Union of Concerned Scientists, says, "We are at a disturbing juncture. The use of toxic chemicals in agriculture is skyrocketing. This is not the path to sustainability." EPA is now reviewing the safety and efficacy of glyphosate.

UNIVERSITY OF CALIFORNIA DAVIS AGRICULTURAL SUSTAINABILITY INSTITUTE (ASI)

A two-year \$100,000 grant awarded in 2008 to create a major in sustainable agriculture that integrates learning across broad disciplines to give students the knowledge, skills, and expertise to enhance their career opportunities and become leaders in sustainable agriculture and food systems

95. [UC Davis news, August 23, 2011](#)

UC Davis launches agricultural sustainability degree

UC Davis launches an undergraduate major focused on agricultural sustainability in fall 2011. The BS degree in Sustainable Agriculture and Food Systems "uniquely integrates several subjects to provide students with a thorough understanding of the many issues facing modern farming and food systems, including production, processing, distribution, consumption and waste management".

UNIVERSITY OF CALIFORNIA SANTA CRUZ AGROECOLOGY PROJECT

\$250,000 awarded in 1982 to establish the *Center for Agroecology and Sustainable Food Systems (CASFS)*

96. [Grist.org, October 18, 2011](#)

Fumigation nation: Battling pesticide use in California

Three groups – Californians for Pesticide Reform (CPR), Pesticide Action Network (PANNA), and Pesticide Watch – convene a group of local politicians to demonstrate the dangers of pesticide use as well as viable alternatives to their use in California. Two toxic fumigants in particular are at the center of the discussion. California has phased out methyl bromide due to its ozone-depleting qualities, with the state now instead using methyl iodide, a known-carcinogen that has been opposed by two dozen California

legislators and 54 scientists including five Nobel laureates. The group tours two successful organic farms, including Swanton Berry Farm, the first organic strawberry farm in the nation. Swanton Berry Farm relies more on labor than conventional farms, and uses organic pesticides and crop rotation with broccoli and cauliflower every few years to keep the soil resistant to some pests. Jim Cochran, the founder and president of Swanton Berry Farm [and a founding member of the Stewardship Council of the ROC Fund, a Columbia Foundation grantee], says, “Agriculture in California is much like Detroit in the 1970s. People said, we want smaller, more fuel-efficient cars and they said, ‘We know what we’re doing, just quiet down and buy your Ford.’ And we know what happened there. Agriculture has a choice: to go nimbly into the future (more like they do in Silicon Valley, where they adapt to consumer demand) or to dig its heels in and say, ‘we know what we’re doing, we’ll just grow the stuff and you eat it.’” For the past five years, UCSC’s Center for Agroecology and Sustainable Food Systems has been working with a team of farmers and scientists on an alternative to fumigants.

UNIVERSITY OF CALIFORNIA SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION PROGRAM (UC SAREP)

A three-year \$120,000 grant awarded in 2003 for the *Sustainable Agriculture Research and Education Program*

97. [California Farmer, November 3, 2011](#)

SAREP Launches Farmworker Study

UC SAREP launches a project to address farmworkers’ living and working conditions in California. The researchers aim to find out how UC can best help with research, education and outreach through one-on-one interviews with members of local organizations that serve farmworkers. Tom Tomich, director of SAREP [and director of the Agricultural Sustainability Institute at UC Davis, a Columbia Foundation grantee], says, “A sustainable food system is healthy and safe for everyone, including all those who work the land. As SAREP continues to support sustainable agriculture research, we look forward to identifying research opportunities that will improve farmworker conditions.” According to a report by the California Institute for Rural Studies [a Columbia Foundation grantee], nearly 70% of California farmworkers have no health insurance despite farm work being one of the most hazardous occupations in the state.

XERCES SOCIETY

\$210,000 awarded since 2007, including \$30,000 in 2011 for *Restoring Biodiversity in California’s Agricultural Landscapes* to protect, restore, and enhance pollinator habitat across California

98. [Associated Press, October 21, 2011](#)

Farmers add plants to attract, nourish bees

Dozens of farmers in California and other states are planting flowers and shrubs that are attractive to bees, so that the farmers can lower pollination costs and restore a bee population devastated in the past few years. The Xerces Society has organized this effort with the goal of attracting and sustaining native bees and strengthening the dwindling honeybee populations. Mace Vaughan, Xerces’s pollinator program director, says, “For bees to thrive, they need a diverse diet, so we’re trying to bring more pollen diversity to farms, more plants to be part of the bees’ buffet. This isn’t a panacea to pollination woes. This is part of the solution overall.” Mas Masumoto, a peach farmer [and Columbia Foundation program advisor], is a participant. He says, “A real farm is not just a factory in the field, but a way to work with nature. The more nature plays a role, the more opportunities will arise to make things better.”

99. [The Portland Tribune, November 7, 2011](#)

Conservation groups forge strategy for protecting bees, butterflies

Xerces Society facilitates a meeting of conservationists to develop a regional strategy for the protection of bees and other pollinators. Eric Mader, assistant pollinator conservation program director at the Xerces

Society, says, “We hope to identify knowledge gaps and better understand the most significant conservation concerns facing pollinators, and to explore opportunities for collaboration on conservation initiatives and public education.”

100. [San Francisco Chronicle, November 22, 2011](#)

Monarch butterflies return in surprising numbers

Adrienne Dupont, who leads monarch butterfly tours every year in a San Leandro grove, says that she’s seen more monarchs than ever before so early in the season. Scott Black, the executive director of the Xerces Society, says that from 1997 to 2010, the Western monarch butterfly population dropped by 90%. However, this year in California, Black says, “We are getting reports of higher monarch numbers from almost everyone.”

Other

NEW ECONOMICS INSTITUTE (NEI)

\$35,000 awarded in 2010 for the New Economics Institute (NEI), a joint project of the E. F. Schumacher Society (which has transitioned to become the NEI) and the New Economic Foundation (nef) of London to bring critical but isolated strands of knowledge together to integrate sustainability principles into the economics mainstream in the U.S., and to promote the transition from our current economic system to one that is sustainable, just and responsible to community and ecologies of place.

101. [The Nation, June 13, 2011](#)

The New-Economy Movement

According to Gar Alperovitz, a new economy in which the entire economic system is restructured is critical if social and environmental goals are to be met. As the global financial and climate crisis loom, a movement is arising to create a new economy that is not centered on corporate profits. Alperovitz writes that “the movement seeks an economy that is increasingly green and socially responsible, and one that is based on rethinking the nature of ownership and the growth paradigm that guides conventional policies”. The Business Alliance for Local Living Economies (BALLE) [a Columbia Foundation grantee] made up of more than 22,000 small businesses, is an example of a quickly growing organization that works to strengthen new-economy networks. “BALLE brings together locally owned efforts dedicated to building ecologically sustainable ‘living economies,’ with the ambitious long-term goal of developing a global system of interconnected local communities that function in harmony with their ecosystems.” [The piece written by Gar Alperovitz, a board member of New Economics Institute.]

102. [Vimeo.com, November 5, 2011](#)

Voices of a New Economics: Thirty-First Annual E. F. Schumacher Lectures

The lectures [linked videos below] focus on a movement for a new economics, one that supports people and the planet.

[Juliet Schor E.F. Schumacher Lecture](#)

[Juliet Schor is a Professor of sociology at Boston College.]

[Gar Alperovitz E.F. Schumacher Lecture](#)

[Gar Alperovitz is a board member of New Economics Institute, the Lionel R. Bauman Professor of Political Economy at the University of Maryland, and a Founding Principal of The Democracy Collaborative.]

NEW ECONOMY NETWORK

\$15,000 awarded in 2010 for the New Economy Network, an Internet based organizing platform designed to link and support all those who are working at the intersection of social justice and sustainability.

103. [The Great Transition, September 12, 2011](#)

Beyond Growth: Creating a Unified Progressive Politics

According to Gus Speth, “The U.S. political economy is failing across a broad front – environmental, social, economical, and political. Deep, systemic change is needed to transition to a new economy, one where the acknowledged priority is to sustain human and natural communities. Policies are available to effect this transformation and to temper economic growth and consumerism while simultaneously improving social well-being and quality of life, but a new politics involving a coalescence of progressive communities is needed to realize these policies. All progressive causes now face the same dark reality in a political economy that cares profoundly about profits and growth, and about society and the natural world only to the extent it is required to do so. Thus, citizens must inject values of justice, fairness and sustainability into the system, and government is the primary vehicle for accomplishing this end. With government more and more the pawn of corporations, the best hope for change lies in a fusion of those concerned about environment, social justice, and true democracy into a powerful progressive force.” [The piece is written by Gus Speth, a steward of the New Economy Network and board member of the New Economics Institute.]

October 14, 2011

Spellbinding: Alonzo King LINES Ballet

By Janice Berman



Yujin Kim

Photos by Quinn B. Wharton

Resin, a stunning new ballet, will — no, I can't help it — stick with you for a long time. Created for the Alonzo King LINES Ballet by its eponymous founder and set to an array of recorded Sephardic melodies, *Resin*, a cohesive suite of dance for solos, duos, and ensembles is over 40 minutes long and continuously spellbinding. Never (except, of course, at any Mark Morris show) have I seen dancers (men and women; six of each, all superb and some even more so) deployed so confidently as glorious interpreters and enhancers of rhythm and melody. The musical selections include work by Jordi Savall, Michele Claude, archival synagogue recordings, and a children's song *Alef-bet* (or Alphabet), to name but a few.

King's dancers have a solid grounding in ballet and modern dance, with training ranging from Juilliard and Alvin Ailey to the Kirov to the North Carolina School of the Arts. It falls to Victor Mateos Arellano from the Ullate School in Madrid to launch the proceedings, materializing from beneath a peculiar tubular curtain and captivating the audience with a fabulous propulsive quality that will be reiterated by everyone throughout the ballet. You see a lot of ballet vocabulary, but it's passed through a Kingian filter that seems to elongate the extensions, add spring to the leaps, articulate the frequent moves into a modified passé, the leg often as not appearing in front rather than to the side of the standing leg. The dancers' aplomb is superb. Ricardo Zayas, for instance, seems entirely comfortable launching himself into a 45-degree angle first one way and then, in midair, the other. King's also a facile distorter, almost a trickster, forcing a limp on a dancer, as if to call attention to the tragic aspects of diaspora.



Yujin Kim and Ricardo Zayas

It's almost unfair to single out notable performers, because they all are, but you won't be able to take your eyes off the majestic yet speedy Courtney Henry, ethereal Yujin Kim, and versatile Keelan Whitmore. And then there's the moment when everyone's doing something different, followed in a nanosecond by the moment when they're all doing the same thing, flying across the stage with heart-stopping unity.

The men wear good-looking trunks or long pants and are bare-chested; the ladies, in soft slippers, wear chic short tunics in jewel tones, and later some wear silver costumes that look like they were sprung from the Alhambra Palace.

Sharing the program with King's 1998 *Who Dressed You Like a Foreigner*, *Resin* makes it clear that the dancemaker has grown tremendously, attaining new focus and clarity. The new ballet makes the older piece, for all its compelling moments, look sketchy.

The title *Resin*, apparently long in the conjuring since preview materials didn't mention it at all, refers to a sap from a tree when it is bled for its gum. Frankincense and myrrh are two such resins, according to King, and the word *myrrh* derives from the Aramaic *murr*, which means bitter. When the resins harden, they're called tears.

So there are bitter tears shed here. Midway through and in the final minutes, a material that looks like sand pours down from the flies, the tiny granules bouncing on the stage in yellow light. The dancers move into and out of this downpour, and at one moment, alluding to the use of hardened resin as rosin, as much for dancers' shoes as for violins' bows, a man rubs it onto the sole of his partner's ballet slipper. Axel Morgenthaler did the lighting design and Robert Rosenwasser the production and costume design. It should be noted that while the sand effect made the dancers look golden and radiant, that enhancement is not without an accompanying sense of disorientation and discomfort, all a part of the sorrow of any diaspora, anywhere.

Janice Berman was an editor and senior writer at *New York Newsday*. She is a former editor in chief of *Dance Magazine*.

Lines Ballet review: 'Resin' turns out a jewel

Allan Ulrich, Chronicle Dance Correspondent

Tuesday, October 18, 2011



Yujin Kim and Ricardo Zayas perform in Alonzo King Lines Ballet's "Resin," King's new piece danced to Sephardic music.

Photo: Quinn B. Wharton

Alonzo King adds one more jewel to his collection of multicultural movement explorations in "Resin," Lines Ballet's latest offering, which launched the company's fall season Friday evening at Yerba Buena Center for the Arts' Novellus Theater. Perhaps this one glows like a garnet, rather than glittering like a diamond.

But still. The ear is tantalized by the anthology music score, carefully chosen from the Sephardic heritage and from the Diaspora that followed after the expulsion of the Jews from Spain in 1492. The dancing by the 14-member troupe (including several recent recruits) summons superlatives with the sublime ease that is Lines' trademark. The physical production (Robert Rosenwasser's decor and costumes, Axel Morgenthaler's lighting) falls easily on the eye. We are in knowing hands.

So why does the 14-section, 50-minute "Resin" seem so much more decorative and less urgent than the revival of King's remarkable "Who Dressed You Like a Foreigner?," which follows intermission? This 1998 piece, set to a score by the great Indian musician Zakir Hussain, seems to define King's style of contemporary classicism. The dancers interact with Hussain's music and verbal outbursts in a way that seems genuinely organic. Mostly, King has encouraged an emotional vulnerability (especially in the epic concluding duet for Meredith Webster and David Harvey) he has resisted in the latest opus.

In addition, "Resin" relies on recorded music, which lowers the tension. Again, King finds solutions in solo and small group episodes, and there is much to cheer. Victor Mateos Arellano breathes fire in the balance testing prelude, and in a silent duet with the exemplary Ricardo Zayas, Arellano's gaunt muscularity suggests an almost heroic level of accomplishment.

Later, rivulets of golden sand fall from the flies, bathing Zayas and Caroline Rocher in its gritty warmth, and it continues to pour from the heavens as the curtain falls, suggesting a kind of earthy immortality. Newcomers Yujin Kim, Kara Wilkes and Zachary Tang bring a level of flexible technique and native intelligence that should serve Lines well in the years to come.

Yet the music, a mix of vocal and instrumental decisions, sometimes seems at odds with King's rhythmic impetus, with the sound more a solution to a movement issue, rather than an inspiration. This choreographer is still, after all these three decades, stymied by (or perhaps, uninterested in) large group dynamics, and the rather silly swaying arms in unison here don't induce the longtime Lines observer to revise his opinion. "Resin," for all its eye-popping moments and sensual grounding, can't help but seem like a dance fabricated by canny professionals to meet a deadline.

If I return to the more austere "Who Dressed You," it's because the work remains a striking distillation of a choreographer's aesthetic. The empty seats after intermission indicated that the swanky opening-night audience was in search of something else.

stanford arts review

Humoring Gravity: LINES is Sublime

by STAV ZIV, November 3, 2011

Review of Alonzo King's LINES Ballet in its Fall Season



LINES dancer Yujin Kim in the world premiere *Resin*; photo by Quinn B. Wharton, courtesy Alonzo King's LINES Ballet

In the world of a LINES dancer, the floor is a kind and forgiving surface, from which one departs without noticeable effort, lusciously unfurling a set of limbs composed of delicately sculpted and intricately connected muscles—limbs that extend infinitely before humoring gravity and arriving back at the floor, softly, silently, sublimely.

“For them, the body is a limitation because they want to fly, they want 20 arms and 20 legs,” said Alonzo King of his artists, who nevertheless soar further beyond minutiae like limitations of the human body than most other dancers I’ve seen. This month found Alonzo King’s LINES Ballet at its best, at contemporary ballet’s best, in its home season at Yerba Buena Center for the Arts.

Resin, a world premiere by Alonzo King, draws from the rich traditions of Sephardic and Jewish culture to weave a tapestry of movement and sounds as full-bodied as its source material. Keeping narrative and explicit ties to Sephardic tradition at bay, King stirs emotion through his dancers’ rare physicality.

King, interested in “singing that is not obsessed with skill but proceeds from the heart,” uses vocal and instrumental music, prayer, and recorded lessons in the Hebrew alphabet punctuated with human breath and the distant rustle of pages turning. In their undoctored state, the sounds beckon into a complex world emanating from the stage, consuming and exhilarating.

Torsos, now concave and now convex, articulate with the precision of hands and feet in elegant undulations as Middle Eastern drums fill the space with deep echoes. Dancers enter and exit to create a spontaneous progression and constantly changing composition. Four men jump and turn with speed and strength, giving way to a couple, then to a single female dancer.

Swift movement is punctuated with breathtaking balances, a leg like a spear accentuated with a supple spine embracing the air—the one long in its straightness, the other in its roundness. At one moment, the entire cast has the stage, each dancer performing the same phrase of movement facing their own direction, intersecting lines of momentum multiplying in a frenzy of energy. Linear movement becomes circular, the company congregating and moving about one dancer.

A black backdrop rises and falls to intermittently reveal shades of warm gold and bronze illuminated on a screen behind it. As black descends over the back wall, two streams of rain open in the shape of spotlights, mimicking the cylinders of fabric that made brief appearances earlier in the piece. What looks and sounds like rice pours continuously over a man in each as he moves deliberately within the torrent, contemplating the barrage showering over his skin.

After the rain, the silence is abrupt and deafening. The black backdrop lifts and the light brightens and turns teal. Meredith Webster emerges wearing for the first time a neutral colored leotard and pants rather than a dress in shimmering grays and silver or sheer costume enmeshed with curlicues of fabric in vibrant green as all women wore previously. She remains feminine and soft but possesses a quiet, resolute strength, dancing among four men, with the soles of their feet scratching over remnants of the storm that passed and adding to the layered soundtrack.

The rain returns in a row of narrow streams stretching across the back of the stage and over one lone spot downstage. Dancers weave across the back in slow motion and disappear into the wings as a couple inhabits the front space, etching a final image before the curtain descends.

In King's 1998 *Who Dressed You Like a Foreigner?*, which was set to a percussive score composed and played by Zakir Hussain, bodies onstage match hands on drums in rhythmic interplay. Hussain's sings "ka ta ke ta ka..." as dancers string together a visual counterpart.

Pointe shoes extend the womens' reach beyond imaginable proportions, and men and women grow larger than life: Kara Wilkes and Yujin Kim move together in beautiful synchrony; Keelan Whitmore carves out his path as though dancing through water; Ricardo Zayas slides into a wide second position and pauses, giving the illusion that his fingers could grasp each side of the stage and pull the walls in toward his center. Arms curve and ripple, legs brush, wrap, and spring. Michael Montgomery, in his second season with LINES, has the audience exclaiming and applauding even before the piece has ended.

Who Dressed You Like a Foreigner? ends with a contemplative duet between Meredith Webster and David Harvey. Both barefoot and dressed in simple white, they begin with Harvey sprawled across Webster's lap, kneeling at center stage. Quietly, one moves the other as though their muscles have gone limp—in stark contrast to the ensemble—and they end in a seated embrace back where they began.

As the curtain falls, the audience rises. In the world of a LINES dancer, one can assert both expansiveness and precision, reconcile gravity and flight, and embrace an audience brought to its feet.

September 29, 2011

An Ailing Asian Art Museum Adopts a New Attitude



Asian Art Museum

“Maharaja Procession,” by Sanjay Patel, inspired by artwork in the exhibition opening Oct. 21 at the Asian Art Museum.

By KEVIN BERGER

“It’s kind of weird to be here,” said Sanjay Patel, a Pixar animator, standing on a stage Tuesday inside the Asian Art Museum. “Normally you would see Buzz or Woody or Mr. Incredible or Sulley or Carl from ‘Up.’ ”

Indeed, it was not apparent why the excitable Mr. Patel was reciting the names of his employer’s famous movie characters at a news conference held by the [Asian Art Museum](#) to promote its new artistic mission.

But nonconformity was just the impression the museum hoped to convey.

After 45 years of presenting mostly ancient art in understated settings, the museum, which teetered on the brink of bankruptcy less than a year ago, is now determined to “stand out by being bold,” said Jay Xu, 48, who became director three years ago and is the creative force behind the new direction.

The museum now welcomes contemporary art into its galleries, said Mr. Xu (pronounced shu) — and not merely modern interpretations of classic ceramics, like those currently on display in its “Poetry in Clay” exhibition.

To hype its exhibition “Maharaja,” which opens Oct. 21 and explores the realm of India’s legendary kings, the museum hired Mr. Patel to cover the museum’s exterior with his effervescent Pop Art, transforming the stodgy gray neo-Classical-style building into a bright tableau of color and Hindu whimsy.

In November, the museum will hand Mr. Patel the keys to an interior gallery, where it will present his Disneyesque illustrations, a magical kingdom of mythic Indian characters, in a show called “Deities, Demons and Dudes With ’Staches.”

“It’s about time,” said Marjorie Schwarzer, alluding to the museum’s new embrace of pop culture. Ms. Schwarzer, from Oakland and the author of “Riches, Rivals and Radicals: 100 Years of Museums in America,” praised the Asian Art Museum for its “exquisite collection” but lamented its “scholar-curator model.”

That it is now taking chances with contemporary art is “great news” for the museum, both artistically and financially, she said.

At the news conference, Mr. Xu and his young staff of curators, along with Mayor Ed Lee of San Francisco, unveiled the museum’s new logo, an inverted A, modeled on the mathematic symbol “for all.” It represents “Asian art for all,” Mr. Xu said.

Nick O’Flaherty, strategy director for Wolff Olins, the brand consulting firm that created the logo, said the museum, with its new modern brand, was “throwing out lifelines to visitors.”

The museum needs a lifeline. Its attendance of 187,000 for fiscal 2010-11 was no match for the San Francisco Museum of Modern Art or the de Young Museum, whose blockbuster exhibitions helped them draw, respectively, 636,000 and 1.8 million visitors in 2010-11.

The Asian Art Museum faced bankruptcy in 2010 largely because of its financial arrangement with the city. Like the de Young Museum and the Legion of Honor, the museum operates through a public-private financial arrangement. On the public side, the city owns the Asian Art Museum building and art collection and contributes, via a hotel-tax fund, about one-third of its operating budget, which has fluctuated between \$17 million and \$18 million in the past few years.

The private part, the Asian Art Museum Foundation, is responsible for the rest of the operating budget. Last year the foundation had a \$120 million bond debt. It had obtained the bond to help convert the Beaux-Arts building, formerly the San Francisco Main Library, into a world-class museum.

The Asian Art Museum was sideswiped by the economic meltdown of 2008. The credit rating of its bond insurer, MBIA, nose-dived. It was forced to put up \$20 million in collateral and obtain a letter of credit from JPMorgan Chase that, in 2010, Chase was not willing to renew. Also, the museum’s operating budget has decreased over the past decade as a larger percentage of the hotel-tax fund was given to city departments rather than arts organizations, according to a 2006 task force that reported to the San Francisco Board of Supervisors.

In late 2010, as the Asian Art Museum faced a huge repayment on its bond, San Francisco worked out a deal with MBIA and Chase, allowing the museum to regain “sound financial footing,” Mr. Xu said.

Sitting in his office, Mr. Xu said the timing was right to introduce the new \$400,000 branding campaign. “The purpose of rebranding is to engage a broader audience,” Mr. Xu said. “So of course that helps the financial side.”

In 2012, the museum will mount its most ambitious contemporary show, “Phantoms of Asia: Contemporary Awakens the Past,” featuring more than 30 living Pan-Asian artists exploring themes of spirituality.

The museum’s leap into the Facebook age has jolted some of its longtime supporters, said Tony Sun, chairman of the Asian Art Commission, whose 27 members manage the museum’s public affairs. Mr. Sun, who called himself “old school,” admitted he was among those whose initial reaction to the inverted-A logo was “What is that?”

“But whether you like it or not, you won’t forget it,” he said.

And that was the whole point, Mr. Xu said. “We want to offer new perspectives and open up more conversations. We want to be daring.”



Asian Art Museum
"Maharaja With Falcon," by Mr. Patel. His Pop Art images are on the museum exterior.

Epic storytelling abounds at SF World Music Festival

By: Jason Victor Serinus | 10/20/11

Special to The Examiner



Women's view: Chinese Nanguan singer Wang Xin Xin is appearing in the San Francisco World Music Festival program "Heroines." (Courtesy photo)

Three years in the making, the astoundingly rich 12th annual San Francisco World Music Festival launches on Oct. 28. Titled "The Epic Project: Madmen, Heroines & Bards from Around the World," the three-evening festival receives its inspiration from a journey festival founder and artistic director Michael Santoro took to Kyrgyzstan several years back.

"One of the people I met was a musician called Manas, who sings the epic of Manas, Kyrgyzstan's national hero," he explained via Skype. "Surpassing the length of Greek epics by multiples, this epic is recited in intense trance, sometimes for over a week, by Manasgees who go without food. I was in a small room with this musician when he just started singing. It was one of the most intense things I've ever experienced, like nothing else I'd seen before."

Santoro began to wonder how many other cultures engage in epic storytelling, using music as the main vehicle for channeling ancestors who convey ancient stories to modern listeners.

Realizing that he could get a unique sense of a culture's humanity from these oral histories, which are all too rapidly dying out, he began to uncover such wonders as an elderly woman in Taiwan, the last keeper of a tradition of Chinese oral history, whose artistry will be heard in the U.S. for the first time at the Oct. 29 event, "Heroines."

“That concert tells history through women’s eyes,” says Santoro. “If we had seen history through women’s eyes all along — if they had been free to sing their stories — our collective history would have been very different.”

On Oct. 28, “Madmen & Epic Heroes” includes a celebration of North Indian tabla master Pandit Swapan Chaudhuri’s 30 years in America with the Ali Akbar College of Music in Marin.

Chaudhuri, who frequently tours around the world, is especially proud of his students in the festival’s International Youth Orchestra, who will perform tabla, taiko drums and hand drumming to music he wrote for them.

By festival’s end, guests also will have been treated to five master musicians from Kyrgyzstan, several masters from China, two master singers from Azerbaijan and a host of international master musicians who scrape together livings in America while nurturing their craft.

Santoro spent an entire year arranging the logistics, transcribing different musical notations and figuring out ways for these great artists to perform together.

While all concerts will be streamed live at doordog.org, nothing can top seeing these musicians in the flesh. Given that the venue only seats 500, and that all concerts sold out last year, you’d be wise to buy your tickets now.

San Francisco World Music Festival: peace rhythms

Andrew Gilbert, Special to The Chronicle
Thursday, October 27, 2011



Azeri master Imamyar Hasanov, who plays the kamancheh, is among the artists making their U.S. debut at the S.F. World Music Festival.

Photo: The Hasanov Ensemble

Many musicians dream of changing the world with their music, but few actually get to conduct an ongoing experiment that puts utopian theory into practice.

Then there's Michael Santoro.

As the founder and artistic director of the S.F. World Music Festival, he's in the midst of a project that bears sumptuous sonic fruit every year by bringing together a far-flung array of ensembles, players and composers from disparate cultures to learn each other's traditions.

"We are trying to figure out what is at the core of all of this conflict within our species," Santoro says. "How do you come up for new models for conflict resolution? How can you make yourself a student again, humble yourself and allow yourself to be changed to incorporate other realities so you're better equipped to be a peaceful animal?"

The festival presents a series of newly composed works by a global array of artists typified by Friday's program "Madmen & Epic Heroes." Bringing together artists from abroad, such as the U.S. debut of the Zainidin Imanaliev Kyrgyz Folk Ensemble and Azeri masters Imamyar Hasanov and Rufat Hasanov (on kamancheh and tar, respectively), with local luminaries like percussionist and festival music director Jim Santi Owen, South Indian Carnatic violinist Anuradha Sridhar and North Indian tabla virtuoso Pandit Swapan Chaudhuri, the concert explores mythic narratives and characters from epic tales. Saturday's concert "Heroines" and Sunday's "Bards" showcase similarly expansive musical collaborations.

In one piece, girls from Sridhar's Trinity Center for Music sing a song written in a Taiwanese dialect, interpreting the ornamentation written out in Western notation. As the piece evolves, the girls improvise in their own Carnatic style.

"Historically this has never been done, analyzing the scores and the music, and notating things that have never been notated," Santoro says. "We have to create pedagogy to bridge these cultures. We have international Skype sessions and in-person workshops to figure out the details. The end result is not a dissertation, it's living, breathing new music that didn't exist before."

The festival also employs technology to collapse distance, projecting video collected during Santoro's trips in the field to meet with musicians. The three-part Epic Project kicked off last year with commissions focusing on sacred rituals, and culminates in 2012 with the Opera Project, a trans-Pacific collaboration slated to unfold simultaneously in Beijing, Taipei and San Francisco.

"We started with shamanism, the concept of music in its rawest form, channeling the divide between carnate reality and the heavens," Santoro says. "Now we get into how we use music to tell our history, to pass on our moral lessons. How do we tell the next generation where they came from and what they need to survive?"

From Kyrgyzstan to S.F. World Music Festival

EXPLORING EPICS IN S.F.

Tamara Straus

Thursday, October 27, 2011

A couple of years ago, **Michael Santoro**, artistic director of the **San Francisco World Music Festival**, found himself in a small room in Bishkek, Kyrgyzstan, with a *manaschi* - a shamanic bard chosen by the Kyrgyz to tell his people's epic history. The "**Manas**" is among the longest and oldest epic poetry in the world (30 times the length of **Homer's "Iliad"**) and the *manaschi*, one **Talantaaly Bakchiev**, recited it in a trance over a period of several days. "It changed my life," says Santoro.

Now Santoro has brought Bakchiev to San Francisco for the 12th year of his festival, a three-day event starting Friday at the city's Jewish Community Center that will explore the symbols, metaphors and traditional ideals from many of the world's oldest epics - from Africa, America, Azerbaijan, China, India, Kyrgyzstan, Spain, Taiwan and Tibet. "**The Epic Project: Madmen | Heroines | Bards**" will feature about a dozen foreign artists, including Chinese *nanguan* virtuoso **Wang Xin Xin** and Kyrgyz bard master **Zainidin Imanaliev**, as well as U.S. artists like Juno Award-winning American banjoist **Jayme Stone**.

The festival also will present new commissioned compositions and collaborations by five international music composers: **Swapan Chaudhuri** (North Indian), **Imamyar Hasanov** (Azeri), **Liu Weishan** (Chinese), **Anuradha Sridhar** (South Indian), and **Wang Xin Xin** (Taiwanese). The idea is to show the idiosyncrasies and commonalities of epic tales and in doing so underscore the more positive and humanistic aspects of globalization.

"We have access through media, technology and travel to so much in the world," says Santoro. "But do we know what to do with it? My hope is that people will walk away from this show and not only feel they have heard the highest-quality music, but they will have a sense of who they are relative to this world."

The Epic Project is part of an ambitious trilogy grounded in Santoro's and his colleagues' belief that music is a catalyst for social change and a means to connect ancient belief systems to what he calls "the chaos of our world." Last year's festival, the first part of the trilogy, was called the Ritual Project and presented artists who use music to channel religious and spiritual realms. Next year the trilogy ends with the Opera Project, bringing together traditional operas from around the world.

Friday's lineup will be devoted to the "madmen and epic heroes," including the **Zainidin Imanaliev Kyrgyz Folk Ensemble** making it U.S. debut; Saturday is devoted to "heroines," such as **Mandjou Kone** from West Africa; and the festival will conclude Sunday with "bards," honoring South Indian carnatic music master Sridhar and Chinese *guzheng* master Liu. For tickets and a full schedule: doordog.org/festival.



Master Wang Xin Xin will perform at the San Francisco World Music Festival, which begins Friday.

Photo: Xin Xin Nanguan Ensemble

The San Francisco World Music Festival features Madmen, Heroines and Bards.

Johnathon Bakan

October 30, 2011

On October 28, 2011 the 12th [San Francisco World Music Festival](#) commenced with the first of three public concerts.

The festival's commissioned work, "[The Epic Project: Madmen, Heroines & Bards from Around the World](#)" weaves together prominent symbols, metaphors, and traditional ideals from many of the world's oldest epics spanning diverse cultures such as Africa, America, Azerbaijan, China, India, Kyrgyzstan, Spain, Taiwan, and Tibet.

Friday's opening concert titled "Madmen & Epic Heroes" featured the heroes and villains of aural history from the remotest villages around the world. "The Epic Project" opened with the shout of master epic chanter Talantaaly Bakchiev from Kyrgyzstan and featured the U.S. debut of [The Zainidin Imanaliev Kyrgyz Folk Ensemble](#).

When one thinks of Asian music traditions, those of the far and near east most often come to mind but lesser known are the Central Asian musical traditions of the breakaway republics of the former Soviet Union. "The Epic Project" did a fantastic job of showcasing the rich and colorful diversity of Kyrgyzstan and Azerbaijan's musical traditions in Friday's concert.

Much of the Kyrgyz music centers around the Kyrgyzstan fretless lute called "komuz". This instrument was played solo and in ensemble and its sound is vibrant and rhythmic.

Highlights include a trio that featured komuz, ocarinas, and a bowed Kyrgyzstan lute. The sound was regal and expansive the plucked sound of the komuz with bowed lute nicely supporting the softness of the ocarina.

In the solo komuz department Master Musician Zainidin Imanaliev played a vigorous komuz solo to great delight of the audience. The komuz which is smaller and lighter than the western guitar affords the performer a wide variety of playing positions. This asset was used to great effect by Mr. Imanaliev who was a great showman in addition to being a great musician. He played the komuz in all manner of twisted positions and he played with vigor, humor and an infectious style. Even the late rock guitar icon Jimi Hendrix would have something to learn from Zainidin Imanaliev!

The program also featured the music of Azerbaijan with the Hasanov Ensemble: Imamyar Hasanov, kamancha (spike fiddle) and Rufat Hasanov, tar (long necked lute).

Imamyar Hasanov was a regal presence on stage, dressed in a traditional coat embroidered with colorful designs he played the kamancha with supreme confidence and finesse. The sound emanating from the instrument was other worldly living in a space somewhere between a stringed instrument and a wind instrument. He was joined by Rufat Hasanov on the rare Azeri plucked lute called 'tar'. As they played a film with scenes from village life was projected on a big screen in the background.

The evening's first half concluded with the combined Kyrgyz and Azeri ensembles playing a composition called "Spoiled Girl". It was inspiring to see all the musicians from these diverse countries all playing together harmoniously.

The evening concluded with music of India. Most notably [Pandit Swapan Chaudhuri](#) who has been teaching and performing tabla in the Bay Area for 30 years at the [Ali Akbar College of Music](#) (AACM) in San Rafael, CA. Pandit Swapan Chaudhuri was featured in a world premiere commissioned composition which he composed for an array of musicians including AACM's Youth Tabla ensemble and musicians from Kyrgyzstan, Azerbaijan, and South India. The centerpiece of this composition was a tabla solo by Pandit Swapan Chaudhuri with accompaniment by his son, Nilan Chaudhuri.

The San Francisco World Music Festival is a great accomplishment and one of the best festivals in the area. It is held at the Jewish Community Center near California and Divisadero streets which has an excellent auditorium. The stage design was pure elegance and all the performers could be heard clearly.

Sunday October 30, 2011 will be a culminating evening of epic proportions, honoring the lifetime achievement and teachings of South Indian Carnatic Music Master Anu Sridhar and Chinese Guzheng Master Liu Wei Shan, "The Epic Project" will culminate in a full multi-generational Festival Orchestra integrating Traditional Masters and Youth Virtuosi from the Bay Area and around the world. This evening will also feature members of the Festival's Youth Orchestra, other master musicians from around the world, and one fully integrated world premiere composition with all the Bards of "The Epic Project" together on stage (a total of fifty performers!)



SFWMF 2011 Festival Youth Orchestra *Credit: Door Dog Music Productions*

Richmond's East Bay Center for Performing Arts reopens after \$16 million renovation

By Tony Hicks

09/28/2011

Lloyd Gregory walked into the rehearsal room just as his 17-year-old guitar student Rashida McGee was talking about wanting to play her original songs in public.

"Oh yeah, she performs," he says. "She's a legend around here."

That may be true. Rashida has been a student at Richmond's East Bay Center for the Performing Arts since she was 3 years old. "Seriously," she says with a bright smile. "It's a second home. When I'm not home, I'm here."

Rashida's second home, aka the Winters Building in downtown Richmond, just got a two-year, nearly \$16-million face lift. The facility, once a 1920s dance hall and a World War II bomb shelter that became an arts center in 1968, retained its ornate exterior while enduring what artistic director Jordan Simmons calls "a complete gutting" of the interior.

"The roof was leaking onto the students; the basement flooded, the (air-conditioning) didn't work, and the restrooms were undignified" says Simmons, standing in the middle of one of the center's new theaters. "It became apparent the building wasn't safe."

So fueled by private donations and government grants and redevelopment money, construction started, while the center moved temporarily to a smaller building loaned by Richmond's redevelopment agency. Now, while the smell of construction is still present, the halls are full of music once again. The building, which began hosting summer classes in July, officially reopens with a launch party at 6 p.m. Oct. 6. It includes 17,000 square feet of renovated instructional space and two new 200-seat theaters, to be used for a variety of public performances, ranging from jazz and classical performances to theater to West African drumming. Performers range from students and faculty to East Bay artists and Center for the Arts alumni.

"It's pretty phenomenal what's happened here," says Ruthie Dineen, the deputy director of programs who has worked at the Center for the Arts for two years. "Just look down the street. A lot has changed in Richmond. It's a great symbol for what's to come. It's become a hub for the community."

The center teaches about 2,000 young musicians, dancers and actors every year. Programs range from one-on-one musical instruction to full four-year Young Artist's Diploma programs for students 13-to-18. Though students have to apply and go through an interview process, most of them are on scholarship. "Our primary push is in this neighborhood and this community," Dineen says. "No student is turned away for need."

"It's like a second family to me," says Pinkie Young, a 16-year-old flutist and Richmond resident who attends The College Preparatory School in Oakland. "It's a cliché, I know. I love my friends in school, but this is more like a community."

Not all the students want to be professional entertainers. But they say the lessons they've learned at the center have made them disciplined and ambitious. Deontae Watkins of Richmond, a 15-year-old student at El Cerrito High, wants to be a lawyer. But first, he says, "I want to dance my way through college."

"This place is a way to get away from the outside world," he says, pointing at one of the center's large new windows. "We have all these windows -- this place is a way to look into yourself."

Albany High student Miguel Gomez, 17, wants to go into student nursing. But the drummer-turned-guitarist ("I lived in an apartment") says he'll never abandon what's he's learned at the center.

"(The center) has made me closer to music," he says. "It's become a big part of my life, and I never want to let it go. But I know it's not a sure thing. I've got to be realistic."

Guitar teacher Gregory doesn't sound like he wants to be very "realistic." He just wants to maximize his students' potential for expressing themselves with a guitar.

"Teaching guitar is a survival skill," says the working jazz-blues guitarist, with the blisters on his fingers to prove it. "These are my kids. They're important to me. I can teach 'em chords and scales, but that's not music. I want to teach them how to make a living playing music. I try to give them the tools so that, if I'm not here today, they have the tools to pursue it the way they want to."

Two Boys - review

Coliseum, London



Andrew Clements

Friday 24 June 2011



The world of the internet in *Two Boys* by Nico Muhly at the London Coliseum.
Photograph: Tristram Kenton for the Guardian

Nico Muhly's first opera may have its origins in a true story from Manchester in 2003, but, as presented in Craig Lucas's libretto, *Two Boys* seems far removed from any kind of hard-edged reality.

Commissioned by the Metropolitan Opera in New York, but being trialled by English National Opera, the opera unfolds the whole rather pathetic tale in flashback, through the eyes and ears of Anne Strawson, the whisky-drinking detective investigating the case of Brian, aged 16, accused of stabbing Jake, aged 13. To find the causes of this seemingly inexplicable crime Strawson has to immerse herself in the world of chatrooms and internet role play, and then separate fact from fantasy in the story that Brian tells her.

If all that sounds like a plot from a run-of-the-mill British TV detective series with a female protagonist (Lynda La Plante's *Prime Suspect* perhaps), then that is unfortunately what all too much of the opera seems to be, with the rather leaden text sung rather than spoken, and Muhly's music providing the tasteful backdrop. The first of two acts unfolds as a frieze-like series of short stories, with little overall dramatic shape or focus; in the second, the pace may be a bit more urgent, but very little more convincing: always more documentary rather than drama, and a bland mid-Atlantic compromise at that.

Musically it unfolds far too sedately, with vocal declamation over smoothly contoured orchestral ostinatos, pitched somewhere between recent Philip Glass and the John Adams of *The Death of Klinghoffer*, as the default musical idiom. Just occasionally the music reveals what might have been – in the aleatoric choral writing depicting the cyber-babble of the chatrooms, the multi-layered chorus with which the work ends, or some of the wonderfully voiced orchestral textures, such as the poignant string lines that underpin the aria in which Brian attempts to describe the importance of the internet in his life. But balance between pit and stage is a regular problem, and too many vocal lines get swamped by the orchestral textures.

That's when the Muhly one recognises from his previous orchestral and vocal works snaps into focus; but they are fleeting moments in what is, alas, a plodding and amorphous work. There is two hours of music, but it seems far longer, mostly because none of the characters – not Susan Bickley's overworked Strawson, Nicky Spence's rather two-dimensional Brian, or Jonathan McGovern's Jake, let alone the sketched-in gallery of smaller roles – is given enough the dramatic presence to engage any sympathy.

Rumon Gamba's conducting is as efficiently functional as Bartlett Sher's production, in which video projections (computer graphics, CCTV footage, chatroom exchanges) by 59 Productions provides most of the visual interest. There's nothing really arresting, though, nothing to lift the general sense of disappointment that pervades the whole evening.

Two Boys, English National Opera

By Edward Seckerson

Saturday, 25 June 2011



The most surprising thing about *Two Boys* is the consonance and quiet sensuality of the score. Many words spring to mind: elegiac, mournful, poetic, melismatic - a digital age score without digitalisms, without electronics, actual or simulated, without amplification. And it's clear, so clear - but never clinical - in word and gesture and thought: a preposterous tale of intrigue and attempted murder (or is it?) born of false identities and fiction masquerading as fact. Opera was ever thus. But it's just gone viral.

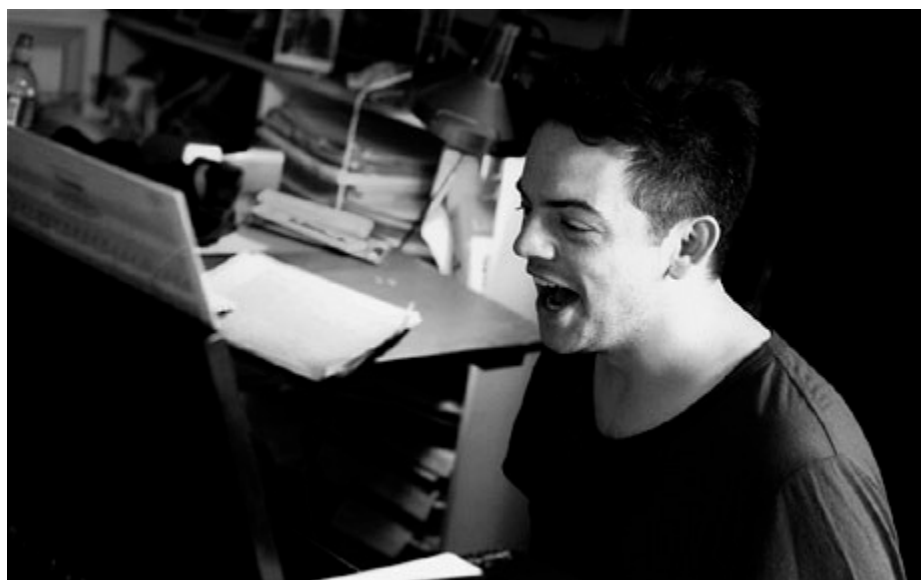
Interestingly enough - and maybe this accounts for its very particular quality - its composer, Nico Muhly, and librettist, Craig Lucas (exactly twice Muhly's age), come to the world of cyberspace from different, and you might even say opposing, perspectives. For Lucas this is a mystical new frontier: he enters it as does his central character, Detective Inspector Anne Strawson (the excellent Susan Bickley in *Prime Suspect* mode) as one who must find his bearings. But for Muhly this is a world he plainly inhabits, a child of cyberspace, if you like, his music undulating and pulsing through a universe of connecting souls.

Bartlett Sher's beautiful staging conveys a sea of faces illuminated by open laptops but the collective voices are heard in churchy polyphonies, albeit "digitalised" through haunting, aleatoric-like overlappings and minglings. You can lose yourself in these choruses, just as you can lose yourself - or your identity - in cyberspace. Muhly's musical identity suggests a love-child of John Adams and Britten, a developing nose for drama (this is his first opera), a grateful understanding of voices, and gamelan gongs which in a nod to Britten's *Death in Venice* point up the other-worldly mystique of cyberspace - or as Craig Lucas would have it in his spare and lean and smart libretto "a netherworld of cheerless cheer". What a great line.

Sher's staging is wonderfully amorphous and yet effortlessly focused, the grey surfaces of Michael Yeargan's sliding towers and panels bathed in amazing cyber graphics from 59 Productions. And as real identities are chillingly revealed, how telling that it should be an innocent remark from the pre-internet generation - namely Detective Strawson's mother - that unlocks the mystery. That revelation brings Muhly's masterstroke and a final polyphony which unites us all in a desire not to go "unsung" from this world. This last five minutes alone make for an auspicious operatic debut.

'Two Boys' shows how British opera is charging into the 21st century

The future of the art form is being shaped not in Milan or Vienna or Bayreuth, but in London, argues Norman Lebrecht.



Shock of the new: Nico Muhly, composer of the striking new opera 'Two Boys'

By Norman Lebrecht

25 Jun 2011

Sitting alone in a box at the opera can give rise to mild delusions. The Duke of Wellington used to imagine he was in his sitting room at home, and would greet the singers on stage as arriving guests. "Good evening, Miss Lind," he would call out to the Swedish Nightingale. "How are you tonight? All right, I hope." He was not at all bothered when she proceeded to go mad and die before his eyes as Donizetti's Lucia.

Myself, I like to kick off my shoes and sip coffee, receiving a performance on two levels of immersion, wet and dry. In a box, I can be both engaged and detached, absorbed by the opera and apart from it. It is certainly the ideal way to watch Nico Muhly's *Two Boys* at English National Opera, which had its premiere on Friday night – an event which gives the surest sign yet that opera is getting to grips with the way we live now, in parallel virtual and actual realities.

The story, based on a true crime in northern England, involves internet stalking, murder and a graphic description of paedophile sex. But hold the gritty stuff for a few paragraphs. Put sensationalism aside and take a look around at what else is happening to opera – an art form that has been written off as dead for half a century, too artificial to touch our lives, too costly to survive. Consider, too, that its future is being written not in Milan or Vienna or Bayreuth, but right here and now, in the centre of London, where there is everything to play for and nothing is beyond limits.

Over the past six months, British opera has taken three or four giant strides into the 21st century. *Anna Nicole* at Covent Garden was the first tabloid opera, a seamy account of the life and sordid death of a breast-enhanced bimbo married to a geriatric billionaire – not quite the everyday story of country-and-western folk, but a modern parable which, in the hands of librettist Richard Thomas and composer Mark-Anthony Turnage, did more than just move viewers to laughter and tears. It taught a moral about modern life, confronting our salacious voyeurism, our voracious Schadenfreude at the antics of models, footballers and their attendant parasites.

Although easy on the ear – Turnage has a delicious turn of chord, one of few living composers with his own distinctive thumbprint – *Anna Nicole* was not easy to watch. There was much squirming in the stalls, the discomfort of the defendant's dock. Yet *Anna Nicole* proved addictive to the very people it satirised. Not since Diana, Princess of Wales, was alive have so many well-known faces thronged the Royal Opera House. The night I attended, touts were selling tickets at four times face value, and not wanting for takers.

Anna Nicole gave the lie to the notion that opera is outmoded and elitist. It indicated that Doctor Johnson's "exotick and irrational entertainment" can be every bit as populist and up-to-the minute as Lady Gaga in Lurex. And who said you have to see it in the opera house? Ever since New York's Metropolitan Opera started streaming live in HD to selected cinemas, a night at the opera has never been the same. Puccini with popcorn, a coke with your Carmen. Informality has crept in – and none the worse for that.

Even cinemas, however, are *soooo* 20th-century. This weekend, Glyndebourne is beaming Wagner's *Die Meistersinger* to the Science Museum, making a bold effort to bridge the gap between the two cultures. In the same burst of bytes, the festival is putting its performance live and free on a newspaper website.

All art is defined by context. Opera has always been a prisoner between four walls, except in vast arenas, where it was amplified beyond distortion. Glyndebourne suggests a future where world-class opera can be anywhere, everywhere – in your kitchen, on your phone, on your bathroom wall. Access, that stupid shibboleth of New Labour arts policy, is no longer an issue. Opera is for all.

What kind of opera, and how it is presented, can be a matter of geography. America plays mostly safe with tried-and-tested works in expensive reinventions. Western Europe favours so-called "scandalous" reinterpretations of the classics, replete with nudity and nuttiness. Calixto Bieito, who notoriously set *Don Giovanni* in a men's lavatory while at ENO, is at it again this weekend

in Berlin, sticking "Whores of God" signs on his singing naked nuns in Poulenc's *Dialogues des Carmelites*. Yawn? You beat me to it.

British opera, by creative contrast, has gone for a blend of high theatrical professionalism, stolen from the West End, and hot young composers, not all of whom have fired on full cylinders. Nico Muhly is a case apart. American, overtly gay and only 30 years old, he worked with Philip Glass on the score to the film *Notes from a Scandal* and is fluent in several cultures.

Appearing with him on a panel, I was struck by his emotional concern for the effects of internet exposure on vulnerable young people – the subject of his opera. Everything about *Two Boys* feels, behind a glib exterior, personal to him. A video that he circulated has been watched a million times online. Read that again: a million people watched a promo for a new opera. This has to be bigger than opera.

Two Boys, which opened on Friday, will attract expostulations of outrage from all the usual suspects for its depictions of gritty crime, illegal grooming and under-age sex. Susan Bickley plays a Helen Mirren role as the detective who has to unravel the mess. The drama is coherent and the music often painfully beautiful, never more so than when Muhly writes an Anglican church chorale for a stunning boy soloist, and we know all the while what will happen to him.

Two Boys takes us into territory where no opera has gone before. It does not set out to shock, rather to force us to reflect on the risks presented by the second life we enter when we turn our computers on and click on social media, Facebook or Twitter, suspending natural prudence.

Beyond opera is where *Two Boys* boldly goes. Sitting alone in my box at last week's general rehearsal, I was amazed at how gripping the work could be simultaneously on different planes of engagement – total and detached, virtual and real, human and online. Opera, I realised, can succeed better than any other performing art in reflecting the split levels of our lives, the psychological complexities of our electronic times. Every art has its moment. The immediate future could well belong to opera.

Does Nico Muhly's new opera live up to the hype?

By Michael White

June 28, 2011



Having spent the past year or so trumpeting Nico Muhly as the young composer most likely to succeed Thomas Ades into the pantheons of super-stardom, I hate to say this – but his first opera, *Two Boys*, doesn't leap from the stage with the impact expected.

Jointly developed by ENO and the New York Met, it's just opened at the London Coliseum with much pre-performance buzz – partly because of Muhly's promise, but equally I suppose because of the subject matter. The dark side of the internet.

It's been a long time (several centuries in fact) since opera gave up on narratives of gods and emperors but no one out there seems to notice, and when something vaguely relevant to modern life arrives there's always an astonished frenzy of excitement. So no surprises that an opera about the internet got juices running. And it's certainly inspired ENO's design team (Michael Yeargan with video-installers 59 Productions) who have made a show of seamless, flowing, streamlined elegance: hi-tech but not to the extent (as sometimes happens) that the visuals overwhelm the story.

As for the story, it turns out to be a fairly straightforward detective yarn, like an episode of *Prime Suspect* in which Helen Mirren for some reason sings her way through the sifting of evidence. There's been a stabbing. A policewoman with a bit of background (mid-life crisis, lonely, with

dependent mother) gets the case. And the opera turns around her investigation, which unearths an internet deceit about withheld identities and an unlikely variant on sexual grooming.

I say unlikely because the core situation – a young boy going to extreme lengths to indulge a masochistic fantasy – struck me as far-fetched. That's probably my innocence. But if so, it's shared onstage by the detective who proves bizarrely slow in solving the mystery. And her slowness, unfortunately, fixes the pace for the whole piece.

From the start, the energy level is low and the dramatic contour flat. The text (by American playwright Craig Lucas) comes largely as conversational exchange, without much action. And the biggest problem of all is that there's too much story – which Muhly tells with conscientious clarity but, in the process, ponderous sloth. You feel the music almost stopping in its own tracks to ask the audience: "Are you with me? Are you keeping up?" The truth is, we're two steps ahead and at risk of boredom.

In some respects he's taken Britten as his model, with obvious references to the uneasy gamelan sonorities of *Death in Venice*; and there are similar connections to Anglican choral music (an odd interest for a young American composer, but Muhly was apparently raised on it) and the more contemplative side of John Adams, as typified by *Death of Klinghoffer*.

If anything, *Two Boys* is really an oratorio-opera in the Klinghoffer mold, with great washes of choral texture providing a broadly elegaic substitute for dramatic action. But it takes a rich, allusively poetic text for Klinghoffer to get away with that substitution. Crime fiction isn't so exalted, and it would have been better if Muhly had taken more of a lead from the punchy assaults of a Verdi or Puccini (though in fairness, he did try the Puccini trick of inserting a church scene indebted to *Tosca*, Act I: unfortunately, it was all too Anglican to have much impact).

In fairness I should add that there is music of entrancing beauty in this score, sweepingly lyrical and easy on the ear. Muhly's mastery of vocal line and orchestration is impressive. And the broad eclecticism of his language is of constant interest. He has all the makings of a wonderful composer for the lyric stage: it's just that in this first attempt, they don't combine with rigorous dramatic discipline. With time, experience and new collaborators, that will surely come.

I also ought to add that *Two Boys* is well sung and played. Rumon Gamba, conducting, and Bartlett Sher, the director, take some blame for the lack of pace and energy, but they get good performances from a fine cast, led by mezzo Susan Bickley as the detective and tenor Nicky Spence as her schoolboy suspect. Spence's vocal cultivation marks him out as not your average streetwise adolescent, but he broadly overcomes the awkwardness of adults playing children on the stage – and does it with arrestingly bright, bell-like resonance. Having launched his singing life in crossover and Classic FM, Spence is turning out to be a voice of real distinction. Good for him.

June 30, 2011

On the Internet, Nobody Knows You're a Youngster With Issues

By ZACHARY WOOLFE

LONDON — The Internet is a vast repository of music, but has it created any of note? The speak-singing of “You’ve got mail”? The jangle of an instant message? They don’t really cut it as art.



Richard Hubert Smith

The English National Opera production of "Two Boys," with, foreground from left, Heather Shipp, Nicky Spence and Susan Bickley, examines identity online.

Enter the young composer [Nico Muhly's opera](#) “Two Boys,” which had its world premiere at the [English National Opera](#) here last week in advance of its arrival at the Metropolitan Opera, which commissioned it, during the 2013-14 season.

Here, finally, is not merely the music on the Internet, but the music of the Internet: a babble of overlapping fragments, texting as supertitles — “hey,” “i thought i lost u,” “r u there?” — that’s gorgeous and frustrating, transparent and impenetrable. It may just be a chorus singing it on a stage, each member’s face illuminated by his or her own laptop. But it’s also a vision of what our immense social networks might sound like if we could get outside of them and listen.

On Wednesday, at the third performance of the production, directed by Bartlett Sher, it was clear that Mr. Muhly, at 29, writing his first full-length opera, has done just that: been inside and outside, both an active participant in our culture and a detached observer of it. It is the delicate balance of every great piece of art, and “Two Boys” is Mr. Muhly’s best work yet.

Based on events that occurred in Manchester, England, [in 2003](#), the opera’s libretto, by the playwright Craig Lucas, has the propulsion of a police procedural. The obligatory seen-it-all officer is Detective Inspector Anne Strawson, who is investigating an attempted murder: a teenager has stabbed a slightly younger boy.

In the course of her investigation, it becomes clear that things are — cue the “Law & Order” deadbolt clang — more complicated than they seemed. The credulous, well-meaning older boy, Brian, says he committed the assault under orders from shadowy figures with whom he would chat on the Internet.

Strangely enough, he is telling the truth, but it is gradually revealed that the whole thing has actually been orchestrated by the younger boy, Jake, who played the entire cast of goading characters, seducing and maddening Brian to incite his own murder. Jake wanted, it seems, the same things people have always wanted from the Internet: sexual excitement, a cure for loneliness, to experiment with different personalities. “To be loved,” the chorus adds at the end. “To be remembered.”

Without using electronic instruments, Mr. Muhly has created a world immersed in technology; his sound palette is Britten, not “Tron.” There are softly chiming gongs and ethereal winds, lyrical and sinuous strings and sympathetic, Romantic orchestral surges. The second act starts with an eerie, suspended calm punctured by string flourishes that develop into something almost folksy. There are foreboding minor-key arpeggios throughout, but Mr. Muhly ventures far beyond stock Minimalism. He even creates a new setting for part of the Anglican service; the sound of church music, dense yet floating, permeates the opera.

Indeed, the choral writing is the work’s most successful element. Touches of old-fashioned ornamentation have been added to Strawson’s straightforward lines to emphasize how technologically primitive she is. (“What’s a server?” she asks at one point.) Brian is given to excited exhortations.

But the solo lines in general blend together, highlighting the cipherish aspect of the opera’s characterizations. Strawson is stereotypically hard-bitten and secretly lonely; Brian is resolutely, utterly ordinary. The plot unfolds, but no one really learns anything or changes. Despite a committed cast (with standout performances by Susan Bickley as Strawson and Nicky Spence as Brian), it is the plot that sweeps us forward, not the characters. The opera’s resistance to neat,

redemptive arcs is brave, but something is missing. We know the fact of Jake's desperate loneliness, for instance, but we never feel its, or his, individuality.

This is partly a result of Mr. Sher's efficient but faceless production. The scenes shift with cinematic ease: a conversation that begins in Brian's bedroom might end seamlessly in Strawson's office.

The projections on the looming walls, which help create spaces both real and abstract, are sometimes thrilling, with heart-pounding use of the "footage" from the crime scene. But the choral interludes are illustrated by images out of an AT&T commercial, networks of light forming and disintegrating. Giant blowups of computer printouts blur and recede risibly during Strawson's detective work. And Mr. Sher has those stylized projections awkwardly share space with realistic furniture that actors are continually required to move.

Mr. Sher's production is at its weakest in one of the opera's crucial scenes, in which Jake arrives in Brian's bedroom to proposition him. The blocking is dull and uncertain, with much of the action obscured by a desk. Since the scene's complex mix of emotions — disgust, shame, love — motivates the climax of the opera, our lack of a clear sense of what has happened lessens the work's eventual impact and our sense of these characters as people.

That so much emotion remains is largely because of Mr. Muhly, whose music is suffused with feeling and free of moral judgments. It is odd that the English National Opera has billed "Two Boys" as a "cautionary tale" about the Internet, when the opera represents online life more ambiguously, as a space of utter possibility, and Jake's plot as a creative act. He plans to die, hoping that "everyone will say what a beautiful voice I had."

That is the wish of any artist. In his program biography Mr. Muhly describes himself as "a former boy chorister"; it can't be coincidence that Jake, too, is a choirboy and, like Mr. Muhly, a prodigy who loves to interact on his computer. Jake's mother could be referring to Mr. Muhly when she describes her son: "He's more grown-up than anyone I know."

The opera derives much of its power from this intensely personal quality. "Two Boys" has much to do with being an artist — an individual — and the way society makes it possible (and impossible) to create, showing the disturbing roads creativity can travel. Its characters could perhaps be more vividly drawn, its production clearer, but it richly fulfills the promise of opera: an entertainment of ideas. For once, you leave the theater talking not about whether the soprano has hit her high notes but about a work's themes, its relevance to our lives.

Serious and radiant, "Two Boys" is a landmark in the career of an important artist. Confidently staking his claim to the operatic tradition, Mr. Muhly has added to it a work of dark beauty.

Two Boys: A compelling opera for our time inspired by real-life internet crime

By David Gillard

1st July 2011

Rating: ★★★★★, Verdict: A dark hit from the cyberworld

A few months ago it was the Royal Opera who were ruffling musical feathers with their wonderfully outrageous assessment of modern mores and contemporary malaise as seen through the bizarre life of Anna Nicole Smith.

Now it's the English National Opera's turn, with a dark and undoubtedly controversial probe into the cyberworld and the murkier depths of the internet.

And, after the recent much-publicised arrest of a reclusive Essex teenager accused of hacking into Government websites, there is an eerie prescience about this extraordinary world premiere.



Hackers: Nicky Spence and Joseph Beesley star in Two Boys

The young American composer Nico Muhly's complex and often compelling new opera was inspired by a real-life internet crime in Manchester, where two boys were convicted of attempted murder and incitement to murder after the discovery of an elaborate series of chatroom dialogues.

Muhly's opera - with a subtly idiomatic libretto by playwright and screenwriter Craig Lucas - chillingly follows a woman detective's investigation after a teenage boy is stabbed.

Is it attempted murder - or a weird internet pact? Agatha Christie it ain't. ENO had warned that the work was unsuitable for under-16s, containing scenes of graphic sex and language that might offend.

Well, yes, there's a fair amount of sexual content, including scenes of masturbation. But it's never gratuitous and always dramatically credible.

Perhaps the real shock (for this internet-innocent, at least) is the insidious lure of the virtual world — a realm of fantasy, duplicity and obsession.

Director Bartlett Sher's assured staging — a co-production with New York's Met — claustrophobically captures this geeky, multi-faceted cyberworld with minimalist sets and brilliant video projections.

But the real revelation of the evening is Muhly's score. It's his first opera, and the vocal and orchestral writing is rich and accessible.

There are certainly hints of his mentor, Philip Glass, but the choral interludes are strangely reminiscent of Benjamin Britten.

It's persuasively played under conductor Rumon Gamba, and a fine cast is led convincingly by Susan Bickley's bemused detective and Nicky Spence as the teenage suspect, Brian.

The evening sometimes — perhaps inevitably — seems a little static. But it's undoubtedly an opera for our time. I shall be reading my e-mails rather more closely in future.

November 4, 2011

Keeping Operas, And His Life, In Brisk Motion

By VIVIEN SCHWEITZER



Richard Hubert Smith

Nico Muhly also composed “Two Boys,” a joint effort of the English National Opera and the Metropolitan Opera.

“WHAT role does the government have in the home?” the American composer [Nico Muhly](#) asked recently over tea in a Midtown cafe. “It’s a complicated and interesting question.”

Mr. Muhly, 30, whose high-profile commissions include a work for the Metropolitan Opera, said that as a gay man he is particularly interested in the government’s role in personal relationships. He explores a longstanding fascination with polygamy in his chamber opera [“Dark Sisters,”](#) a story of a polygamist family in a Mormon offshoot whose children are removed by state officials concerned about child abuse. A co-production of [Gotham Chamber Opera](#), Music-Theater Group and the Opera Company of Philadelphia, the work, with a libretto by [Stephen Karam](#) and sets and video projections by [59 Productions](#), will receive its premiere on Wednesday evening at the Gerald W. Lynch Theater of John Jay College.

Mr. Muhly, an engaging, funny man whose rapid-fire speech is peppered with profanities, said he wanted to give equal voice to Eliza, the character who decides to escape, and the women who choose to remain on the compound.

“I think an oratorio is where you can make a moral judgment,” he said, “but in an opera you want to ask questions.” He believes that forcing under-age girls into marriage and “essentially facilitating statutory rape” is wrong, he quickly added, but he didn’t want “Dark Sisters” to be “an oppression pageant.”

Mr. Muhly was born in Randolph, Vt., near the birthplace of Joseph Smith, the founder of Mormonism, who hailed from Sharon. He received the commission for “Dark Sisters” in 2009, the year after raids on the Yearning for Zion Ranch, which belongs to the [Fundamentalist Church of Jesus Christ of Latter-day Saints](#).

Before starting to compose he visited Colorado City, Ariz., the town on the Arizona-Utah border that is home to a fundamentalist settlement. The cast also did major research; Caitlin Lynch, who sings Eliza, said Mr. Muhly had mailed her a package with books and research materials.

The Arizona and Utah landscapes influenced libretto and music. Mr. Muhly said he “wanted to make a statement of Americana,” and composed a score that reflects Copland and evokes Messiaen’s “Des Canyons aux Étoiles,” a homage to the American West. Mr. Muhly said he also wanted to convey a “sense of continuity and enormous vistas, and that comes from La Monte Young and early Reich and Glass.”

Minimalist composers like Steve Reich and Philip Glass are just a few of Mr. Muhly’s eclectic influences, which also include 16th- and 17th-century liturgical music, Britten and Bjork. He is a huge fan of Meredith Monk, whom he recalled meeting about six months ago in New York. “I was so jeeped up,” he said. “I was jet-lagged and on some insane medication I’m no longer on, and I had just played the hardest piece of Glass ever” on the piano. “She was so Zen I got even more agitated.”

The only child of an artist and a filmmaker, Mr. Muhly received a degree in English literature from Columbia in 2003 and a master’s degree in composition from the Juilliard School in 2004. At Juilliard he studied with Christopher Rouse and John Corigliano. A former choirboy, Mr. Muhly has demonstrated a particular gift for choral writing, evident in the striking ensemble number that opens “Dark Sisters.”

Mr. Corigliano described his former student as “very exuberant” and “extremely prolific.”

“He has a wonderful ear and a real knack for orchestration,” Mr. Corigliano said. “His curiosities are immense.”

Mr. Muhly’s career quickly blossomed after Juilliard. His mildly manic air doubtless stems from juggling a daunting number of high-profile projects, including the two operas; a cello concerto [to be given its premiere](#) in London in March; and arrangements of traditional songs for a [concert by the remarkable countertenor Iestyn Davies](#) in Weill Recital Hall on Dec. 15.

Mr. Muhly, who lives in Chinatown, sometimes suffers from writer's block. "But I can be in denial about it if I have other stuff to do," he said, laughing. "I have my publishers put due dates a month early. I am absolutely foolable in that way."

He composed "Dark Sisters" at the same time as "Two Boys," a collaboration between the English National Opera and the Metropolitan Opera. It was a challenge, he said, to keep the material separate. "Two Boys" — inspired by Internet chat rooms and events that happened in Manchester, England, in 2003 — received its premiere in London in June. The music and the dramatic contour were criticized in some quarters for being bland.

The opera will undergo significant revisions before its debut at the Met in the 2013-14 season. Peter Gelb, the Met's general manager, described Mr. Muhly as "one of the most brilliant composing talents out there," with "a real knack writing music for voices."

"The whole reason why we wanted the opera to begin in London was because there is never as much rehearsal time as we would like for a new production at the Met," Mr. Gelb added. "So London was really the equivalent of doing something out of town. We expected that it would be a constructive and instructive experience."

Mr. Gelb said Mr. Muhly and Craig Lucas, the librettist, will aim to strengthen the lead character of Detective Inspector Anne Strawson, who tries to solve an attempted murder case in which a teenager has stabbed a slightly younger boy. (The English mezzo-soprano Alice Coote will sing the detective at the Met.)

The team will also try to render the beginning and end of the opera "more dramatically effective," Mr. Gelb said, and make changes "that will compel the audience into the story" and "create more dynamic range musically."

Mr. Muhly found it challenging to write the arias of "Dark Sisters," which, he said, is more "in the tradition of bel canto, where what you design the aria around is making the voice sound beautiful," something he didn't do in "Two Boys," which has a more abstract structure.

Neal Goren, the artistic director of Gotham Chamber Opera, said he had asked Mr. Muhly to write something "character based and emotional, where everyone in the audience would empathize with the main character." Mr. Karam wrote the libretto, and all the roles were cast before Mr. Muhly began composing, a procedure Mr. Goren called "almost unheard of."

The opera has had an unusually long incubation; the first workshop took place in November 2010. After a staged performance at Hunter College in September, the consensus from both the audience and the artistic team was that Act II sparkled, but Act I could be tightened. So the team looked for better ways to convey the women's industriousness and "create more activity" in the first scenes, Rebecca Taichman, the director, said.

The long gestation also enabled Mr. Muhly to tailor each part to the singer. "Nico would submit an act," Mr. Goren said, "and I would say, 'I think the tessitura is too high or too low for this singer,' or 'The glory of her voice is her high notes, so feel free to give her more.'"

He recalled that there was originally “a beautiful pianissimo F natural” in one passage for the soprano Jennifer Check, who sings Almera, one of the wives. “Then she sang the most heavenly high A flat you’ve ever heard,” Mr. Goren said. So Mr. Muhly added more high notes for her.

“He was that way with everyone and wanted to show them off,” Mr. Goren added.

Mr. Muhly also made changes to the orchestration after the first reading. Initially “it was minimal and rather severe, then it was wildly enriched,” said Mr. Goren, noting that Mr. Muhly “is very collaborative.”

“He is a problem solver and loves to come up with solutions,” Mr. Goren added.

[Eve Gigliotti](#), who sings the part of Ruth, another wife, said, “Singers have a desperate need to please and to be serving the piece in the way the composer intends.” Mr. Muhly, she continued, “will often joke about how everything has to be exact for classically trained singers, and while he comes from a similar world, he encourages us to free it up a bit.”

When not composing, Mr. Muhly, who calls his workload “a little overwhelming,” cooks obsessively, he said, making “complicated stews.” He is currently enjoying “an amazing Vietnamese cookbook.” He is also a prolific tweeter and blogger. In a [recent post](#) he lamented the way the slow-moving record industry, by delaying the release of a work’s recording, curtails the excitement generated by a premiere. Such inaction frustrates composers, who can sometimes really improve their scores only by listening to a recording.

Mr. Muhly, whose life seems to unfold at fever pitch, is also determined to ensure that “Dark Sisters” doesn’t drag.

“I’m kind of obsessed with keeping things moving,” he said. “Death for me is that moment when you’re watching an opera and you’re, like, looking at your watch.”

MUSICAL EVENTS

THE LONG HAUL

Nico Muhly's first two operas.

BY ALEX ROSS

Sometime in the early aughts, contemporary-music concerts in New York took on a zippy new energy. The city had long been awash in new music, but too many events gave off an insular, unwelcoming vibe, whether the house style was university modernism or downtown experimentation. On first exploring the New York scene, in the early nineties, I often had the feeling that I had crashed a private party, getting the “Who are *you*?” glance as I walked in. At intervals, new generations had tried to break the routine of the contemporary concert, with its faculty-lounge chatter and its tortuously long pauses as mallet instruments were transported around the stage. Back in the sixties, young Turks initiated a psychedelic-classical series called the Electric Ear; in the eighties, the Bang on a Can collective brought a laid-back verve to its new-music marathons. Yet the urge to revert to business as usual was strong.

What has changed in recent years is not the underlying reality—as before, hundreds of composers, working in disparate styles, vie for attention—but the mood of the room. Scions of the Internet age make their noise with a more upbeat air. They have sought out novel venues, colonizing clubs and bars, and seem skilled at persuading non-music-major friends to stop by, so that concerts feel less like airport-hotel conventions and more like entertainments. Just as happily, debates over the death of tonality and other churlish ideological battles have subsided. When, in 2004, I first encountered the music of Nico Muhly, who was then finishing studies with John Corigliano and Christopher Rouse, at Juilliard, I asked

him about his philosophy of engaging with the outside world, and he summed it up as “not being an asshole.” Among American composers, this tactic is not as unremarkable as it should be.

In October, the composer Derek Bermel and the pianist Stephen Gosling curated a nine-day festival called SONiC, devoted to composers aged forty and



Muhly shows dazzling technical skill; notation is in his bones.

under. I attended the first four events in the series: concerts by the American Composers Orchestra, Eighth Blackbird, the JACK Quartet, and Either/Or. Each program strove for maximum diversity, which resulted in unexpected juxtapositions. The JACK, who bring a punk-club fury to neo-modernist scores, anchored a twelve-hour marathon at

Miller Theatre, sharing the stage not only with like-minded adepts of difficulty—the New York Virtuoso Singers, the Talea Ensemble, the PRISM Quartet—but with the Young People’s Chorus of New York City, whose repertory leans, understandably, toward easygoing consonance. Some parents arriving to hear their children warble were confronted with the eerily decaying tones of Gregory Spears’s quartet “Buttonwood,” which was inspired by the inmates of a psychiatric unit in New Jersey. The applause was warm nonetheless: the JACK’s impassioned virtuosity hit home.

Out of nearly fifty pieces, two in particular made me sit up straight. Alex Minck’s Third Quartet, which the JACK played at the outset of the marathon, is a twenty-minute essay in ear-scouring dissonance and pile-driver rhythm. Like the late Ralph Shapey, Minck has a knack for etching jagged figures so cleanly that they take on a sculptural quality. Alex Temple’s “Liebeslied,” which the American Composers Orchestra performed at Zankel Hall, is a surreal takeoff on love songs of the forties and fifties. It begins with lushly orchestrated vocal kitsch—“But when I hear you call my name / The birds stop singing / The bells stop ringing”—and then disintegrates into nightmarish fragments, with the singer (the riveting Mellissa Hughes) muttering about “dark unending corridors.” It’s like a Buñuel film in miniature, and it achieves perfection.

Muhly, now thirty, is the bullent star of New York’s young-composer scene. A gregarious soul with a yen for collaboration, he has worked, variously, with Philip Glass, Benjamin Millepied, Björk, and Grizzly Bear, and has produced a few film scores on the side. It’s good to see a serious composer acquiring hipster cred; Muhly gets name-checked regularly on Web sites like Brooklyn Vegan. All the extracurricular activity could become a distraction, but Muhly is furiously prolific and never seems to miss a deadline. In the

GRAPHIC

past year, he has completed two full-length operas: "Two Boys," a drama about Internet deception, which had its premiere at the English National Opera, in June (Met performances will follow in the 2013-14 season); and "Dark Sisters," a tale of modern-day polygamy, which was presented earlier this month by the Gotham Chamber Opera and the Music-Theatre Group.

The two operas were written side by side, and they exhibit similar strengths and weaknesses. Muhly employs, as he has before, an extended tonal language, combining aspects of American minimalism with a nostalgia for the Anglican choral tradition and a French ear for pristine sonority. (Pierre Boulez is one of his favorite composers—so much for the old polarities.) And he shows dazzling technical skill; notation is in his bones. Both operas are admirable for fluidly singable vocal lines (with many nods to John Adams), a savvy balance of singers against the orchestra, and imaginative strokes of instrumentation. Yet neither fully takes flight as theatre. The vocal and choral set pieces soar and shimmer; the weakness is in the recitative, which keeps abandoning one short-lived rhythmic groove for another, or simply trails off. Muhly's delight in sound can divert him from the basic work of moving the plot forward.

"Two Boys," which I saw during its London run, is the weightier achievement. The libretto, by Craig Lucas, tells of a teen-aged boy who is lured into an online world of fictive identities and furtive longing, and is eventually tricked into stabbing a younger boy. Muhly handles this lurid story with thoughtfulness and compassion: plaintive chorales and brooding ostinatos suggest the sadness and the loneliness lurking within the electronic global village. In fact, the opera is a little too pensive, too oratorio-like. When a purported female spy appears in a chat room, sending the main character into a paranoid frenzy, Muhly might have toyed with a jazzy, cinematic style, but he falls into the same ruminative tempo as before. There's nothing amiss, though, in the majestic closing chorus, in which questioning, imploring, raging, and consoling voices cry out over an implacable passacaglia bass, the whole of it hinting that what we pathologize as "Internet culture" is nothing more than

the human brain made visible. With a few added jolts and contrasts—the Met has indicated that it will present the opera in revised form—"Two Boys" should find its footing on the stage. It's a bighearted, fearless work.

"Dark Sisters," which has a libretto by Stephen Karam, depicts a besieged fundamentalist Mormon sect, with five mothers struggling to follow the precepts of the Prophet, their husband and leader. Its main flaw is a deficit of action, especially in the first hour: by default, the first-act climax becomes a squabble between two of the women—stereotypical catfight stuff. The second act is considerably more vivid, with the women appearing on a crass TV show and exposing deeper internal discords; the change of gears is almost jarring. The best thing in the score is a spacious, haunting aria for Eliza, a dreamer who leaves the sect. (Caitlin Lynch sang the role beautifully at the premiere; Kevin Burdette injected energy as the Prophet and the TV host.) As Eliza walks on the mesa at night, a glittering constellation of glockenspiel, gongs, harp, and celesta evokes the starry sky, in a rhythmically free procession. And as she contemplates "an eternity with a man whose hand I'm scared to touch," the harmony takes a subtly darker, shivering turn.

Finding a persuasive shape for a large-scale work is perhaps the trickiest hurdle for a younger composer. The SONiC Festival offered dozens of pieces that went on too long or moved in and out of focus; even Mincek's lean, punchy quartet could have been trimmed. Muhly's recent violin concerto "Seeing Is Believing" demonstrates that the big form is within his grasp. Still, there's always something to be learned from those who have been in the game awhile. In September, Stephanie Blythe and the New York Philharmonic gave the premiere of Corigliano's "One Bright Morning," a symphonic cycle, for mezzo-soprano and orchestra, memorializing 9/11. Although not every gesture is original—the climactic melody recalls Leonard Bernstein's "Simple Song"—the construction is immensely assured: Corigliano gathers, intensifies, and releases energies with an engineer's precision. When time strips away the novelties of style, only solid structures remain. ♦

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<http://www.pcah.us/music/blog/american-impresario-david-harrington/>

American Impresario: David Harrington

Posted by PMP | October 21, 2011

The Philadelphia Music Project is pleased to introduce the second in a series of articles under the banner [*American Impresario*](#). The series will explore the careers and contributions of leading U.S. music curators whose creative work has profoundly influenced the field by giving listeners new ways to experience and understand music.



Photo: David Harrington. Credit: Jay Blakesberg.

The second article in the [*American Impresario*](#) series features David Harrington, founder and Artistic Director of the [*Kronos Quartet*](#). Through almost four decades of work, "David Harrington has had a major impact on contemporary music. He has imported a wide array of musical and sonic influences into the string quartet repertoire of Western classical music. Kronos commissions works from composers who re-envision what a string quartet is able to do, develops concert experiences that expand the definition of what a string quartet performance can be, and assembles recording projects that challenge established ideas of how a string quartet can sound" ([UC Berkeley's Center for New Media](#), 2009). Ethnomusicologist and author [Theodore Levin](#) explores Harrington's work and guiding ideas.

The Music of Possibility: David Harrington and Kronos Quartet

By *Theodore Levin*

Anyone who has spent much time around David Harrington, founder, artistic director, and first violinist of the Kronos Quartet, has a vignette similar to this one, from my own recent encounter. In early June, I caught up with Harrington and Kronos in Toronto, where they were offering six performances at the city's kaleidoscopic [Luminato Festival](#). Incurably generous, Harrington had offered to sandwich an interview into Kronos's fastidiously planned schedule, and he'd come to my hotel room ready to talk. But before addressing the questions I'd prepared, Harrington wanted to share his latest brainstorm. "Have I told you about this?" he beamed. "Since I saw you last, I went back and listened to the piece we did at [MIT](#) with [Noam Chomsky](#), and I realized that if you combine that with what we did with [the late historian] [Howard Zinn](#)—where basically Howard was reporting the news as if on [Alternative Radio](#) while we provided the songs—and if you get [Terry Riley](#) to write a modular piece, and on the spot we can make decisions about which module to do next, we could show up in any city in the world and have local activists speak about whatever they want to speak about, and Kronos could create a musical environment that would work! I was in a shower somewhere, and I said to myself, 'Damn, this is the best idea for a piece I've had in my life.' I'm always looking for ideas that bring things together. You have them in the most unexpected places."



Photo: Noam Chomsky and David Harrington prior to the performance of Tod Machover's Chomsky Suite at MIT, spring 2011. Credit: Christina Johnson.

This was Harrington's second brainstorm of the day. The first was inspired by a meeting with the daughter of legendary Indian sarangi player [Ram Narayan](#), who told Harrington about a trove of raga transcriptions her father planned to perform with violinist [Yehudi Menuhin](#), in the same spirit as Menuhin's pioneering collaborations with [Ravi Shankar](#). But Menuhin had died, and the project was abandoned. Harrington's idea was to arrange the transcriptions for string quartet and sarangi, and complete the unfinished project. This idea led Harrington to muse on other musical troves that Kronos could bring to life. "There was a woman named [Clara Rockmore](#) who was the foremost performer on the theremin in the 1930s and 1940s, and her nephew told me that there are piles of unreleased acetate recordings of her playing. I had the idea that since there's no way we can play live with Clara (she died in 1998) we can play with her recordings. It could be an incredible gem. And then there's [Don Walser](#), the Texas yodeler. He does this unbelievable version of 'Danny Boy.' We did a concert with him once and recorded it—

it's one of his last performances. It's got to be released. Late in his life, [Charles Mingus](#) sent us a string quartet but for untraditional instrumentation: two cellos and two violas. We have to find a way to play it. And [Mexican bandleader and composer] [Juan García Esquivel](#) is on my list. I met Esquivel, and I know there's some great stuff. He wanted to write something for us but he didn't have the health. There's a certain responsibility you have to musicians who started something and couldn't finish it. If it's a great thing and it speaks to you, you have to figure out a way to decode it."

For Harrington, voracious curiosity and artistic ingenuity are symbiotically linked. Each drives the other, with the result that Harrington seems perpetually poised both on the verge of epiphany and at the edge of musical terra incognita, ready to set out on yet another expedition of discovery. Harrington was 24 years old when, in 1973, he founded the Kronos Quartet, but the particular epiphany that launched his career as one of America's most audacious musical innovators came a decade earlier. "I'd started playing string quartets when I was 12," Harrington recalled, "and one day when I was 14, I was gazing at a map of the world and suddenly realized that all the quartet music I'd ever heard—Haydn, Mozart, Beethoven, Schubert—came from a single city: Vienna. A simple question came to me: What did music from other cities and countries sound like? A door of curiosity opened to the world's music, and over the years, this door has opened wider and wider."

Harrington's relentless musical wanderlust has been anything but a personal affair. Through his 38-year leadership of Kronos, he has welcomed countless listeners to accompany him through the same door of curiosity. Moreover, Harrington has not only discovered worlds of music, he has created them—or been instrumental in their creation—through the more than seven hundred fifty commissions that Kronos has awarded to composers to develop new works for the quartet. "Kronos has commissioned more string quartet music than any entity since the Habsburg Empire," Harrington told me with pride. "I'm not interested in commissioning someone once," he added. "I view collaboration as a long-term investment in the composer as well as in Kronos. We all can develop over time. Creating a body of work with each of the people who writes for Kronos is important to me. It allows each composer to express himself or herself more fully over a period of time, and it allows us to refine the way we work with each person and deepen the relationship." Indeed collaboration, whether resulting in a new musical work, an arrangement of preexisting music, an improvisation, or a staged production, has been the principal mechanism by which the quartet has created its repertoire.



Photo: Kronos Quartet in 1983. Credit: Michelle Clement.

From the very beginning, Kronos focused on contemporary music, with composers from the past making occasional cameo appearances on its programs and recordings. But in 1978 the group made a deliberate decision to perform only music by living composers. In addition to Harrington, two other members of Kronos who were in on that decision—violinist [Hank Dutt](#) and second violinist [John Sherba](#)—are still with the group. Kronos's longtime cellist [Joan Jeanrenaud](#) left in 1999, and the current cellist, [Jeffrey Zeigler](#), has been with Kronos since 2005. "It's a well-oiled machine," Zeigler said of the group. "David [Harrington] drives the bus, but artistically, we all contribute

equally as far as planning programs and discussing the music. If there's a collaboration that's not working as well as we hoped, we discuss it openly."

Some of Kronos's collaborations have extended over decades, and composers who have worked with the quartet speak passionately of its formative influence on their own careers. Kronos's most extended and prolific collaboration has been with Terry Riley, the doyen of early minimalism, who began working with the quartet in the late 1970s and has written more than 25 pieces for Kronos. In those years, the string quartet, one of classical music's most hallowed genres, seemed an unlikely candidate to play a leading role in contemporary music. "The first time Kronos ever played in New York City was with me," Riley recounted in a recent conversation. "I was performing with them in several pieces—'G-Song,' 'Sunrise of the Planetary Dream Collector,' and 'Remember This Oh Mine,'—and I wanted to perform those works in New York because they were new and fresh. I had a concert at [Town Hall](#), and when I told the organizers that I wanted to bring a string quartet, they said, 'No one is going to listen to a string quartet.' I had a hard time convincing them that it was going to be an exciting group." More than three decades later, Riley's advocacy for Kronos remains strong. "Kronos has produced incredible music over the years," he said. "One of the reasons for their success is that they're always pursuing new challenges, always pursuing something unique. Every time we've gotten together to work, we've come up with something we hadn't done before. They're willing to really listen to what musicians and composers are trying to say, and they try to draw that out and understand their viewpoint."



Photo: Kronos Quartet with Terry Riley and 50th birthday cake, 1985. Credit: Richard McCaffrey



Photo: Kronos Quartet performing Terry Riley's Sun Rings. Credit: Zoran Orlic.

David Harrington offered equally effusive praise for the collaboration with Riley. “It’s been a really warm and beautiful relationship,” said Harrington. “He’s the only composer I’ve ever met who, every time we speak, brings up issues about the state of the world, politics, the way that music fits into the fabric of life. On a musical level, we’ve learned so much from him about bringing individual attention to each detail in each note, about the need to be personally involved in all aspects of a piece.” For his part, Riley has brought a highly personalized sensibility to composing for Kronos, from the player-specific cadenzas in “Cadenza on the Night Plane” to the “Three Requiem Quartets” that he wrote as memorials to people close to the members of Kronos—the last of them, “Requiem for Adam,” to commemorate the death of Harrington’s own son, who died in 1995 of natural causes while hiking with his family. “I felt it was important to make portraits of the people who were close to them who had died,” Riley said. “Especially Adam, whom I knew very well. His death hit me hard.”

Another of Kronos’s serial collaborators, [Aleksandra Vrebalov](#), is a generation younger than Riley. Vrebalov first met Kronos in 1996, when she left her native Serbia to study at the [San Francisco Conservatory of Music](#). Since then Kronos has performed four of her compositions as well as excerpts from a recently completed opera, “Mileva,” about the first wife of Albert Einstein. Vrebalov recently completed “Babylon, Our Own,” a quintet for Kronos and clarinetist [David Krakauer](#). Kronos has recorded and performed widely Vrebalov’s “...hold me, neighbor, in this storm...” composed in 2007, in the aftermath of the harrowing two decades that saw former Yugoslavia torn apart by nationalism, irredentism, and war. “My idea was to compose a piece that brought together ethnic groups that couldn’t coexist in real life,” Vrebalov explained. “It was almost like a utopian experiment to see what would happen if you had them all together. In the piece the Kronos musicians play not only their own instruments but also the *gusle*—a one-stringed Serbian fiddle, and the *tapan*, a drum that’s found all over the Southern Balkans. There’s Serbian Orthodox chant—I use Kronos’s stringed instruments as voices—and I use elements of pre-recorded sounds: a Serbian monastery in Kosovo, a Turkish spiritual song, a recording of my grandmother singing. All of these came from the question that David Harrington asked when Kronos commissioned the piece: can you do something that deals with your identity? “...hold me, neighbor...” was a way for me to examine the traumatic events connected to the disintegration of my country, which means the disintegration of your identity, and the question of where you find it again. Kronos is not only willing, but asking to get involved in the deepest, most meaningful moments in the lives of the people they work with. I can’t imagine writing that piece for any other group. It’s so personal that you can only write it for someone you’ve known for fifteen years, for someone who called you during the bombing [of Serbia by United States military forces], for someone who knows the names of your family members.”



Photo: Kronos Quartet with Aleksandra Vrebalov and David Krakauer (2nd from right), 2011. Credit: Christina Johnson.

Vrebalov's encomium to Kronos and its unflinching commitment to its collaborators jibed with accounts offered by others who have worked with the quartet. One of them is [Wu Man](#), the protean pipa virtuoso most responsible for introducing the ancient Chinese lute into contemporary musical languages. "My work with Kronos was the turning point in my career," said Wu Man, who immigrated to the United States from China in 1990. "Our friendship started almost 20 years ago. The first piece I played with Kronos was "Soul," composed by [Zhou Long](#) for the Pittsburgh New Music Festival. It was the first piece ever written for pipa and string quartet—a revolutionary piece that totally changed the history of the pipa, and also the history of the string quartet. I'd never played a composed piece where you were looking at a score; in the Chinese tradition—even with an ensemble—there's a lot of improvisation. Basically you listen a lot. I remember the first rehearsal—we rehearsed three hours nonstop. I barely spoke English. But I felt that Kronos respected me. They listened to me; they wanted to learn; they wanted to know. These days I feel like I'm a fifth member of the quartet."



Photo: Kronos Quartet with pipa virtuoso Wu Man at Carnegie Hall in New York, performing the premiere of *The Cusp of Magic*, 2006. Credit: Jack Vartoogian.

Wu Man's collaborations with Kronos include [Tan Dun](#)'s "Ghost Opera," Terry Riley's "The Cusp of Magic," and, most recently, the multimedia extravaganza "A Chinese Home." Kronos had programmed "A Chinese Home" and excerpts from "Ghost Opera" and "The Cusp of Magic" as well as Aleksandra Vrebalov's "...hold me, neighbor..." in their concerts at Toronto's 2011 Luminato Festival. "...hold me, neighbor..." was in a program with Iranian composer [Sahba Aminikia](#)'s String Quartet no. 3: "A Threnody for Those Who Remain"; an arrangement of Syrian composer [Omar Souleyman](#)'s "La Sidounak Sayyada" (I'll Prevent the Hunters from Hunting You); "Wa Habibi" (Oh, My Love), a Maronite Christian hymn for Good Friday made popular by the legendary Lebanese singer [Fairuz](#) and arranged for Kronos by longtime collaborator [Stephen Prutsman](#); and "Boyiwa" (Song of Mourning over a Corpse), arranged by the New York composer-arranger [Jacob Garchik](#) from a recording of music of the [Aka Pygmies](#). The second half of the concert featured a recent Kronos commission, "Rangin Kaman" (Rainbow) for string quartet, Afghan *rubab*, and percussion, composed by Bay Area Afghan *rubab* master, [Hodayun Sakhi](#). I asked Harrington to talk about how he'd selected the diverse pieces for the Luminato concert.

"I want to be sure that if people come to one of our concerts or listen to one of our recordings, they'll feel something they've never felt before from any other experience," Harrington replied. "Take the Pygmy song 'Boyiwa'—it represents a society that seems to really work in a musical way. It's perfect: everybody in the village is participating; everybody is learning from one another and combining their voices. I had to play that piece. It's so beautiful. There's nothing more complex than that. It's not that it relates to what Hodayun Sakhi is doing in 'Rangin Kaman,' although maybe it does. Playing something that seems unrelated can actually create new thoughts. What we're trying to do is explore, and allow ourselves to be affected by things that we didn't know about before."



Photo: Kronos Quartet with Hodayun Sakhi (center), Salar Nader (left), and Abbas Kosimov (right) at the premiere of Sakhi's Rangin Kaman (Rainbow) at Yerba Buena Center for the Arts, 2008. Credit: Rachel Bleckman.

Perhaps it was only an American quartet—and, at that, a quartet from the West Coast—that could explore the world's music so ingeniously and, in the process, reinvent the string quartet in a contemporary globalized and democratic form. The power of the Kronos model, now widely imitated by contemporary music groups worldwide, rests on the quartet's populist embrace of global musical diversity and the creative possibilities opened by musical collaboration across geographies, genres, and styles. As outsiders both to the tradition-encrusted legacy of the string quartet in Europe and to the factious New York new music scene and its partition into “uptown” and “downtown” cliques (these days considerably less polarized than in the 1970s, when Kronos first came to the City), Kronos gleefully flouts the social conventions of classical music, ignores ideologies, and roams insouciantly across the boundaries of myriad taste communities.

In the course of its intrepid explorations, Kronos has served as a redoubt for the musically quirky, far-out, and eccentric. Yet David Harrington rails at the suggestion that Kronos's democratic values have neutralized its ability to discriminate between mere quirkiness and music that has something important to say. “Nothing could be farther from the truth,” he said sternly. “We won't do just anything. I'm very choosy. What I love is that the world is a big place, with lots of possibilities. I want the canvas to be as big as it can be; and then I want the way we fill that canvas to be very particularly expressed and chosen. I feel a sense of responsibility to find work that can bring the world a little more into focus—that can reach beyond where we are now and point to directions for the future.”

Harrington is at root a kind of musical meliorist who believes that music can not only mirror the world but improve it. “I don't have any illusions about the size of our audience relative to the world's population,” he said. “Yet I would be thrilled if every person in the world listened to Kronos and loved our music. Do I think the world would be a better place? I'm confident it would.”

Imagining the world differently is the purview both of art and politics, and for Harrington, the two are inextricably linked. Harrington's politics are the politics of possibility. Many of Kronos's collaborations have had a political edge, beginning with one of the first pieces in its repertoire, [George Crumb's](#) “[Black Angels](#),” which Harrington noted, “is probably the only string quartet to have been inspired by the Vietnam War.” In the mid-1990s, Kronos recorded [Lee Hyla's](#) “Howl,” a setting of [Alan Ginsberg's](#) surreal, apocalyptic vision of America, with the poet

reading his own work, and [Scott Johnson](#)'s "Cold War Suite from How it Happens (The Voice of I.F. Stone)." More recently Kronos has collaborated in live performances with lions of the left such as Noam Chomsky and the late Howard Zinn. Harrington spoke about performing at the National Gallery shortly after the American invasion of Iraq. "I wanted to play something that could express some of my anger at what was happening. We played our own version of [Jimi Hendrix's Woodstock performance of "The Star Spangled Banner."](#) The National Gallery isn't very far from the White House, and I told our sound man that I wanted it loud enough for Bush to hear in the oval office." For Harrington, giving musical voice to the tension between reality and possibility is not a matter of political correctness or public relations. Rather, it is intrinsic to the very essence of being a musician. "The sound of two violins, a viola, and a cello—the friction of the bow on the string—to me it's almost an image of our world and how we relate to it," Harrington said. "Music is the result of the friction between us and the world."



Photo: Kronos Quartet, 1996. Credit: William Wegman.

Creating on their own, artistic visionaries like Harrington can be successful and influential within their own media. But transforming vision into social impact requires teamwork. Harrington readily acknowledges the crucial role of his fellow quartet members, of Kronos's longtime lighting designer, [Larry Neff](#), and sound designer, [Scott Fraser](#), and of the Kronos Performing Arts Association (KPAA), the non-profit entity he created to develop financial resources for, and later, to manage the quartet's activities. KPAA's affable managing director, [Janet Cowperthwaite](#), has worked with Kronos for 30 years—she began as a college student working part-time—and now manages a staff of nine. Cowperthwaite and her staff act both as a filter and an implementer of David Harrington's fast-flowing torrent of ideas. "The list of things David wants to do is very long," Cowperthwaite said matter-of-factly. "He doesn't like to hear about limitations and constraints, but at a certain point, someone has to be practical and decide what can be achieved. My job is to keep informed about the projects that are rising to the top of the list and figure out how to realize them. I'm like a matchmaker, constantly trying to match the vision of Kronos with what presenters are doing in their own seasons or festivals, or with individuals who might relate to a composer David wants to commission."

Cowperthwaite's approach to building Kronos's audience and community of collaborators in musical presentation mirrors Harrington's approach to working with collaborators in musical creation. "We've done the opposite of what's normally thought of as marketing by avoiding a particular demographic expectation of our audience," said Cowperthwaite. "The key has been not to limit the idea of what the audience should be. Some people might come to Kronos because they like [Steve Reich](#), or [Alim Qasimov](#), or because they heard Kronos in a movie soundtrack. We've tried to make sure that there are lots of different points of entry. But what all these audiences have in common is a desire to engage through music in the world that we're in today."

Against the backdrop of the mainstream classical music scene, with its principal focus steadfastly on the past, Kronos's sustained commitment to the "world that we're in today" launched a revolution. And as is often the case with revolutions, ideas that at first appear to be subversive or futuristic turn out to have roots in older models. In the

case of the Kronos revolution, that model is none other than classical music itself in the decades of its initial efflorescence as a secular art form. What could have been more exciting to listeners of the 18th and early 19th century than hearing a just-completed work by Haydn, Mozart, or even Salieri? Kronos's seminal achievement has been to revitalize that intimate model of collaborative creativity, in which patrons, composers, and performers are coeval and coactive.

At age 61, David Harrington has lost none of his energy, sparkle, or visionary zeal. What has changed is that, Kronos's renegade persona notwithstanding, the quartet has been increasingly embraced by the very classical music establishment it set out to change. A major milestone was the selection of Kronos to receive two prestigious prizes in 2011: the [Polar Music Prize](#), awarded in Sweden, and the [Avery Fisher Prize](#), which honors solo instrumentalists or chamber ensembles "who have demonstrated outstanding achievement and excellence in music," according to a note in the program booklet for the award ceremony at Lincoln Center this last June. The list of previous Avery Fisher Prize awardees includes mandarins of classical music such as [Yo-Yo Ma](#), [André Watts](#), [Richard Goode](#), and the [Emerson String Quartet](#). At the award ceremony, David Harrington made brief but stirring remarks. "I don't think the greatest piece has yet been written, nor has the greatest note been played. I want Kronos to challenge composers to create new experiences beyond whatever they thought possible, to reawaken listeners to the joys of the unknown, and to try to make the best notes we can," he said slowly, savoring the moment. "We'll use the money from the Avery Fisher Prize to continue our work: to explore, expand, and energize—you know, the three E's." Adding a personal note, Harrington's face broadened into a wry grin. "As my favorite investigative journalist, [I.F. Stone](#) once said, 'If I were having any more fun, they'd have to arrest me.'"

About the author:

Theodore Levin is Arthur R. Virgin Professor of Music at [Dartmouth College](#), where he teaches courses on world music. His collaboration with David Harrington and Kronos began in 1992, when he arranged for the quartet to record with musicians from [Tuva](#) who were then appearing for the first time in the United States. His most recent project with Kronos was the 2010 CD-DVD [Rainbow](#), of which he was co-producer. *Rainbow* comprises vol. 8 of the 10-volume CD-DVD series [Music of Central Asia](#), a co-production of [Smithsonian Folkways Recordings](#) and the [Aga Khan Music Initiative](#), for which Levin serves as Senior Project Consultant.

Seven Angels: Kyoto beef to the rescue

When poet Glyn Maxwell was asked to turn *Paradise Lost* into an opera, he didn't think it could be done. Then he remembered a lavish banquet thrown for the G8 world leaders ...

Glyn Maxwell
Tuesday 14 June 2011



Ready for the last meal on Earth. . . rehearsals for *Seven Angels*.
Photograph: Katherine Leedale

Three years ago, I was working on my libretto for [The Lion's Face](#), an [opera](#) about dementia. Feeling a little downcast by the material one day, I resolved that my next libretto would be light, sweet and comic. Then [John Fulljames](#) of the Opera Group wondered if I might take a look at [Milton's Paradise Lost](#). I asked if a light, sweet, comic approach to the fall of man might work, at which point he wondered if I could also have a think about climate change, depletion of the planet's resources and the end of the world.

Two things, however, made this an offer I couldn't refuse. First, the involvement of the composer [Luke Bedford](#); and second, a week rereading Milton. I say "rereading", even though my first read was probably an idle teenager's desperate flickthrough an hour before having to discuss it with an English professor. "What was your response to the poem, Mr Maxwell?" "Well, I mean just – wow!" "Go on."

To be fair, my response to it 30 years on had not especially evolved. I mean just – wow! Wow in that the lines are like nothing else in English: higher, grander, stranger. Wow in its force, authority and humanity. And wow as in: "This is impossible to do as an opera." Sung lines cannot carry the freight and complexity of verse like Milton's. It has its own intricate, deep-

echoing music, like English played on some magnificent organ; it strikes those chords over silence. Sung lines have to be lighter, plainer; the vowels take on more work.

John said let's take our minds off all this and have a little chat about the end of the world. So he, Luke and I took a trip to [Wakehurst Place](#), the offshoot of Kew Gardens near East Grinstead, where the Millennium Seed Bank, a deep and soundless Noah's Ark, endeavours to safeguard the Earth's rare flora. We listened to experts, heard grim prognoses. I remember thinking how I grew up in the shadow of the cold war and mutually assured destruction: now it was botanists and biologists, not just zealots and republicans, talking about the end of days.

As our little committee sat in a paradise discussing oblivion, we thought about other committees, specifically the [G8 world leaders on that mountainside in Japan in 2008](#), planting eight trees in eight plots, before retiring to an [eight-course banquet](#) that included "corn-stuffed caviar", "diced fatty flesh of tuna fish, avocado and jellied soy sauce", "smoked salmon and sea urchin 'pain surprise style'", and "kelp-flavoured cold Kyoto beef shabu-shabu on asparagus dressed with sesame cream". It became clear we were going to have a Great Committee in our opera, and that I was going to seek out the grossest, most pretentious-sounding meals and set them to music. The last meal on Earth, served to a committee.

A committee of what, though? The first image I had for the opera was of people in suits, with clipboards, sitting around a table talking, while the stars in the window are falling upwards. I believe my notion of perpetual descent originated where many brilliantly half-baked ideas originate, in [Doctor Who](#) – but [the old cardboard one](#), not the new [hi-tech Bafta-winning export](#). In an episode remembered from childhood, some henchman topples into a black hole, doomed to fall down it for eternity.

Of course, the grown-up, literary version of this is [Milton's Satan and the rebel angels](#), hurled by God "to bottomless perdition". But we know about those angels – Beelzebub, Moloch and the gang – because Milton had them land in a sulphurous swamp and set his tale in motion. I was interested in seven other angels, who eluded Milton, fell past the swamp, beyond the book, who kept falling, helplessly, forgotten by God, and have been plummeting through space ever since, until they land on a bleak, charred planet, and wonder who they are, what they did wrong, and what brought them to this lonely spot. That sounded close enough to life on Earth, and I had my story.

William Blake famously considered Milton "[of the Devil's party without knowing it](#)" – meaning he couldn't help but make the conflicted, flawed and fascinating Satan the hero of Paradise Lost, in contrast to a dull, unbending God and yea-saying angels. But its last lines are unbearably moving, and surely place us humans at the heart of it all: "They hand in hand with wand'ring steps and slow,/ Through Eden took their solitary way."

So a man and a woman, hand in hand, are at the heart of our opera, called Seven Angels. They begin as angels, but take on roles in a fairytale: a waitress, and a gluttonous prince who falls in love with her face reflected in his licked-clean silver plate. And, while the other five angels abandon the once-again despoiled planet to resume their eternal falling, these two struggle to stand on the Earth, recall their humanity, do something. Those who believe we humans truly are

"solitary", that the world is all that's before us, have only this to go on, but it's everything. Helpfully to stand or helplessly to fall is a choice made every day.

Only last month, Sarah Palin, a candidate for the most powerful throne on Earth, mounted a huge infernal machine and told an ecstatic crowd she "loved that smell of those emissions!" Now there's a moment that would grace any opera – and I'm sure I read it first in *Paradise Lost*.

Seven Angels - review



CBSO Centre, Birmingham

Andrew Clements

Sunday, 19 June 2011

The basic idea of *Seven Angels*, the first [opera](#) by [Luke Bedford](#), commissioned jointly by The Opera Group and Birmingham Contemporary Music Group is plausible enough. Glyn Maxwell's libretto takes [Milton's *Paradise Lost* as its starting point](#), imagining a group of seven angels, outcasts from heaven, overlooked by Milton and forgotten by history, who have fallen through space and landed in a desert, which they realise was once a beautiful garden. Piece by piece they construct a linked sequence of stories to explain what has happened, involving a king and a queen and a prince, their son, whose richly endowed kingdom is a haven for those fleeing catastrophes elsewhere in the world, until they also realise too late that even their resources are finite and that science cannot save their world.

It's an earnestly well-meaning eco-parable, with just a glimmer of hope in its final moments, when two of the angels refuse to abandon the devastated world and remain behind when the others leave. But for all its contemporary relevance and the neatness with which the plot is packaged, the opera never communicates emotionally or imaginatively on any level. The problem is Maxwell's libretto, which is too intricate and opaque to convey meaning crisply even in printed form, let alone when sung. Too few words come across, though Bedford's vocal writing mostly limits itself to functional declamation or slowly moving, overlapped lines.

It's all terribly po-faced, with everything unfolding at the same moderate pace, with few meaningful changes of musical tempo or dramatic rhythm and generating tension with ostinatos from the 12-piece ensemble that rise in pitch and loudness, yet leave a totally static impression. The wonderful vibrant instrumental writing familiar from Bedford's earlier works colours some of the textures here, too, but they only succeed in making the vocal writing seem plain by comparison.

John Fulljames's production, with a book-dominated set designed by Tadasu Takamine, presents the tale as clearly as it can, though without the degree of stylisation it sometimes suggests, while Nicholas Collon never allows the score to linger. The cast of seven – Rhona McKail, Emma Selway, Louise Mott, Christopher Lemmings, Joseph Shovelton, Owen Gilhooly and Keel Watson – who double as the angels and as the characters in their story, work very hard, but can't provide the missing spark.

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FINANCIAL TIMES

July 13, 2011

Seven Angels, Linbury Theatre, London

By Richard Fairman

The opening had promise. A cataclysm like a nuclear explosion, possibly the end of the world, turns the earth into a desert, with a set created out of hundreds of books collapsing under the force of the blast and clouds of smoke erupting from the floor – not bad for a touring opera production on a limited budget.

Unfortunately, “promising” is as far as Luke Bedford’s new opera, *Seven Angels*, ever gets. Not that its creators have been lacking in ambition. Inspired by Milton’s *Paradise Lost*, Bedford and his librettist, Glyn Maxwell, have sought to create a new parable carrying an ecological message for the 21st century.

It is a tall order, but the essence of the plot goes like this: seven angels, forgotten by Milton, find themselves stranded in a world that has become a desert. They take on new identities as a fairy-tale unfolds, telling of a king and queen who live in a garden of plenty that is gradually emptied through industrialisation, greed and war until it becomes a wasteland. The characters revert to being angels again, two of whom resolve to remember the experience and bring help to the world.

The story is potentially a good one – “promising” indeed – so what has gone wrong? Bedford is a skilful composer and that much is evident; the music is well organised and knows how to create dramatic effects out of the small forces of Birmingham Contemporary Music Group, conducted here by Nicholas Collon. But at almost no point does it show any warmth or sympathy for the people in the story and the writing for the voices is unimaginative. The overall effect is depressingly utilitarian.

The seven singers do what they can, Keel Watson bringing authority to the King and Christopher Lemmings almost succeeding in making a flesh-and-blood character out of the Prince. John Fulljames’s production manages to pull some impressive effects out of the bag, but the director’s highly stylised direction of the singers alienates any remaining shred of empathy. This is an opera that declines to come half way to engage its audience. It should not be a surprise if the audience is unwilling to make the other half of the journey.

★★☆☆☆

[Royal Opera House](#)

STAGE THE REVIEWS

Seven Angels

Wednesday, 13 July 2011

by George Hall

In his first opera, the acclaimed young British composer Luke Bedford collaborates with poet and playwright Glyn Maxwell (whose previous librettos include that for Elena Langer's *The Lion's Face*), and directed by John Fulljames, recently appointed the Royal Opera's new Assistant Director of Opera.



Rhona McKail (Waitress) and
Christopher Lemmings (Prince) in
Seven Angels at the Linbury Studio,
London
Photo: Alistair Muir

The subject has its starting point in Milton's *Paradise Lost*. The cast represents a group of angels fallen from the sky to earth. But they also double as caricatured characters - a King, a Queen, a Prince, an Industrialist and others - in a heavily parodied fable of contemporary society's greed and misuse of the world's finite resources. Many will see this as a timely warning - patrons can sign a Friends of the Earth petition in the foyer. But there's a clear mismatch between the complexities of Bedford's score, which is regularly vital and imaginative, and the crude cartooning of Maxwell's scenario - at times the result feels like a piece of political theatre for six-year-olds set to music written by an adult for other adults.

Despite committed performances from everyone involved, and the expert playing of the Birmingham Contemporary Music Group under conductor Nicholas Collon, Fulljames's production cannot resolve this conflict. Tadasu Takamine's set consists of books standing in circles, some of which collapse before their cue as the audience enters - a foreseeable enough

event to count as a design fault. But it's the glib right-on-ness of Maxwell's approach that ensures that the piece sinks under the weight of its own insufferable worthiness.

Production information

Linbury Studio, London, July 12-15, then touring to Latitude Festival, Suffolk, July 16

Composer: Luke Bedford

Director: John Fulljames

Producer: The Opera Group/Birmingham Contemporary Music Group

Cast: Rhona McKail, Emma Selway, Louise Mott, Christopher Lemmings,
Joseph Shovelton, Owen Gilhooly, Keel Watson

Running time: 1hr 45mins

Seven Angels: The Opera Group, Linbury Studio, Covent Garden - review

★★★★☆ Barry Millington's rating

★★★★☆ Reader rating



Ph: Alastair Muir

Delusion in the Edenic garden: Christopher Lemmings as the prince

By Barry Millington
13 Jul 2011

The seven angels of Luke Bedford's new opera are supernumeraries from Paradise Lost: angels, we are told, "abandoned by God, forgotten by Satan, passed over by Milton, fallen out of history".

Together they try to make sense of the post-apocalyptic wasteland in which they find themselves.

The Edenic garden they assume once existed is recreated in the form of a series of narratives, peopled by a self-centred king and queen, a gluttonous prince, a chef, waitress, porter and gardener. The garden is finally revealed as a delusion: war, fanaticism and environmental despoliation have made it uninhabitable. And yet there is a glimmer of hope at the end as two angels refuse to abandon the world.

It's an imaginatively conceived reworking of Milton that questions our record as custodians of the planet. But somehow it fails to cohere. [Glyn Maxwell](#)'s libretto, clearly projected for the most part, veers between the banal and the abstruse, often infuriatingly so. Occasionally it rises to something resembling poetic inspiration but rarely is that matched by anything genuinely resourceful or arresting in the music. Bedford's score, muted in sonority (a quartet of violas replacing the usual string family) sadly lacks the richness of invention or timbral colouring of his best works.

The somewhat ungrateful vocal lines are delivered decently by an angelic septet and the Birmingham Contemporary Music Group players are conducted ably by Nicholas Collon, who does his best to inject some life into the score.

[John Fulljames](#)'s production underlines the literary credentials of the story by fashioning a mise-en-scène almost entirely out of books. It sparkles briefly at the beginning and end of the work, but otherwise does little to raise the spirits in a leaden evening.

Walking down the Strand just minutes after the performance, I was unable to recall a single phrase of the opera. On reaching [Charing Cross](#) underground station I was for once glad to hear the piped operatic music installed, it is said, to deter vandalism. Here at last was opera with a social purpose that also made the heart sing.

Thursday, Friday (020 7304 4000, roh.org.uk)

The Opera Group/Birmingham Contemporary Music Group: Seven Angels

Description: Luke Bedford's opera, with words by Glyn Maxwell, that interprets themes of Milton's Paradise Lost for an audience facing the challenges of a changing climate.

Dir: John Fulljames (dir).

Cast: Birmingham Contemporary Music Group, The Opera Group

Linbury Studio Theatre At The Royal Opera House Bow Street, Covent Garden, WC2E 9DD



Phone: 0207304 4000

Website: www.roh.org.uk

Email: onlinebooking@roh.org.uk

Opening hours:

Extra info: Food, Pub

Transport: Tube: Covent Garden , Tube / Bus: 1, 4, 6, 9, 11, 13, 15, 23, 26, 68, 76, 77a, 91, 168, 171, 176, 188, 501, 505, 521, X68 

Times: Jul 12, 14 & 15, 7.45pm

Price: £10.20-£24.50, NUS £13.30

Urbanist

Four ways to transform Mid-Market

Strategies for a vital economy in San Francisco's central district

After many years of fits and starts, San Francisco's Mid-Market area is stirring with prospects for transformation. Projects about to begin, as well as those still in planning, will bring new vitality to our long-neglected civic concourse. The already-approved CityPlace project, a new 250,000-square-foot retail development, will extend the commercial vibrancy of the San Francisco Centre to the stretch of Market Street west of Fifth Street. At the other end of the Mid-Market area, Twitter will move next year to the San Francisco Mart Building between Ninth and 10th streets. The relocation of Twitter is a huge coup, for both the city and the neighborhood, and is made possible by the city's recent agreement to exempt some employers in this zone from the municipal payroll tax. San Francisco has a unique business tax that requires companies with payrolls in excess of \$250,000 to pay the city the equivalent of 1.5 percent of the company's total expenditures on employee compensation. In the Mid-Market area, employers will be exempted from paying payroll tax on new employees for the next six years. This change will go a long way toward luring office tenants and larger retailers to an area with a 51 percent office-vacancy rate and 31 percent storefront vacancy. But more work is needed to make Mid-Market a better place to live, work, walk and shop. Here are four approaches that could help realize its potential:

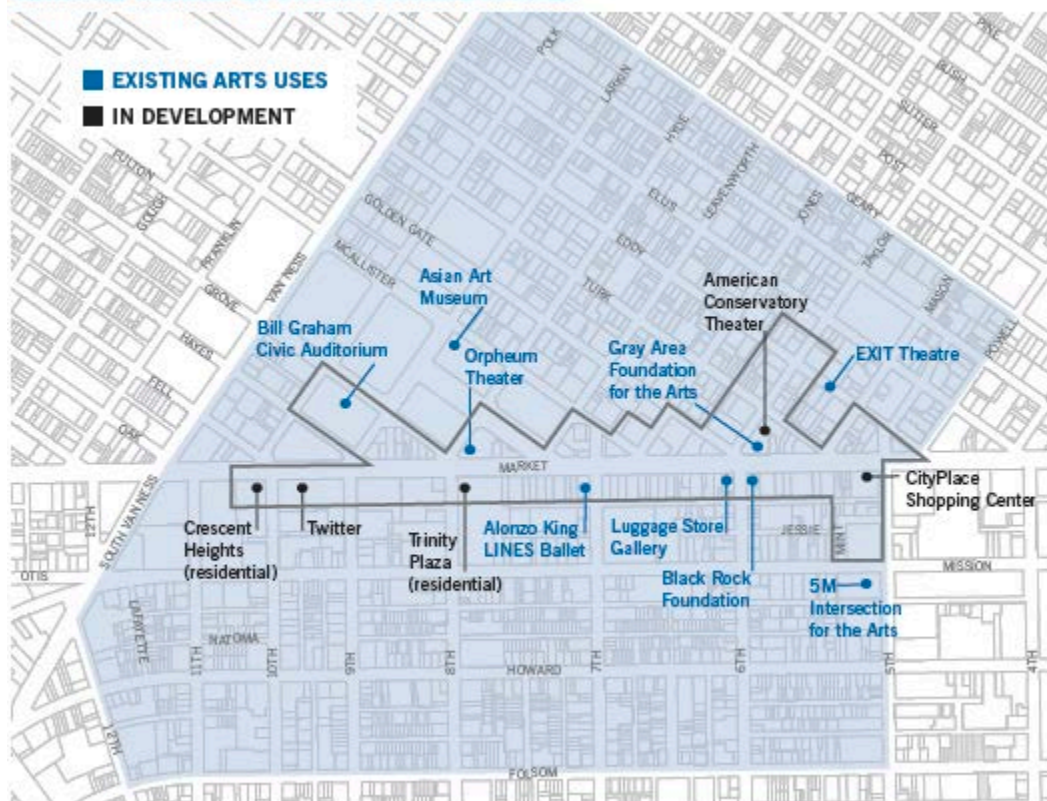
1. CREATE A MID-MARKET ARTS DISTRICT

We have the opportunity to do something more than extend downtown or the Civic Center office district. Mid-Market has the potential to be a great cultural hub for our city. It's already home to the American Conservatory Theater, Alonzo King LINES Ballet, Luggage Store Gallery, EXIT Theatre, Boxcar Theatre, Cutting Ball Theater, Gray Area Foundation for the Arts, KUNST-STOFF Contemporary Dance Company, the SHN theater company, CounterPULSE, The Black Rock Foundation (organizers of Burning Man) and Intersection for the Arts. Investing in expanded facilities and these organizations' operational stability can help to create a unique district for arts and culture. ACT presents a particularly promising opportunity. The theater is exploring the development of a new \$100 million performing arts center and drama school, along with student and artist housing. If constructed, this bold project would resurrect two long-dead blocks, reinvent the major gateway to the Mid-Market neighborhood, and send a jolt of confidence and energy throughout the surrounding area. This has worked elsewhere. Initiatives such as the PlayhouseSquare District Development Corp. in Cleveland and the Downtown Brooklyn Partnership in New York have raised hundreds of millions of dollars to invest in renovating old theaters, programming public spaces, and facilitating the development of commercial and residential real estate projects. The realization of this vision requires funding, however — which means we must develop the resources to acquire and safeguard key properties that can house our cultural treasures as well as stimulate additional investment and development.

2. SECURE NEW RESOURCES FOR THE NEIGHBORHOOD

Attracting new businesses and retaining existing businesses requires investment. Several tools are needed to support a new Mid-Market arts district as well as to improve the public realm in the area. We need to establish either a redevelopment area or an infrastructure-financing district (IFD) to capture the new property tax value generated by the Twitter and CityPlace projects. Value increases from other new developments and businesses moving to the area should be captured as well. Tools such as an IFD or a redevelopment area would allow us to rely on these increases in property values as a future revenue stream to repay bonds for a variety of investments in the neighborhood, including the rehabilitation and development of buildings that support arts uses. The city can help make this type of financing easier to obtain and more attractive to use by serving as the bond issuer and helping arts organizations secure favorable terms from lenders.

CENTRAL MARKET ECONOMIC STRATEGY AREA



Source: San Francisco Office of Economic and Workforce Development, www.oewd.org

Capitalizing on the area's concentration of arts organizations, the San Francisco Office of Economic and Workforce Development has launched an initiative to restore Mid-Market as the city's downtown arts district. By encouraging new employers, retail and housing in a "focus area" along Market Street, the plan aims to serve and stabilize the larger neighborhood.

3. PROMOTE HOUSING FOR ALL INCOME LEVELS

The Mid-Market area is home to a significant stock of low-income housing, much of it owned by nonprofit organizations unlikely to convert it to market-rate housing. We need to find ways to protect and upgrade this affordable inventory to create more livable environments for low-income residents. This can include adding kitchens and bathrooms to traditional SRO units. At the same time, we should also promote market-rate housing, mixed-income housing and family-sized housing in order to attract a diversity of residents to the area. Finally, we should create more affordable housing in other areas of the city to reduce the pressure on the Tenderloin and Mid-Market neighborhoods and help them achieve more equitable development.

4. INVEST IN PUBLIC SAFETY

Mid-Market needs more police officers on the streets to create a greater sense of public safety. The Tenderloin precinct was recently reduced by 17 officers. This will invariably result in weakened deterrence in a neighborhood that can ill afford it. There will be more incidents involving public disorder, and we could lose the progress achieved thus far in this critical component of a livable neighborhood. Two new community efforts are working to move the crack dealing on Turk Street and prescription-pill dealing on Leavenworth Street out of the neighborhood. Both deserve support from community-based organizations, the San Francisco Police Department, the Community Justice Center and the District Attorney's Office. Programs that take chronic inebriates off the streets and provide treatment and other services also are critical. While such programs are expensive, the costs would be off set by the reduction in 911 calls and emergency treatment. The real progress already made in the Mid-Market area places us at a crossroads. If we are willing to invest in this area and develop creative policies, we can solve problems that have been plaguing the city for decades.

About The Authors

Elvin Padilla, Jr. is the executive director of the Tenderloin Economic Development Project and a resident of the Tenderloin.



Urbanist

July 2011

Linked fortunes: Mid-Market and the Uptown Tenderloin

They thrived together, then declined together. Now these key neighborhoods are primed for a joint revival.

By Randy Shaw, executive director of the Tenderloin Housing Clinic

San Francisco's recent payroll tax exemption for the Mid-Market and Uptown Tenderloin reaffirmed a century-long connection between these neighborhoods. From the 1890s through the 1950s, Mid-Market theater patrons and shoppers dined and drank in Uptown Tenderloin bars and restaurants. Through the 1930s, Market Street movie theaters picked up their films from the many film exchanges in the Uptown Tenderloin. Market Street also attracted people to Uptown Tenderloin bordellos and gambling houses, the latter often tucked in the back of cigar stores. Both neighborhoods promoted a "bachelor culture" of pool halls, bathhouses and cheap restaurants that helped make them a popular destination for sailors during World War II. Mid-Market Street and the Uptown Tenderloin experienced decades of great economic times. Both had clear functions in San Francisco's broader economy. Mid-Market was the "Great White Way," where people from the entire Bay Area came to see first-run movies at historic movie palaces. The Uptown Tenderloin was San Francisco's center for gambling, bordellos and other vices, which helped support the area's legal entertainment and legitimate businesses. But just as Mid-Market and the Uptown Tenderloin prospered together, they experienced a parallel decline. Suburbanization ended Mid-Market's near monopoly over major first-run movies, and the 1960s saw the demolition of the Fox Theatre and other historic theaters. In addition, urban reformers promoting "beautification" eliminated many of the gaudy facades that distinguished Mid-Market, and BART construction in the 1960s tore up the street, hurting the area's retail stores. Mid-Market never established a new function in the San Francisco economy after the theaters departed. Though it hosted some less-than-legal businesses, the Uptown Tenderloin had a vital economy through the 1950s and was never the city's Skid Row. As late as 1960, the U.S. census found not a single block in the neighborhood to have "Skid Row characteristics," a term that included the homeless and/or alcoholic single men who predominated in the South of Market and Mission areas at the time. But as Mid-Market declined in the 1960s, the Uptown Tenderloin followed. Restaurants and bars that long depended on patronage from Market Street theatergoers could not survive. San Francisco waged what some called a "war on fun" against Uptown Tenderloin bars (particularly gay establishments) and entertainment venues. The biggest impact came from the city's crackdown on police corruption, which gained force with the election of Mayor George Christopher in 1955. The drive to root out corruption put the Uptown Tenderloin's longtime gambling operations out of business. Gambling and vice were the

economic lifeblood of the neighborhood, and by the early 1960s the Uptown Tenderloin, like Mid-Market, needed a new function in the city's economy.

DECADES OF DECLINE

Many San Francisco neighborhoods declined in the early 1960s, but Mid-Market and the Uptown Tenderloin still have not recovered. Instead, starting in the 1960s, these two areas increasingly became home to those whose poverty, sexual orientation or gender identity denied them access to other neighborhoods. Porn movie theaters and live sex shows replaced the storied first-run movie palaces of the past and proliferated in both neighborhoods. Street prostitution took the place of bordellos, and public drug dealing — unheard of in these neighborhoods through the mid-1950s — was now commonplace. The decline of Mid-Market and the Uptown Tenderloin continued into the late 1970s, a time when much of San Francisco was on the rebound. Young urban professionals returned to the city, fueling the first waves of gentrification. Gay men and lesbians, attracted by the city's social tolerance, migrated to San Francisco in droves, further increasing demand for housing in the Mission, Haight-Ashbury, Castro and other neighborhoods near downtown. But Mid-Market and the Uptown Tenderloin remained largely isolated from this upsurge of the late 1970s and 1980s and could not capitalize on San Francisco's economic growth. In the late 1970s, the Uptown Tenderloin got an unforeseen break with the arrival of thousands of Southeast Asian refugees following the end of the Vietnam War. As Asian-oriented businesses filled long-vacant storefronts and refugee families moved into empty apartments (refugees were placed in the neighborhood due to its high vacancy rate), there was a sense that the Uptown Tenderloin was on the verge of a great transformation. As the 1980s began, optimism about the neighborhood's future was so high that activists moved to enact critical laws to prevent the Uptown Tenderloin's gentrification. These included citywide rent-control and "just cause" eviction laws, and a measure restricting the conversion of residential hotels to tourist lodgings. The neighborhood's most important anti-gentrification measure was a rezoning proposal to end the Uptown Tenderloin's long-standing downtown commercial zoning, which had allowed 40-story high-rise towers to be built throughout the community. The new zoning plan was submitted to the city in May 1981. It immediately reduced most neighborhood heights to 80 feet, or to 130 feet in some blocks with conditional-use approval. New tourist hotels were banned, as were nonresidential uses above the second floor. The new zoning law was enacted in 1985. When these land-use restrictions and tenant protections were added to the Uptown Tenderloin's unique absence of homeownership opportunities — an essential part of every gentrified neighborhood in the nation — activists and residents were confident that, unlike elsewhere, the neighborhood's rise would benefit low-income residents. But hopes in the community's progress — and in the ability of the Southeast Asian influx to revive the Uptown Tenderloin's long-stagnant business life — proved illusory. Most immigrants had little disposable income, and often those who became more financially successful quickly moved to a better neighborhood. Even worse, during the 1980s the neighborhood's single-room occupancy (SRO) hotels were transformed into city-funded transient housing, driving out long-term residents and affirming the area's status as a home for the downtrodden. Market Street movie theaters also became unofficial homeless shelters during those years, with the Embassy and Strand theaters providing cheap lodgings (anyone could sleep in the theater all day for the cost of a \$2 matinee) for those unable to afford an SRO.

ROAD MAP FOR REVIVAL

From the 1980s through today, there has been no shortage of plans for reviving Mid-Market and the Uptown Tenderloin. In reference to the former, San Francisco Chronicle columnist Herb Caen wrote in 1967, “The dreamers talk vaguely of pedestrian malls and islands of shrubbery, but there is doubt even in the pretty drawings; they will end up in the files (or the wastebasket) along with a thousand other plans bravely titled, ‘What to Do About Market Street’” [the title of SPUR's 1964 plan for Market Street]. I have a file drawer full of failed plans for Uptown Tenderloin projects; considerable time has been spent trying to create a viable economic function for the neighborhood. Today the Uptown Tenderloin and Mid-Market Street show signs of an upswing. I believe their revival began with their formation of Community Benefit Districts (CBDs) in 2005 and 2007, respectively. The CBDs have improved both neighborhoods’ physical appearance and increased the commitment of property owners — who are now paying a special assessment — to improving their neighborhood. This latter point is critical, because inactive property owners unwilling to invest in the area’s improvement have prevented progress in both neighborhoods. After decades trying to find a function in the city’s economy, the Uptown Tenderloin and Mid-Market Street are now playing to their strengths. In 2009, the former’s large collection of historic buildings paved the way for the federal government to designate 33 blocks as the Uptown Tenderloin Historic District. The area’s history offers a road map for revitalization, as its authenticity attracts patrons to its restaurants and bars. Mid-Market’s location near transit lines makes it a perfect site for new arts and theater uses, the key to its successful past. Mid-Market also has highquality historic office space, which made the city’s recent deal to retain Twitter possible and opens opportunities for the street to become a home for high-tech companies. The Uptown Tenderloin’s small businesses need patronage from Mid-Market office workers, and Mid-Market cannot thrive if it has a troubled neighborhood on its northern border. Two neighborhoods that prospered together for decades, and then declined almost in lockstep, are now primed for a joint revival.



Mayor Ed Lee offers Mid-Market revival strategy

John Wildermuth, Chronicle Staff Writer

Thursday, December 1, 2011



Mid-Market - between Fifth Street and Van Ness Avenue - has long struggled with rampant crime and vacant storefronts.

Photo: Dylan Entelis / The Chronicle

San Francisco's struggling Mid-Market area, plagued by rampant crime, soaring unemployment and empty storefronts and offices, will be the focus of a plan designed to revitalize one of the city's most visible commercial districts.

On Wednesday, Mayor Ed Lee released an economic strategy report for central Market Street, one that points out ways to deal with the long-standing problems facing the area, which extends from Fifth Street to Van Ness Avenue.

"It's not to say this area is more important, but it's a signature part of the city, one that we've historically had a hard time improving," said Lee. "Wherever people go in the city, they notice the boarded storefronts, the blight."

Some of the proposed fixes can be made quickly and inexpensively. The city's Department of Public Works, for example, can do more to clean the sidewalks and plazas and remove graffiti.

The city already has plans for a new police substation on Sixth Street, which can increase both the presence and visibility of officers in the area.

Other efforts will take longer. Job training for residents is a top priority, the mayor said, along with loan programs and other efforts to attract businesses, large and small. Another recommendation calls for building a centrally located public restroom and staff it 24/7.

Lee has told his department heads to focus their immediate efforts on Mid-Market, showcasing the city's commitment to revitalizing the area for companies like Twitter and Zendesk, which have already acquired space, and other businesses and organizations considering a move.

The 45-page report paints a picture of a business-friendly area blessed by a central location with easy transit access, a growing artistic community and plenty of plazas and public spaces. But concerns about crime, grimy streets and sidewalks and legions of panhandlers and street people keep shoppers and businesspeople away.

"A lot of people will come and look at a building or store and then walk away because they're worried about safety," said Amy Cohen, director of neighborhood business development for the Mayor's Office of Economic and Workforce Development, which put together the report.

Surveys taken as part of the study show how deep concerns about Mid-Market run. Between 5 and 6 p.m. on weekdays, for example, pedestrian traffic drops dramatically west of Fifth Street, with nearly four times as many people walking between Fourth and Fifth streets as from Sixth Street to Seventh.

The commercial vacancy rate is highest in the city, at 30 percent for retail storefronts and 50 percent for office space.

The study looks not only at the commercial corridor along Market Street, but also at the residential hotels, low-income housing and business and social service facilities between Market and Mission streets and the edge of the Tenderloin.

"Those other parts of the neighborhood have to be integrated with any solutions for Market Street," said Jennifer Matz, director of the workforce office. "The recommendations we made reflect the priorities of the people who live and work there."

The new economic plan can serve as a blueprint for companies, nonprofits and philanthropic groups looking to invest in the Mid-Market area, the mayor said, building on the city's efforts. That includes Twitter and other businesses that have to agree to pay for community benefits in exchange for receiving city tax breaks for moving into the area.

"Let's invest in the area, let's get a plan out there," Lee said. "Let's show companies how they can contribute to the economic livelihood of the area where they move in."



A pedestrian walks down Stevenson Alley in San Francisco, Calif., on Wednesday, Nov. 30, 2011. Mayor Ed Lee is considering a proposal that would revitalize the Mid-Market neighborhood, transforming Stevenson Alley into a pedestrian thoroughfare. Photo: Dylan Entelis / The Chronicle



Pedestrians cross the street at Market and 6th in San Francisco, Calif., on Wednesday, Nov. 30, 2011. Mayor Ed Lee is considering a proposal that would revitalize the Mid-Market neighborhood, including measures that would increase sidewalk safety. Photo: Dylan Entelis / The Chronicle



Pedestrians walk in UN Plaza in San Francisco, Calif., on Wednesday, Nov. 30, 2011. Mayor Ed Lee is considering a proposal that would revitalize the Mid-Market neighborhood, including measures that would increase sidewalk safety and expand the already popular Civic Center farmer's market.
Photo: Dylan Entelis / The Chronicle



A pedestrian spontaneously poses in the Mid-Market street area in San Francisco, Calif., on Wednesday, Nov. 30, 2011. Mayor Ed Lee is considering a proposal that would revitalize the Mid-Market neighborhood, including measures that would increase sidewalk safety.
Photo: Dylan Entelis / The Chronicle



Pedestrians walk in UN Plaza in San Francisco, Calif., on Wednesday, Nov. 30, 2011. Mayor Ed Lee is considering a proposal that would revitalize the Mid-Market neighborhood, including measures that would increase sidewalk safety and expand the already popular Civic Center farmer's market.
Photo: Dylan Entelis / The Chronicle



Terry Hollins (left), also known as The Cookie Man, waits to cross the street at Market and 6th in San Francisco, Calif., on Wednesday, Nov. 30, 2011. Mayor Ed Lee is considering a proposal that would revitalize the Mid-Market neighborhood, including measures that would increase sidewalk safety.
Photo: Dylan Entelis / The Chronicle

Left Coast Leaning Festival review: hit and miss

Mary Ellen Hunt, Special to The Chronicle

December 3, 2011



Noel Plemmons and Keely McIntyre in an inventive excerpt from "Home Made," which uses a combination of voice, film and choreography.

Photo: Aaron Rogosin

"What are you trying to say?"

It's a question that could be sardonic, frustrated or genuinely curious, and the latest edition of the Left Coast Leaning Festival, which opened at the Forum at the Yerba Buena Center for the Arts on Friday, evoked a combination of those moods in a program of works that was inventive, perplexing, combative and delightful.

This is the third year for Left Coast Leaning, a co-presentation of YBCA with Marc Bamuthi Joseph's Living Word Project, and the mission - to seek out works of a distinctively West Coast voice that "emanate from a guttural, visceral place," as Joseph says - continues to be both provocative and appealing. But as is often the case with festival programs, the lineup of five works - by local performers as well as artists from Los Angeles and Portland, Ore. - is hit-and-miss.

"Replicant VS Separatist," by the L.A.-based Alexandro Segade, casts Jesse James Rice and Justin Streichman as actors in a movie within a play that puts a dystopian spin on the institutionalization of same-sex marriage.

More cutting, Rafael Casal's solo monologue, "The Limp," offers an incisive glimpse inside the male mind, couched as a conversation among three roommates, who could be stand-ins for the id, ego and superego. Scattered in Casal's bittersweet observations is a compelling meditation on the confusion and disillusion of the modern guy.

The rambling "Up Against Nothing" by the Anna Martine Whitehead Group is among the most uncomfortable and mystifying works of the night. Film of minstrel shows and flashing exhortations for applause formed the backdrop for Whitehead and fellow performers Brontez Purnell and Shawnrey Notto in what seemed to be a denunciation of racial stereotypes and body dysmorphia. Unfortunately, although the desperate desire to communicate was palpable, a lack of coherency to the overall piece undercut the message.

The Oregon-based Angelle Hebert and Phillip Kraft contributed an inventive excerpt from "Home Made." A combination of voice, film and choreography, the piece's opening premise is an elegant one. Dancers Keely McIntyre and Noel Plemmons create shadowy movements under a thin white sheet of fabric while simultaneously shooting video of each other that is projected on a screen above. The video is so close as to be clinical, and yet the abstraction of tented, anonymous shapes moving to the vocalizations of Luke Matter and Cali Ricks creates a strangely fascinating intimacy.

By far, though, the strongest statement of the night comes from "Sole Love," which L.A. tap dancer Jason Samuels Smith premiered to close the program. Playful yet insistent, driving as well as classy, Samuels Smith's segment alone is worth the price of admission. And clearly he has something to say, even if that something can't be articulated in words. A laconic scuff of his heel and a sly look as he pauses draws a giggle from the audience. "Well?" someone says aloud.

Backed up by trombone, bassoon and clarinet, Samuels Smith launches into fusillades of tap so powerful that vibrations resonate through the floor and into the audience. Now that's a visceral experience.



Photo: Scott Groller

THE HUFFINGTON POST

Lobbying Group Launches 'Defense Fund' To Fight Raises For Guest Workers



Dave Jamieson

9/15/11



Maryland seafood companies often fill their crab-picker positions with low-paid guest workers.

WASHINGTON -- At the end of this month, many of the foreign guest workers employed in low-wage American jobs will be getting a raise, courtesy of a new rule enacted by the U.S. Department of Labor. But business groups are now in a last-minute scramble to kill or at least stall the rule before it goes into effect, claiming the higher wages will make some workers unaffordable.

A host of interest groups representing various industries -- lodging, forestry and seafood-packing among them -- have [sued the Labor Department](#) in federal court in Louisiana, alleging the new rule will make labor costs prohibitively expensive and the [H2B guest worker program](#) unusable. The new rule is itself the result of a lawsuit brought by advocates for low-wage workers.

The [American Hotel & Lodging Association](#) (AH&LA), a lobbying and trade group for the hotel industry, has even solicited donations to a legal "defense fund" aimed at fighting the new wage rule. According to an email looking for contributions to the fund, the amount needed to roll back the rule before it kicks in is an estimated \$300,000.

"Although any contribution amount is welcome, a suggested method for calculating a contribution is \$100 per [guest worker]," the email reads.

Shawn McBurney, senior vice president of governmental affairs at AH&LA, says so far the response from members has been strong.

"Frankly, we've been quite surprised," McBurney said. "I don't want to say it's overwhelming, but it's very impressive. There's been a great deal of interest."

The trade groups have also gotten backing in their effort from a bipartisan group of legislators whose districts have businesses that may be impacted by the higher payrolls. Sen. Barbara Mikulski (D-Md.) co-signed a [letter to Labor Secretary Hilda Solis](#) last week asking the labor department to rescind its new wage rule and abandon another proposed rule for the H-2B program that business groups have lobbied against.

Maryland seafood companies often fill their crab-picker positions with [low-paid guest workers](#) from Mexico. Mikulski says the new rule would be devastating for the industry.

"What they're doing will totally render the program dysfunctional," Mikulski told HuffPost. "I could end up with wholesale closings of the seafood industry. Up and down the East Coast we've got canneries closing."

"Quite frankly, I want my crabmeat to come from Crisfield [Maryland], not Indonesia," she added.

Designed years ago as a way to fill gaps in the workforce for seasonal businesses, the H-2B visa program allows foreign workers to take temporary non-agriculture American jobs. While many industries have come to rely on such workers, the program has drawn criticism from worker advocates who believe it's become little more than a means to cheap labor.

Among the most contentious elements of the H-2B program is how fair wages are determined. For years advocacy groups have criticized the Labor Department for using a methodology they believe sets wages too low. A federal judge agreed, ordering the department to develop a new rule, which was published in January.

The new methodology will go into effect after Sept. 30. Some businesses say that wages will skyrocket as a result, forcing them to abandon the H2-B program and look elsewhere for affordable workers. Even the more modest boosts, they say, could put guest workers out of reach for them.

"Going from \$9.50 to \$10.83 an hour may not sound like that big a deal, but your labor costs just went up 12 or 14 percent," says Greg Dugal, executive director of the Maine Innkeepers Association, which represents hotels, motels and bed-and-breakfasts. "That's not doable. Something has to give."

"They can't afford these inflated wages," McBurney says of small-business owners. "They bear no relation to the economics of the business."

Just how much the wages will climb is a matter of dispute. The industry groups' [lawsuit](#) cites some astronomical rises -- doubling in certain cases -- but Art Read, general counsel for the advocacy group Friends of Farm Workers, says the lawsuit cherry-picks situations and gives misleading calculations.

"They've been getting away with underpaying these workers for years," said Read, who was involved in the lawsuit that forced the Labor Department to redraw its rules. "If you've gotten used to being able to have a very cheap workforce, having to compete with market wages is maybe something you don't want to do."

Read says that in the case of Maryland seafood workers, for instance, the wage will probably rise from about \$7.25 per hour now to about \$9.24 after the new rule goes into effect. The former rate is the same as the federal minimum wage, while the latter rate, incidentally, [roughly matches](#) the living wage rate for Maryland, as defined by the state.

H2-B guest workers are some of the more vulnerable workers in the seafood industry, according to Rachel Micah-Jones, executive director of [Centro de los Derechos del Migrante](#), a workers' rights law center based in Mexico. She says many workers end up earning less than minimum wage because they get paid by the pound of seafood handled, and many of them are afraid to report workplace abuses because they aren't U.S. citizens and can work only for the employers listed on their visas.

Micah-Jones says that the low wages paid to guest workers help drag down wages for everyone, including American workers, and that the wage raises are long overdue. She also says she was disappointed to see Mikulski sign on to the letter.

"We thought maybe she would be more supportive of protections for this workforce," Micah-Jones said.



Trabajadores temporales reclamaron abusos de empresas de EU

09/20/2011

Laborar en precarias condiciones



En 2010, Estados Unidos autorizó y emitió 47,403 visas H2B, de las cuales, 70% fueron cubiertas por mexicanos.

- Getty Images

MÉXICO, D.F.- El reclutador que fue a Fresnillo, Zacatecas, le ofreció a Leonardo Cortéz 8.50 dólares el pago por hora de trabajo temporal en las ferias de Estados Unidos como ensamblador y desmontador de juegos mecánicos, pero al llegar a Virginia, sólo le dieron 240 dólares por semana en la empresa J&J Amusements.

Fue la gota que derramó el vaso porque Cortéz, de 46 años y padre de cuatro hijos, arrastraba ya una serie de agresiones laborales durante 17 días que "aguantó" antes de volver a México.

El patrón le retuvo el pasaporte y él no podía ni siquiera salir a comprar agua por temor a ser deportado; tampoco fue capacitado para manipular mortales fierros sobre su cabeza sin casco o

sus pies sin botas (trabajaban incluso en sandalias) y en los dormitorios desfallecía de calor sin aire acondicionado.

El lado oscuro de las visas temporales

"Algunos fines de semana trabajábamos desde las 4:00 de la tarde hasta las 2:00 de la mañana y nunca nos pagaron horas extra", afirmó Cortéz.

Regresó más pobre, endeudado y engañado: el lado oscuro de las visas temporales, un programa federal que permite a trabajadores extranjeros no inmigrantes laborar provisionalmente en empleos de baja calificación en Estados Unidos.

Cortéz ahora es parte de un grupo de trabajadores temporales migrantes mexicanos abusados por empresas norteamericanas y 15 de las organizaciones binacionales en defensa de los derechos laborales que anunciaron el lunes una queja administrativa contra el gobierno de Estados Unidos.

La queja, que busca generar presión a nivel diplomático, se suma a por lo menos 10 demandas judiciales colectivas contra compañías de ese país en diversas cortes de la Unión Americana por la violación "sistemática" de los derechos de trabajadores de oficios que ingresaron a la Unión Americana con visas temporales H2B no agrícolas.

En 2010, Estados Unidos autorizó y emitió 47,403 visas H2B, de las cuales, 70% fueron cubiertas por mexicanos.

"El gobierno de EU no está cumpliendo con su trabajo, su responsabilidad de corregir las violaciones contra estos trabajadores", dijo Sislas Shawver, abogado del Centro de los Derechos Migrante, uno de los grupos asesores que presentaron la queja ante la Oficina Administrativa Nacional de México.

Se enfrentan violaciones en los trabajos

Entre las organizaciones que avalan la queja sustentada bajo el Acuerdo de Cooperación Laboral de América del Norte del Tratado de Libre Comercio (ACLAN) se encuentran también Interfaith Worker Justice, North Carolina Justice Center, Sothern Poverty Law Center, Sin Fronteras, La Federación Americana de Trabajo y Congreso de Organizaciones Industriales (AFLCIO) y el Worker Center of Central New York.

Sus peticiones se centran en "presionar" al Departamento del Trabajo estadounidense para que capacitar a inspectores que vigilen a las empresas a cumplir la ley, monitorear los lugares de empleo, implementar medidas para enfrentar violaciones en los trabajos y capacitar a los patrones para evitar los abusos.

"Nosotros hemos reportado el problema y no ha sido atendido", detalló Shawver.

Las organizaciones elaboraron una lista de las "violaciones sistemáticas" al ACLAN por parte de los empleadores contra temporales mexicanos.

Las más comunes son el incumplimiento de pago de sueldo mínimo; la falta de reembolso de gastos tales como transportación, pago a reclutadores, visas, comida y hospedaje que realiza el trabajador para llegar hasta el lugar del empleo; la retención de parte del sueldo y venta de uniformes y herramienta para el trabajo.

Incluso absurdos como las medidas impuestas a empleados de las ferias a quienes los patrones les cobran multas por uso del baño durante horas fuera de descanso autorizado o por quejarse.

EU no ha cumplido con algunas leyes

"EU ha fallado, y continúa fallando, en hacer cumplir eficazmente sus leyes de sueldo mínimo para trabajadores H2B, permitiendo que compañías regularmente paguen menos y nieguen a sus empleados los reembolsos que por ley les corresponden", señala la queja.

Con todo, los trabajadores muchas veces no pueden defenderse con recursos administrativos y judiciales porque si son despedidos el tipo de visa los obliga a volver a sus países de origen. "Muchos abogados no los quieren defender porque ya no están en EU".

En otros casos, los trabajadores tienen miedo de venganza o represalias si se quejan de las condiciones de su empleo con las autoridades:

José Luis Miranda, oriundo de Naucalpan, Estado de México, pidió prestado alrededor de 1,200 dólares para solventar los gastos para llegar a trabajar a Detroit como jardinero de la empresa Breick Man.

"Nunca me reembolsaron el dinero y me hacían pagar por todo: 50 dólares semanales por transportación, 200 por semana por un departamento, al final era muy poco lo que ganaba: sólo cubrí la deuda y otros gastos y me regresé", dijo.

"El problema es que la necesidad es dolorosa y con todos los abusos uno puede volver a caer en lo mismo".

Trabajadores con visas H2B demandan a la nación

9/20/11

Por Mitzi Macias Washington Hispanic

Fueron víctimas de abuso como el pago por debajo del salario mínimo y multas injustas por ir al baño o llegar cinco minutos tarde.

Cansados de no obtener respuestas a sus reclamos un grupo de trabajadores representados por organizaciones nacionales e internacionales decidieron presentar una demanda contra Estados Unidos por no hacer que sus empleadores paguen por haber violado las leyes laborales.

Estos trabajadores fueron traídos de otros países a través de una Visa H2B para realizar trabajos en el campo y/o estacionales, pero fueron víctimas de una serie de explotaciones y violaciones a sus derechos laborales y humanos.

Entre las acusaciones de los demandantes se encuentra el pago de un salario muy por debajo del salario mínimo, el cobro de multas por parte de los empleadores por supuestamente ir al baño sin autorización o llegar cinco minutos tarde a su centro de trabajo, así como el pago “ilegal” que debieron hacer a sus empleadores por concepto de viajes y procesos de tramitación de las visas de trabajo.

Las organizaciones comprometidas en la defensa de estos trabajadores son la Federación Estadounidense del Trabajo y Congreso de Organizaciones Industriales (AFL-CIO, por sus siglas en inglés) junto con el Centro de los Derechos del Migrante (CDM), el Southern Poverty Law Center, PRODESC y otras organizaciones de la sociedad civil, que se amparan para presentar la demanda en el Acuerdo Norteamericano de Cooperación Laboral (NAALC, por sus siglas en inglés) del TLCAN.

Esta demanda sostiene que Estados Unidos no cumplió con sus obligaciones bajo el NAALC al permitir que las compañías paguen rutinariamente a los trabajadores H-2B menos que el salario mínimo establecido por hora y que se les niegue sobretiempo y repago por viajes, visa y costos de reclutamiento.

Incumple EU obligaciones con trabajadores, acusan

Migrantes y ONG interponen queja contra el gobierno de Barack Obama. Denuncian graves violaciones a sus derechos laborales en suelo estadounidense. Existen abusos sistemáticos, afirma el Centro de Derechos Humanos Agustín Pro.

20 Septiembre 2011

México.- Un grupo de trabajadores migrantes mexicanos y organizaciones binacionales interpusieron una queja contra el gobierno de Estados Unidos, por no cumplir con sus obligaciones de promover y asegurar el respeto a los derechos laborales.

Los trabajadores denunciaron que sufrieron graves violaciones a sus derechos al sueldo mínimo mientras laboraron en ferias y carnavales en varias partes del territorio estadounidense.

Estas violaciones son cotidianas para los trabajadores migrantes, pese a que Estados Unidos tiene una obligación bajo el Acuerdo de Cooperación Laboral de América del Norte de prevenir y remediar estos abusos, denunciaron ayer en conferencia de prensa realizada en el Centro de Derechos Humanos Miguel Agustín Pro.

En la queja se pide que el gobierno de Estados Unidos empiece a tomar medidas fuertes para corregir las violaciones sistemáticas a los derechos laborales, ésta se presenta en un momento crítico en la lucha para los derechos laborales de los trabajadores migratorios, señaló la directora ejecutiva del organismo, Rachel Micah-Jones. “porque ya después de varios años siguen siendo violados los derechos básicos de los trabajadores de las ferias y no ha habido suficiente acción por parte del gobierno estadounidense”

En 2008, el centro inició un proyecto con trabajadores huéspedes que viajaron a Estados Unidos para laborar en las ferias ambulantes entre 2007 y 2009. Los trabajadores habían sido contratados por empresas estadounidenses bajo el programa de visas H-2B, que permite contratar extranjeros temporales en industrias no agrícolas por un periodo menor a un año.

Mientras trabajaban fueron expuestos a altos niveles de riesgos laborales, como condiciones insalubres de vivienda, salarios inferiores a los que les corresponden, y el requisito de pagar gastos de reclutamiento, visas y el costo de transporte.



Fall 2011 Newsletter – Program Highlight: Sparkpoint



The Mission Economic Development Agency is proud to be selected as the lead agency for the first Sparkpoint Center in San Francisco.

An initiative of the United Way of the Bay Area, which has helped to launch 8 other SparkPoint Centers in six Bay Area counties, Sparkpoint centers are family-friendly places where hard-working, low-income people can access a full range of services provided by multiple service providers to help them get out of poverty and achieve long-term financial stability. These services include personalized financial coaching, as well as programs that help families move up the career ladder, build assets and manage their credit. Plaza Adelante SparkPoint is currently in the planning stages and will open in January 2012. MEDA is looking forward to a strong and productive partnership with the United Way and its SparkPoint partners!

Report: Basic cost of living soars in Bay Area

Carolyn Said, Chronicle Staff Writer
Wednesday, October 5, 2011



Raju Kumar folds tablecloths in preparation for his family's new Simmi Boutique's grand opening in the Mission District, which received a boost from a San Francisco agency that aids low-income entrepreneurs.

Photo: Noah Berger / Special to The Chronicle

Raju and Simmi Kumar were busy Tuesday afternoon arranging multihued shawls, skirts, handbags and tablecloths imported from their native India in their new Mission District store, Simmi Boutique.

"We want to help the poor people back in India who work for us to make these beautiful things," Raju Kumar said.

Here in the United States, their family of five - they have three children, ages 13, 14 and 19 - struggles to make ends meet also.

"It's very tight, let me tell you," he said. "We never, ever go out, we always cook all three meals at home. But expenses are going all the way up."

A report released Tuesday underscored how the Kumar family reflects the realities of the working poor. According to a formula called the Self-Sufficiency Standard, a family of four (with two adults, one preschooler and one school-age child) in the nine-county Bay Area now needs \$74,341 a year to get by, compared with \$62,517 three years ago.

At the state level, the cost of basic needs for a family of four rose 15.9 percent, to \$63,579 from \$54,853, between 2008 and 2011.

The report analyzed the cost of basic needs in the Bay Area - rent, food, health care, child care, transportation and taxes, which soared 18.9 percent in three years. The study, conducted by the Insight Center for Community Economic Development in Oakland, found that unemployment rose and wages were stagnant over the period.

Money gap grows

"The income and expense gap families experience is becoming even more exacerbated and pushing more families into a place of economic insecurity," said Jenny Chung Mejia, a program manager and attorney at the Insight Center. "Families need to bring in an extra \$10,000 to \$15,000 each year just to cover a basic basket of goods."

The most dramatic increases were for health care, child care and taxes. In the region, health care costs rose 35 percent in three years; child care rose 21 percent.

The study's thresholds are more than double the federal poverty level, a yardstick used to determine eligibility for many forms of public assistance. That formula, developed almost half a century ago, takes into account only the cost of food and annual inflation.

The federal poverty level for a family of four is \$22,350. That same amount applies everywhere in the country, whether it's high-cost San Francisco or Jackson, Miss.

"Families fall in a gap where they have too much income to qualify for benefits but clearly don't have enough income to cover all their basic needs on their own," said Chung Mejia.

The Self-Sufficiency Standard was developed in 1996 by University of Washington social scientist Diana Pearce to calculate the actual cost of people's needs in different areas. Many advocacy groups and academics are pushing for it to supplant the federal poverty level as a way to measure and understand poverty.

"This is a more realistic measure of economic need," Chung Mejia said. "If we recognize what it truly costs to make ends meet, we can do a better job in planning for the needs of low-income individuals."

Increasing income

At Mission Economic Development Agency/Plaza Adelante in San Francisco, special projects coordinator Eric Brewer Cuentas said the Self-Sufficiency Standard is key to judging the effectiveness of programs to help low-income clients increase their income through entrepreneurship. The agency is one of several United Way-backed Bay Area SparkPoint Centers for financial education and asset building.

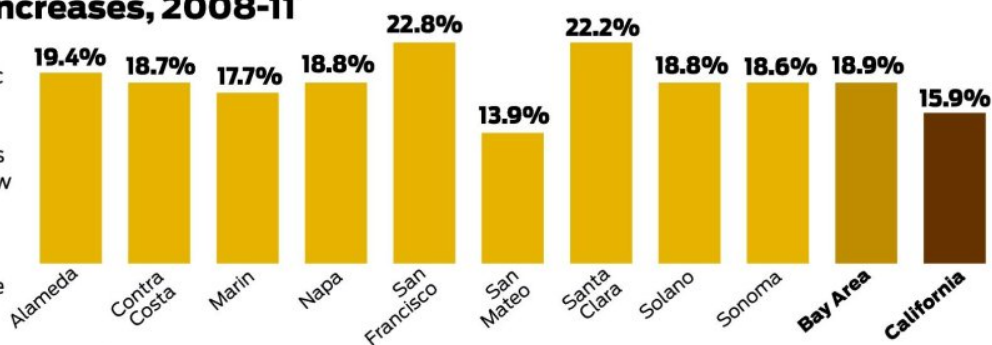
"We help people to start their own businesses so eventually they can achieve the level of income identified through the Self-Sufficiency Standard," he said. "We want to make sure we can measure the impact our services have on our clients' lives."

MEDA is helping the Kumars with their store, which is located in a 159-square-foot storefront in the agency's building at Mission and 19th streets. Raju's salary as a church janitor and Simmi's as a part-time nanny have not kept pace with rising costs. Now they're pinning hopes on their new shop, but they will continue to work at their existing jobs, too.

In a tacit recognition of the current federal yardstick's shortcomings, this month the Census Department will release a new index, the Supplemental Poverty Measure, which factors in expenses like taxes, transportation and health care and allows for geographic variations. Balancing those extra expenses, it also will consider noncash sources of support such as food and housing subsidies in calculating income.

Cost of living increases, 2008-11

Bay Area incomes have been stagnant, but basic needs — rent, food, health care, child care, transportation and taxes — for a family of four now cost 18.9 percent more than they did in 2008, according to an index designed to measure the true cost of living.



Source: Insight Center for Community Economic Development

Todd Trumbull / The Chronicle



Simmi Kumar prepares for the opening of her family's new Simmi Boutique store with shawls, skirts, handbags and tablecloths imported from her native India.
Photo: Noah Berger / Special to The Chronicle



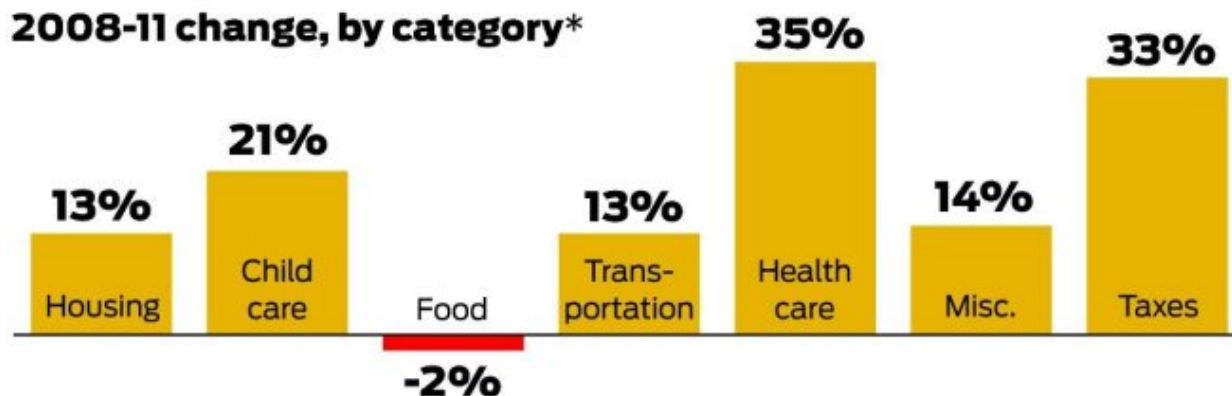
Raju Kumar folds tablecloths in preparation for the Mission District store's grand opening.
Photo: Noah Berger / Special to The Chronicle

Cost of living increases in the Bay Area

Average cost of basic needs — rent, food, health care, child care, transportation and taxes — for a family of four (two adults with one preschooler and one school-age child) for Bay Area counties and statewide:

	2008	2011	Change
Alameda	\$ 58,251	\$ 69,529	19.4%
Contra Costa	58,174	69,069	18.7%
Marin	73,576	86,629	17.7%
Napa	57,728	68,558	18.8%
San Francisco	62,183	76,352	22.8%
San Mateo	72,572	82,665	13.9%
Santa Clara	68,430	83,640	22.2%
Solano	54,668	64,949	18.8%
Sonoma	57,075	67,678	18.6%
Bay Area	62,517	74,341	18.9%
California	54,853	63,579	15.9%

2008-11 change, by category*



* For all Bay Area counties except Santa Clara and Solano

Source: Insight Center for Community Economic Development

Todd Trumbull / The Chronicle



Raju, right, and Simmi Kumar pose at their Mission district shop on Tuesday, Oct. 4, 2011, in San Francisco.
Photo: Noah Berger / Special to The Chronicle

Daily Journal

Suit claims U.S. violating public trust in failure to curb climate change

Citing public trust doctrine, child plaintiffs seek preliminary injunction.

Friday, September 30, 2011

By Fiona Smith, Daily Journal Staff Writer

Fed up with the lack of a comprehensive push to curb climate change, lawyers for a group of children are pushing a novel legal argument in court - that the government is failing in its duty to protect the earth's atmosphere.

This week, lawyers for the plaintiffs filed a motion for a preliminary injunction in San Francisco federal court seeking to force the government to come up with a climate recovery plan by next year. They represent a group of children, along with Oregon-based nonprofit Our Children's Trust, and *Kids v. Global Warming*, a nonprofit founded by a 16-year-old from Ventura.

The lawsuit is the federal version of similar suits filed in California and 13 other states alleging that the government is failing in its duty under the public trust doctrine to protect the earth's atmosphere. The public trust doctrine is the idea developed in state and federal common law that natural assets should be protected for the public's benefit.

"We have a climate crisis going on and we're facing an issue that's more than environmental; it's a crisis for the economy, national security and the health of future generations," said Julia Olson, director of Our Children's Trust and an attorney with the Oregon law firm Wild Earth Advocates. "The public trust doctrine is the critical law to address these issues in a comprehensive manner."

In the federal case against the Environmental Protection Agency, Defense Department and others, Olson is working with Burlingame-based Cotchett, Pitre & McCarthy LLP, which is handling the case pro bono. In their motion for a preliminary injunction, the plaintiffs argue that they are suffering irreparable harm "resulting from the degradation of the atmosphere as a safe natural resource." The U.S. needs to develop a plan to dramatically cut heat-trapping gases such as carbon dioxide to avoid hitting tipping points in the earth's climate that could threaten planet's habitability, according to the motion, *Alec L. v. Jackson*, 11-2203 (N.D. Cal., filed May 4, 2011).

The U.S. Department of Justice declined to comment on the case, but it has filed a motion to dismiss saying they were not served with the lawsuit. The state Attorney General's office has also moved to dismiss a case filed against it in San Francisco County Superior Court, *Blades v. California*, CGC-11-510725 (S.F. Super. Ct., filed May 4, 2011) In court filings, the state claims its opponents have failed to show an actual legal controversy and "ignore the substantial,

groundbreaking work" by the state to address climate change, including the greenhouse gas emission cuts mandated by the Global Warming Solutions Act of 2006.

The federal courts do not have a strong history of embracing the public trust doctrine, while the idea is more developed in California, said Richard Frank, director of the California Environmental Law & Policy Center at the UC Davis School of Law. Over the years, major environmental groups and state agencies have pushed for an incremental expansion in California of what is protected under the doctrine, moving from tidal waters, to rivers to fish, he said.

"The air we breathe is the most common resource we have and in that sense it's plausible and indeed logical to argue the public trust doctrine applies to the atmosphere ... but I think it's a long shot," said Frank, because the doctrine "has seldom been applied to air resources."

The suits are the latest example of people using the courts to push for action on climate change in the face of the paralysis at the federal and international levels on the issue, said Alice Kaswan, a professor of environmental law at the University of San Francisco School of Law.

"There's growing frustration that's sparking those who are concerned to look for other options," Kaswan said.

The use of the public trust doctrine comes a few years after a spate of climate change suits were filed under a different common law theory- that companies responsible for releasing large amounts of carbon dioxide into the atmosphere were creating a public nuisance.

Those cases have so far been unable to push the federal government to do more than it already is to tackle climate change. The U.S. Supreme Court this year ruled that several states could not sue a group of utilities for public nuisance because their suit is preempted by actions the government is taking to curb greenhouse gas emissions under the federal Clean Air Act, *Connecticut v. AEP*, 564 U.S. 2527 (2011).

Justice: Cash taints process

June 24, 2011

Two years have passed since West Virginia set a bad national example of questionable justice -- yet few reforms have followed the landmark lesson.

In June 2009, the U.S. Supreme Court removed West Virginia Supreme Court Justice Brent Benjamin from a Massey Energy case because Massey's CEO had spent \$3 million to elect Benjamin. The justice refused to abstain from the case, and voted in favor of Massey -- but the nation's highest court ousted him and ordered West Virginia to reconsider.

(Subsequently, a replacement judge who didn't benefit from the coal mogul's money voted the same as Benjamin previously did, favoring Massey.)

The breakthrough 2009 ruling spurred a wave of calls for reform, to prevent millionaires from putting favorites onto court benches to gain beneficial verdicts. This alarm increased last year after the U.S. Supreme Court ruled that corporations may pour cash into all election campaigns, including those of judges.

But scant correction has occurred. West Virginia, the heart of the controversy, did nothing to restrict big-money backing of judges -- or to force those judges to recuse themselves when fat-cat donors come before them. Neither did most of America.

In a June 15 editorial titled "Can Justice be Bought?" The New York Times said the 2009 West Virginia case "drove home the need for states to adopt more rigorous rules for recusal. The message has largely gone unheeded."

The Brennan Center for Justice at New York University law school has made the Mountain State case -- Caperton v. Massey -- central in a nationwide drive to prevent cash corruption of courts. The center said this month:

"Judicial election spending has spiraled out of control in the past decade, with high court candidates raising \$206.9 million in 2000-2009, more than double the \$83.3 million raised in the 1990s. The Caperton case -- in which Massey CEO Don Blankenship spent \$3 million to elect Justice Brent Benjamin while he was seeking to overturn a \$50 million jury award -- sparked national publicity on the potential conflicts caused by special-interest spending on judicial elections. ... Most states have failed to take any meaningful action."

Why hasn't West Virginia's Legislature or Supreme Court cleaned up this potential conflict? A simple rule change, forcing judges to step aside when major donors appear before them, would cure it.

The American Bar Association's House of Delegates is to weigh this problem at its August session. If the ABA revises its model code of judicial conduct to mandate recusal, many states probably would adopt the ban. We hope the ABA does, and West Virginia complies.

NAACP warns black and Hispanic Americans could lose right to vote

Civil rights group petitions UN over 'massive voter suppression' after apparent effort to disenfranchise black and Hispanic people

Ed Pilkington

Monday 5 December 2011



The NAACP called the move the 'most vicious, coordinated and sinister attack to narrow participation in our democracy since the early 20th century'. Photograph: Justin Lane/EPA

The largest civil rights group in America, the National Association for the Advancement of Colored People (NAACP), is petitioning the UN over what it sees as a concerted effort to disenfranchise black and Latino voters ahead of next year's presidential election.

The organisation will this week present evidence to the UN high commissioner on human rights of what it contends is a conscious attempt to "block the vote" on the part of state legislatures across the US. Next March the NAACP will send a delegation of legal experts to Geneva to enlist the support of the UN human rights council.

The NAACP contends that the America in the throes of a consciously conceived and orchestrated move to strip black and other ethnic minority groups of the right to vote. William Barber, a member of the association's national board, said it was the "most vicious, co-ordinated and sinister attack to narrow participation in our democracy since the early 20th century".

In its report, [Defending Democracy: Confronting Modern Barriers to Voting Rights in America](#), the NAACP explores the voter suppression measures taking place particularly in southern and western states.

Fourteen states have passed a total of 25 measures that will unfairly restrict the right to vote, among black and Hispanic voters in particular.

The new measures are focused – not coincidentally, the association insists – in states with the fastest growing black populations (Florida, Georgia, Texas and North Carolina) and Latino populations (South Carolina, Alabama and Tennessee). The NAACP sees this as a cynical backlash to a surge in ethnic minority voting evident in 2008.

In that year, black and Hispanic voters turned out in record numbers, partly in a wave of enthusiasm for Barack Obama. More than 2 million extra black voters turned out over 2004, an increase of 15%.

Among Hispanics, the upturn was even more pronounced. Two million additional voters attended the polls – a rise of 28% on the previous presidential election.

The scale of the assault on voting rights is substantial, according to experts on electoral law. The Brennan Center for Justice, based at New York University law school, [estimates that the new measures](#) could bar as many as 5 million eligible voters from taking part in choosing the occupant of the White House next year.

The 14 states that have embarked on such measures hold two-thirds of the electoral college votes needed to win the presidency. Put another way, of the 12 battleground states that will determine the outcome of the presidential race, five have already cut back on voting rights and two more are in discussions about following suit.

Ethnic minority groups are not the only sections of society at risk of losing their voting rights. The Brennan Center warns that young voters and students, older voters and poor income groups are also vulnerable.

The NAACP says voting rights are being whittled down at every stage of the electoral process. First of all, the registration of new voters is being impeded in several states by moves to block voter registration drives that have historically proved to be an important way of bringing black and Hispanic people to the poll.

Four states – Florida, Iowa, Kentucky and Virginia – continue to withhold the vote from anyone convicted of a criminal offence. In Florida, offenders who have completed their sentences have to wait at least five years before they can even apply to restore their right to register to vote.

Across the US, more than 5 million Americans are denied the right to vote on grounds that they were convicted of a felony, 4 million of whom have fully completed their sentence and almost half of whom are black or Hispanic.

Other measures have reduced the ease of early voting, a convenience that is disproportionately heavily used by African-Americans. Even more importantly, 34 states have introduced a requirement that voters carry photo ID cards on the day of the election itself.

Studies have showed that the proportion of voters who do not have access to valid photo ID cards is much higher among older African-Americans because they were not given birth certificates in the days of segregation. Students and young voters also often lack identification and are thus in danger of being stripped of their right to vote.

In Texas, a law has been passed that prevents students from voting on the basis of their college ID cards, while allowing anyone to cast their ballot if they can show a permit to carry a concealed handgun.

Benjamin Jealous, the NAACP's president, said the moves amounted to "a massive attempt at state-sponsored voter suppression." He added that the association will be urging the UN "to look at what is a co-ordinated campaign to disenfranchise persons of colour."

Los Angeles Times

Op-Ed

Patt Morrison Asks: Balloteer Kim Alexander

Why every day is election day for the president of the California Voter Foundation, a nonprofit, nonpartisan outfit dedicated to fixing the election process.



Kim Alexander is president of the California Voter Foundation, a nonprofit, nonpartisan outfit dedicated to fixing the election process.
(Rik Keller / Handout)

By Patt Morrison

September 17, 2011

The first California election that Kim Alexander cast a ballot in was a pip; voters decided 16 state propositions -- on creating a state lottery, capping welfare, limiting campaign contributions -- and gave their former governor, Ronald Reagan, a second term in the White House.

Most of us think election days roll around too soon, if we remember them at all. For Alexander, every day is election day -- a red-letter day for the president of the California Voter Foundation.

It's a nonprofit, nonpartisan outfit dedicated to fixing the election process. Where to start? Hanging chads, crummy turnout, clunky voter databases that any smartphone can leave in the dust, a mishmash of regulations and ravaged budgets. We pay lip service to elections as jewels of democracy, but that's about all we pay for them. Undeterred, Alexander always casts her vote for voting itself.

What's a nice girl like you doing in a mess like this?

I love elections; I grew up with elections. My dad ran for Culver City City Council when I was 7. Election night, we had a big party and my dad was the underdog and someone was on the phone getting the numbers and I [wrote] the numbers on the chalkboard. To me, politics has been about community service.

You also learned about the political version of trick or treat.

Someone showed up at the door with a \$500 [campaign contribution] check. For a Culver City election, that was a lot of money. My dad sent him away. He said: "I don't know that man, I don't want to know him and I don't want him to think I owe him anything." My first lesson in how money in politics works!

We have former Secretary of State March Fong Eu to thank for banning pay toilets -- and for the California Voter Foundation?

[It was] an offshoot of the secretary of state's office, to raise charitable funds for extra voter outreach. By 1993, it was [defunct], out of compliance with various tax filings. In college I'd worked for Gary K. Hart when he ran for Congress. It was grueling: high stakes, consultants, opposition research -- that stuff is really unpleasant. I wanted to be for all the voters, not just some of the voters. So this opportunity to restart the California Voter Foundation fell into my lap.

Even voter registration has become politicized. Someone on a right-wing website wrote that it is "profoundly ... un-American" to register welfare recipients to vote.

It's unfortunate. In a lot of the world you're automatically [registered] when you become 18 and you're a citizen. Here we have this extra hurdle.

Across the country, voting rights are not shared among all Americans. In California there's a variety of practices between the counties, an unevenness. That's a big problem.

You almost weren't allowed to vote in 2008.

They told me my polling place had moved. I got my sample ballot and went back and said, "This is my polling place." They were turning other people away.

Elections are run as if they're one-day sales. We run polling places for 12, 14 hours, staffed by people with very little training working very long hours on a job they only do once or twice a year. We should have people vote over several days in an environment staffed by well-trained people. I think about elections year-round; most people only think about them for maybe two months. It's hard to sustain the momentum to implement election reform.

What kinds of problems have you encountered at other polling places?

In 2006, when the electronic voting battle was raging, I went in with a crew from [the PBS] "Newshour" to a polling place in Stockton, with cameras. It was complete chaos. [A poll worker] hadn't shown up; they literally had pulled someone in off the street to help. All these security seals on the electronic voting machines, poll workers just tore [them] off, because they didn't know what they were doing.

I went to another polling place in the same county that afternoon without the cameras. I gave them my card and they thought I was some government official. The poll worker opened the machine up at to show me the paper trail spool – exactly the opposite of what they were supposed to do.

The biggest fiasco I witnessed was paperless electronic voting in March 2004. We found out that San Diego County bought its equipment from Diebold before it was even certified by the state or the federal government. The second largest county in the state. They deployed thousands of voting machines and more than half [in] their polling places were not operating at some point during [election] day. People were literally told to go home and come back later when maybe the machines would be working.

Voting is a constitutional right, but some states demand that voters show official IDs, to stop fraud. Critics say that's about suppressing the vote.

It's a solution in search of a problem. There's this myth of voter fraud. You see hardly any instances.

First-time voters [already] have to show ID when they vote. When you sign the poll book, you're doing so under penalty of perjury. I'd like a happy medium where maybe you don't show a photo ID but some [document] with your name on it.

What about online voting?

One of the issues I worked hardest on was to require a paper trail for electronic ballots. When paperless voting was introduced, guess what -- there was no longer an independent audit trail. There's no way we could verify the results independent of the private companies that created the software. I do not favor online voting. The Internet is a great tool -- but not for casting ballots.

Elections are a kind of unfunded mandate: The counties have to pay for what the states and federal governments require.

Absolutely. It's one of the longest-running unfunded mandates out there. So we're stuck with this antiquated voting process because there's no money to improve it, no R&D money, no companies working to build a better voting system. One of the reasons the federal government doesn't pay its fair share is because of the states' rights issue. A lot of states [think] if the federal government paid, then the federal government could attach strings. A lot of states' rights advocates don't want to see that happen. They'd just rather say, "No thank you, we don't want the money, we'll do this our way."

If counties don't comply with the laws, the only [recourse] is to sue them. In Fresno, where they didn't have enough money to staff all their polling places, the registrar went to the Board of Supervisors and said, "We need money for more polling places," and they said, "You're not going to get it." [The registrar] said, "But the law requires us to have so many polling places per thousand [registered voters], and they said, "Too bad." For county governments, elections are one area where they can cut budgets. In other areas, like transportation and housing, they're required to provide funds to get federal or state dollars.

You write songs about the propositions to get people's attention.

I love creating [proposition songs](#). I grew up with "Schoolhouse Rock," so I thought something similar for voters would be a great public service. This last ballot, the marijuana legalization measure was good fodder for a song!

Californians love the idea of direct democracy but get ticked off at all these elections. What is that paradox about?

Californians have a love-hate relationship with the initiative process. We love to complain about it, but don't you dare talk about taking it away. There are a growing number who want reforms. SB 334 on the governor's desk would require donors of \$50,000 or more to be listed in the ballot pamphlet.

Our voter turnout is so crummy that I wrote [a tongue-in-cheek column](#) thanking people for not voting because it made my vote more influential.

I had this conversation with my dad: "Why doesn't Culver City consolidate its local elections with state and federal? You'd have a higher rate of participation." He said: "We only want people who care about Culver City to vote in Culver City elections!"

When you've got ballots [so] long and complicated, I understand why some people are worried that not everybody is wrapping their heads around [issues] as carefully as they might. At the same time, only 1 out of 3 initiatives, on average, passes. When voters are in doubt, they vote no or skip it. Voters are very savvy.

Should we fine people for not voting, as Australia does?

No. People would be compelled to vote for the wrong reasons. We need to make voting as easy as possible, and that starts with registration. We have 6.4 million eligible people in California who are not registered. That's 27% of our voting population. That places us 42nd in the nation. That's appalling.

There's no one shaming politicians into making elections more participatory. [To them] it doesn't matter how many people show up on election day, as long as your guy gets more votes. The campaigns are not interested in maximizing participation. If anything, they want fewer people voting because it costs less money to campaign to fewer people.

If you don't have a participatory election process, then people looking to make their voices heard will find other ways and they will be far more violent and disruptive than putting on an election. It's in everybody's interest to get everyone to participate, particularly those who feel disenfranchised.

It sounds like you have a lot of faith in voters.

I do. I would estimate there's about 3 [million] to 4 million people in this state who never miss an election. They read the ballot pamphlet; they do their homework. Those people are the lifeblood of our election process in California. Then you've got millions of occasional voters who come and go based on what's on the ballot and how exciting the election is.

Elections are exciting for me. It makes me sad that people call those who are really excited about elections and politics political junkies, like it's a bad drug habit. To me it's a way of life.

ALEC Exposed

John Nichols | July 12, 2011

“Never has the time been so right,” Louisiana State Representative Noble Ellington told conservative legislators gathered in Washington to plan the radical remaking of policies in the states. It was one month after the 2010 midterm elections. Republicans had grabbed 680 legislative seats and secured a power trifecta—control of both legislative chambers and the governorship—in twenty-one states. Ellington was speaking for hundreds of attendees at a “States and Nation Policy Summit,” featuring GOP stars like Texas Governor Rick Perry, former House Speaker Newt Gingrich and House Majority Leader Eric Cantor. Convened by the American Legislative Exchange Council (ALEC)—“the nation’s largest, non-partisan, individual public-private membership association of state legislators,” as the spin-savvy group describes itself—the meeting did not intend to draw up an agenda for the upcoming legislative session. That had already been done by ALEC’s elite task forces of lawmakers and corporate representatives. The new legislators were there to grab their weapons: carefully crafted model bills seeking to impose a one-size-fits-all agenda on the states.

Founded in 1973 by Paul Weyrich and other conservative activists frustrated by recent electoral setbacks, ALEC is a critical arm of the right-wing network of policy shops that, with infusions of corporate cash, has evolved to shape American politics. Inspired by Milton Friedman’s call for conservatives to “develop alternatives to existing policies [and] keep them alive and available,” ALEC’s model legislation reflects long-term goals: downsizing government, removing regulations on corporations and making it harder to hold the economically and politically powerful to account. Corporate donors retain veto power over the language, which is developed by the secretive task forces. The task forces cover issues from education to health policy. ALEC’s priorities for the 2011 session included bills to privatize education, break unions, deregulate major industries, pass voter ID laws and more. In states across the country they succeeded, with stacks of new laws signed by GOP governors like Ohio’s John Kasich and Wisconsin’s Scott Walker, both ALEC alums.

The details of ALEC’s model bills have been available only to the group’s 2,000 legislative and 300 corporate members. But thanks to a leak to Aliya Rahman, an Ohio-based activist who helped organize protests at ALEC’s Spring Task Force meeting in Cincinnati, *The Nation* has obtained more than 800 documents representing decades of model legislation. Teaming up with the Center for Media and Democracy, *The Nation* asked policy experts to analyze this never-before-seen archive.

The articles that follow are the first products of that examination. They provide an inside view of the priorities of ALEC's corporate board and billionaire benefactors (including Tea Party funders Charles and David Koch). "Dozens of corporations are investing millions of dollars a year to write business-friendly legislation that is being made into law in statehouses coast to coast, with no regard for the public interest," says Bob Edgar of Common Cause. "This is proof positive of the depth and scope of the corporate reach into our democratic processes." The full archive of ALEC documents is available at a new website, alecexposed.org [1], thanks to the Center for Media and Democracy, which has provided powerful tools for progressives to turn this knowledge into power. The data tell us that the time has come to refocus on the battle to loosen the grip of corporate America and renew democracy in the states.

Links to other The Nation articles regarding ALEC:

"[Business Domination Inc.](#) [2]," by Joel Rogers and Laura Dresser

"[Sabotaging Healthcare](#) [3]," by Wendell Potter

"[The Koch Connection](#) [4]," by Lisa Graves

"[Starving Public Schools](#) [5]," by Julie Underwood

"[Rigging Elections](#) [6]," by John Nichols

"[The Hidden History of ALEC and Prison Labor](#) [7]" by Mike Elk and Bob Sloan

THE HUFFINGTON POST

PHILANTHROPY THAT SUPPORTS PRIVATE WEALTH

Koch 'Philanthropy' Advances Koch Business, Political Agendas

October 26, 2011

By Aaron Dorfman and Bob Edgar



This week, a few hundred people who lead foundations will gather in Scottsdale, Ariz., for the annual meeting of Philanthropy Roundtable, an organization that promotes independent giving to solve America's challenges while encouraging laws and regulations that make it easy for wealthy people to engage in private philanthropy with little oversight.

At this meeting, the organization will pay homage to Charles Koch who, along with brother, David, is owner of Koch Industries, the second largest privately held company in America. The firm runs oil refineries and owns consumer brands like Lycra fabric and Brawny paper towels. The brothers are the fourth- and fifth-richest men in America; each has a net worth of \$25 billion.

According to Philanthropy Roundtable, the principles that govern Charles Koch's philanthropy are simple: "He wants to sustain and strengthen America as a land of freedom and prosperity. He wants to give others the same opportunity to succeed that he has had. Having benefited from the capitalist system, he wants others to prosper in the same way."

But closer examination suggests that Charles Koch's "philanthropy" is mostly about influencing our political systems to promote and strengthen domestic policies that favor Koch Industries, while at the same time, hurting the rest of us.

The Kochs and their corporations are players in an informal alliance of business executives and conservative theorists who promote an ambitious political agenda. The Kochs use their vast corporate resources to fund an entire political network that includes think tanks, elected officials and undisclosed front groups to advocate for public policies and the dismantling of regulations that help their bottom line, but are bad for the public. They favor dramatically lower personal and corporate income taxes, less government oversight of industry – particularly environmental regulations that impact their businesses. They have spent millions to fight health care reform, energy independence and combating global warming.

The Charles G. Koch Charitable Foundation has made multimillion-dollar investments in the Institute for Humane Studies (IHS), which Charles Koch chairs; the Mercatus Center; and George Mason University in Virginia, which houses both of these free market institutes. Koch gave \$1.1 million in 2008 and \$2.4 million in 2009 to IHS. The university received nearly \$2.8 million and \$91,500 in 2008 and nearly \$5 million in 2009.

The *Wall Street Journal* called the Mercatus Center “the most important think tank you’ve never heard of.” The *Journal* reported that when George W. Bush first took office, his “hit list” of 23 regulations to be repealed or modified included 14 suggested by Mercatus, including EPA pollution regulations and energy efficiency standards. Koch gave \$3.9 million in 2006, nearly \$2.7 million in 2007 and \$1 million in 2008 to the center.

Other notable grants in 2009 include \$67,556 to the Americans for Prosperity Foundation, started by his brother David and closely involved with the Tea Party movement; and \$75,858 to the American Legislative Exchange Council, known for peddling industry-friendly “model” legislation to state legislatures.

Companies controlled by Koch Industries have rigged prices with competitors, lied to regulators and repeatedly run afoul of environmental regulations, resulting in five criminal convictions since 1999 in the U.S. and Canada. Common Cause has highlighted the Kochs’ ties to Supreme Court Justices Antonin Scalia and Clarence Thomas, who were “featured” guests at two political fundraising and strategy sessions sponsored by the company. Koch Industries was a major beneficiary of the court’s decision in the landmark campaign finance case, *Citizens United v. Federal Election Commission*, which overturned longstanding regulations limiting corporate spending around elections. Both justices sided with the position benefiting the Kochs.

When a wealthy person like Charles Koch creates a private tax-exempt foundation, he or she is indirectly diverting a portion of tax revenue that goes to pay for things like supporting the military, building and maintaining roads and public transportation and public schools to projects of his or her liking.

When that happens, the rest of us – especially the lower and middle-class - who don’t have foundations and fancy tax lawyers shoulder more of the cost of public services.

Philanthropy, at its best, involves selfless giving by individuals and foundations to advance equity and democracy, and promote the common good. It reaches down to serve the poor and powerless, such as by assuaging homelessness, hunger and illiteracy and through advocacy for public policies aimed at solving those problems. Paying for policy reform that harms the public good and benefits one’s own economic interests isn’t consistent with the spirit and history of philanthropic giving in this nation.

Given his self-interested giving, Charles Koch seems an odd choice to become philanthropy’s poster boy. It says a lot about the Philanthropy Roundtable that they chose Koch over the many other outstanding philanthropists in the country to receive this year’s award.

Aaron Dorfman is executive director of the National Committee for Responsive Philanthropy in Washington, D.C. Bob Edgar is president and CEO of Common Cause in Washington, D.C.

THE HUFFINGTON POST



Bob Edgar
President and CEO, Common Cause

'Impartial' Supreme Court Justices Raise Money for Opponents of Health Care Law

Posted: 11/14/11

Suppose you were party to a lawsuit and you learned that the judge handling your case was hobnobbing with lawyers on the other side and helping to raise money for a group dedicated to defeating you in court? You'd be pretty uneasy about your prospects for an impartial hearing, wouldn't you?

Well, as Common Cause details in a [news release](#) today, three members of our Supreme Court were guests last Thursday at an annual fundraising dinner sponsored by the Federalist Society, a self-styled association of conservative and libertarian lawyers that is providing much of the intellectual firepower behind efforts to overturn the landmark health care reform law passed last year.

Justices Antonin Scalia and Clarence Thomas were honorees and speakers at the black tie event and Justice Samuel Alito, a regular at Federalist Society gatherings, was in the audience, according to a program prepared for the dinner. Their appearance came just hours after the nine-member Supreme Court met to consider placing a case challenging the health care law on its docket.

The court announced on Monday that it will consider that case during this term.

Guests at Scalia's table at the Federalist dinner included Sen. Minority Leader Mitch McConnell of Kentucky, who at last year's Federalist Society annual conference was actively recruiting members of the group to join him in efforts to overturn the health care law. Also there was former Attorney General Ed Meese, chairman of the "Center for Legal and Judicial Studies" at the Heritage Foundation, a conservative think tank that has been active in challenges to the law.

Guests at a table between Scalia and Thomas included a lawyer challenging the law in the case now pending in the Supreme Court. Other tables were sponsored by law firms involved in the litigation.

This kind of activity by members of our highest court undercuts any claim of impartiality in the health care litigation by the justices involved. Worse yet, it clearly violates the Code of Conduct for U.S. Judges, a set of ethical standards the Supreme Court helps enforce on lower federal courts but has refused to impose on itself.

The Code warns judges to abstain from speaking or serving as the guest of honor at any fundraising event.

Two other justices told Congress earlier this year that they and their colleagues follow the Code voluntarily, an assertion belied by Scalia's and Thomas' appearances at the Federalist event. U.S. Rep. Chris Murphy, D-Ct., has introduced legislation to bring the Supreme Court under the Code. The involvement of Scalia and Thomas with the Federalists makes a powerful case on behalf of his bill.

THE HUFFINGTON POST



Bob Edgar
President and CEO, Common Cause

"Super" Committee Produces Super Breakdown in Leadership

Posted: 11/21/11

No one who has watched official Washington's march toward complete dysfunction can be surprised by Monday's announcement that the Congressional "Super Committee" is shutting down without agreeing on a plan to begin putting the nation's finances in order.

The 12-member panel was doomed from the start, stocked with too few members skilled at the art of compromise and too many whose idea of a give-and-take negotiation is "you give and I take." And its focus on long-term deficit reduction, rather than on immediate steps to revive a still moribund economy, was grossly misplaced.

Perhaps worst of all, neither Democrats nor Republicans on the panel appear to have had support from party leaders to strike a deal.

Senior Republicans in Congress and their party's would-be presidents on the campaign trail were particularly intransigent, refusing to entertain serious discussion of a meaningful tax increase on the wealthiest Americans. The long-term deficit reduction they claim to favor cannot be achieved without more tax revenue, a lot more tax revenue; Democrats on the committee appeared willing to accept some cuts in the social safety net but it's unreasonable to ask them to do so without a guarantee of more revenue.

For his part, President Obama showed an encouraging willingness at the outset of the committee's deliberations to work on a balanced program of tax hikes and long-term budget cuts but of late has distanced himself from the process. Perhaps his leadership could not have made a difference, but it would have been nice to see him try to assert it.

The committee's breakdown means that the Congress most likely will spend 2012 tying itself in knots over how to undo the "automatic" deficit reduction measures supposedly triggered by its failure. Defense hawks in both parties already are hard at work to spare the Pentagon from the budget ax, Republicans are trying to figure out how to preserve the Bush tax cuts for their wealthy patrons and Democrats are focused on protecting Social Security and Medicare, even if it means more debt.

What a sad spectacle. We've now had three successive "wave" elections, in which voters disturbed at the inability or unwillingness of those in power to act in the public interest rather than the interest of their big campaign contributors, have voted to replace one party with the other. Each party has ridden its waves but neither has captured and acted on the voters' larger message, their desire for a fundamental change in the way Washington works.

June 15, 2011

Can Justice Be Bought?

Two years ago, the Supreme Court tried to bolster public trust in the nation's justice system by disqualifying a state judge in West Virginia from a case that involved a coal company executive who had spent more than \$3 million to help get the judge elected.

At a time when torrents of special interest campaign spending is threatening the appearance and reality of judicial impartiality, the ruling in *Caperton v. Massey* drove home the need for states to adopt more rigorous rules for recusal. The message has largely gone unheeded.

For the most part, state courts set their own recusal rules. According to New York University's [Brennan Center for Justice and Justice at Stake Campaign](#), so far, courts in nine states — Arizona, California, Iowa, Michigan, Missouri, New York, Oklahoma, Utah and Washington State — have made recusal mandatory when contributions by a party or attorney exceed a certain threshold amount or create a question about the judge's impartiality.

Courts in two other states are considering similar proposals. But several other states have rejected stronger rules — or have actually weakened them.

In 2009, Nevada's top court rejected a reform commission's modest proposal to make recusal mandatory when a judge received contributions totaling \$50,000 or more from a party or lawyer over the previous six years.

Last year, in Wisconsin — home to some of the nastiest big-money judicial races — the State Supreme Court rejected proposals to trigger recusal at \$1,000 or \$10,000 contribution levels. Then the court weakened the recusal standard, adopting a new rule that campaign donations or expenditures can never be the sole basis for a judge's disqualification.

The remaining states, including epicenters of special-interest-dominated contests like Illinois and Pennsylvania, have done nothing to keep campaign cash from tainting the courtroom. The Supreme Court has ensured the money problem will get worse with its 2010 ruling allowing unlimited special interest spending in all campaigns.

Many judges wrongly view mandatory disqualification rules involving election money as a personal insult and a threat to judicial independence. The real threat to independence lies in doing nothing to protect judicial integrity in the face of obvious conflicts.

The American Bar Association should be leading the way here. In an encouraging step, the group's president, Stephen Zack, has seen to it that the issue will be taken up at the August meeting of the association's House of Delegates. By adding a strong recusal provision to its

influential model code of judicial conduct, the bar association would provide needed guidance to state judiciaries and help goad them to do the right thing.

A good rule would have four basic elements. It should explicitly recognize that recusal may be necessary because of campaign spending by litigants or their lawyers. It should specify that the final decision about whether a judge's impartiality can reasonably be questioned not be left to the challenged judge. It should require that decisions on recusal requests be in writing. Finally, litigants and attorneys must be required to disclose any campaign spending relating to a judge or judges hearing their case.

Supreme Court Removes Another Barrier to Corporate Ownership of Elections

John Nichols on June 28, 2011

The US Supreme Court's conservative majority [continued its project of bartering off American democracy to the highest bidder](#) with a decision Monday that will make it dramatically harder to counter free-spending attack campaigns funded by billionaire donors and corporate spin machines.

With [a 5-4 vote](#), the Court has struck down a matching-funds mechanism in Arizona's Clean Elections Law that allowed candidates who accepted public funding to match the spending of privately funded candidates and independent groups that might attack them. Under the Arizona law—which has long been considered a national model for using public funds to pay for campaigns—candidates who accept public funding are limited in what they can spend.

Candidates who refuse public funding are not so constrained; and nor are independent groups that support privately funded candidates; indeed, in the aftermath of the Supreme Court's sweeping *Citizens United v. FEC* ruling of 2010, which cleared the way for corporations to spend as much as they like to influence election, restrictions to the flow of private money into politics have been all but eliminated.

Faced with the threat of being overwhelmed by private money, no candidate would go the “Clean Elections” route, unless some mechanism was put in place to counter attack ads by privately funded opponents and groups associated with those opponents. The Arizona Clean Elections law provided that mechanism under a formula requiring that for every dollar a privately funded candidate (or group supporting that candidate) spent above established spending limits, a dollar in additional public funding would go to the “Clean Elections” candidate.

The genius of the Arizona law was two-fold. The guarantee of matching funds assured that candidates who accepted “Clean Elections” money would be able to compete on a level playing field and, in so doing, this discouraged privately funded candidates and independent groups backing them from trying to buy elections with overwhelming spending.

On Monday, however, the Supreme Court struck down the “matching funds” provision of Arizona's “Clean Elections” Act, declaring it to be an unconstitutional restriction on the free-speech rights of privately funded candidates and corporate-funded “independent” groups to shout down publicly funded candidates.

In combination with the *Citizens United* ruling, Monday's ruling in the case of *McComish v. Bennett* creates a circumstance where corporations and their political allies will enjoy virtually unlimited political advantages over candidates who choose to run campaigns that rely on small individual donations or public financing.

The court has removed one of the few remaining tools for maintaining a level playing field in politics, on which candidates of differing views might have won or lost elections based on their skills and ideas—as opposed to their relative financial advantages.

In so doing, the Court has tipped the balance even further toward wealthy and corporation-allied candidates in a move that says the only speech right now protected in our politics is the right of those with the deepest pockets to shout down everyone else.

“This decision, based on an upside-down interpretation of the First Amendment, takes away the right of Arizonans not only to ensure a modicum of integrity and fairness in their elections but to promote more political speech. The Court has thus ensured that the wealthiest can continue to pay for outsized political influence and maintain their speech advantages,” says [Marge Baker of People for the American Way](#).

“The Roberts Court has once again twisted the Constitution to benefit the wealthy and powerful while leaving ordinary Americans with a diminished voice,” added Baker. “Like in *Citizens United v. FEC*, which prohibited legislatures from limiting corporate spending to influence elections, the Court's majority has strayed from the text and history of the Constitution in order to prevent citizens from maintaining control over our democracy. The Roberts Court would do well to remember that the Constitution was written to protect democracy for all people, not just the rich and powerful. Today it has ruled not only that the wealthy have a right to spend more but that they have a right that everyone else spend less.”

Some reformers saw a measure of hope in the fact that the Court affirmed that public financing of campaigns is constitutional.

For instance, Bert Brandenburg, executive director of [Justice at Stake](#) (the campaign to clean up state court elections) suggested that it might still be possible to write public financing laws that worked in some circumstances—particularly judicial contests.

“Today's ruling is disappointing, but not fatal for America's courts. State judicial elections are drowning in special-interest spending,” argued Brandenburg. “Properly crafted public financing laws are more critical than ever, so that judges do not have to dial for dollars from major donors who may appear before them in court.”

Ultimately, however, this latest ruling suggests that the Roberts Court is so determined to serve the interests of its corporate masters that it will not stop reimagining the Constitution until it serves only an elite.

If that is the case, then only an amendment to the document will renew an honest interpretation of the free speech protections outlined by the founders.

[People for the American Way](#) and other groups are pushing for an amendment. And several groups, including [Free Speech for People](#) and [Move to Amend](#), have outlined strategies for doing so.

After the court's *Citizens United* ruling came down, [Move to Amend](#) urged citizens to go to candidate forums and demand to know: "Do you support the opinion that corporations are persons and therefore have the rights of free speech under the First Amendment?"

Now, after the Court's *McComish* ruling, citizens might ask: "And do you support the opinion that those corporations should always and in every instance be allowed to shout down citizens and candidates with whom they disagree?"



New rule takes aim at judges and their campaign supporters

6/28/2011

NEW YORK, June 28 (Reuters) - In an attempt to combat the influence of money in the courtroom, New York has adopted a rule prohibiting elected judges from overseeing cases involving their major campaign contributors.

Judges will be automatically disqualified from hearing the cases of parties, lawyers or law firms that contribute at least \$2,500 in the preceding two years to their campaigns.

Ethicists cheered New York for establishing hard-and-fast rules rather than pliable guidelines, even as at least one observer referred to it as an "administerial nightmare."

The final rule, first proposed by Chief Judge Jonathan Lippman in February, was released Tuesday and will become effective July 15.

The rule could sharply reduce campaign contributions from lawyers who help elect judges in the state. There are about 1,000 elected judges in New York, or about 70 percent of the judiciary. Judges serving on most state trial courts are elected, while appellate court judges are appointed.

New York is one of 39 states that elect some judges, according to Justice at Stake, a nonprofit organization that advocates for judicial transparency. Most states typically rely on judges to recuse themselves and let litigators appeal if they disagree with the decision.

But the new rule comes with a catch: It leaves the disqualification determination in the hands of court administration, which must maintain records of campaign contributors in an updated, workable, easily-accessible database.

"It's an administerial nightmare across the board," said Marc Gann, past president of Nassau County Bar Association.

Lippman defended the rule, saying that electronic information obtained from the board of elections will be used to determine when a judge should be reassigned.

"I think like anything else there will be a learning curve and a phase in which we are getting up to speed," he said.

The governing body of the court system, headed by Chief Judge Lippman -- himself an appointed judge -- drafted and approved the rule. A committee of court administrators will help implement it.

PREVENTING MISUSE

The rules issued on Tuesday include some modifications from the proposed rule, after the court system received public comments from judges, bar associations and nonprofit groups. One key change is a new provision aimed at preventing parties from gaming the system by giving large chunks of money to judges that they do not want to appear before.

To avoid this, the court's chief administrator is empowered to establish a system where the noncontributing party can waive the disqualification rule -- essentially negating a contributor's attempt to achieve disqualification.

"The whole idea of a waiver is it allows somebody to decide if their rights have in fact been compromised," said Charles Hall, spokesman for Justice at Stake, which advocated for the waiver. The provision "makes the rule sustainable," said Hall.

Money has not yet infected New York judicial election campaigns to the extent it has in other states, according to anecdotal reports from lawyers and ethics groups. In Pennsylvania, Wisconsin and Alabama, by contrast, total candidate contributions topped \$4 million in high-court races in 2007 and 2008, according to Justice at Stake.

Limits on campaign contributions vary according to the race and the district; the highest cap for campaign contributions from individuals in judicial races in New York is \$50,000, though they rarely approach that number.

'AHEAD OF THE CURVE'

James Sample, an ethics professor at Hofstra Law School, applauded New York for "being ahead of the curve in addressing the concern before it is really a problem."

New York is at the forefront of a movement among states to force greater disclosure of judicial contributions. That movement was born of the 2009 Supreme Court decision in *Caperton v. A.T. Massey Coal Company*, in which the court ruled that a West Virginia judge should have recused himself from an appeal of a \$50 million jury verdict against Massey. The company's chief executive had spent \$3 million to get the judge elected.

Eight other states have implemented judicial recusal or disqualification rules since the Massey decision, according to the Brennan Center for Justice at New York University School of Law. Georgia and Tennessee also have rules in the works. Four states -- Montana, Nevada, Texas and Wisconsin -- considered reform but rejected it.

The American Bar Association is considering a model rule to guide individual states and courts to implement recusal and disqualification procedures. The rule is slated to be presented for passage at the ABA's annual meeting in August.

OUR VIEW: Alabama officials need to break the stalemate over a law that would regulate campaign contributions to state judges

By Birmingham News editorial board

Published: Saturday, July 30, 2011



Yogi Berra's advice on coming to a fork in the road was to take it.

Robert Frost suggested taking the road less traveled.

Alabama is content to stand at the fork in the road, forever and ever, at least when it comes to enforcing a law that would regulate campaign contributions made to state judges.

The state would rather not. Three federal judges recognize that and, in a recent opinion, poked fun of Alabama officials' refusal to do anything about the 16-year-old law, which would force judges to recuse themselves from certain cases. Circuit judges would have to remove themselves from cases in which a party to the case or the party's lawyer gave campaign contributions of \$2,000 or more. The limit is \$4,000 for appellate judges.

"To loosely paraphrase Robert Frost, two roads diverged from the statute, and neither was taken," the judges wrote. "Indeed, no step has yet trodden either."

That's because of the stalemate between the Alabama Supreme Court and the attorney general's office, which has survived four attorney generals and a complete overhaul of the nine-member court. The road the Supreme Court refuses to take would be to write the rule required for the law to go into effect. The high court says it can't write the rule until the U.S. Justice Department says the law does not discriminate under the Voting Rights Act. The attorney general has blocked the road to seeking Justice Department review, saying it isn't needed for the Supreme Court to write the rule.

"Until one of these two Alabama political institutions changes its policy, it is at the least a game of political chicken, with both players staring (or perhaps winking) at each other," the judges wrote.

The three federal judges tossed out a lawsuit that might have settled the matter, but for one small problem. The plaintiff, Anniston City Councilman Benjamin Little, said the Justice Department needed to review the law under the Voting Rights Act, and that the unenforced law chilled his ability to donate to judicial candidates of his choice. But the judges ruled Little had no standing because the unenforced law had not harmed him. He had made no campaign contributions above the amounts set out in the law, nor was he involved in a lawsuit that would force a judge to recuse himself had Little contributed.

So, 16 years after the Legislature intended "to require the recusal of a justice or judge from hearing a case in which there may be an appearance of impropriety," nothing of the sort is happening. And it's not because there is no appearance of impropriety, especially at the Supreme Court level.

From 2000 through 2008, Alabama Supreme Court candidates raised close to \$41 million, according to the nonprofit Justice at Stake Campaign, which works to keep courts fair and impartial. That was by far the most in the country, almost doubling No. 2 Ohio, where high court candidates raised \$21.2 million.

The amount of money being spent on Alabama's judicial races signals to voters that judges and justices have potentially huge conflicts of interest in some of the cases they hear. All those dollars fuel the perception justice is for sale to the highest bidder.

There are at least a few ways state officials could address this problem: The attorney general and Supreme Court could end their stalemate and the AG could seek Justice Department approval that would allow the court to write the rules the recusal law requires; or the Legislature could do away with partisan judicial elections and instead have judges appointed based on merit. The judges would then stand alone in subsequent elections to see whether voters wanted to keep them on the job.

Either way would lessen the harmful impact money has on judicial races and in the courtroom.

Of course, state officials have had at least the past 16 years to fix that problem. It really is the road not taken ...



ABA votes to adopt new rules on judicial disqualification

8/8/2011

TORONTO, Aug 8 (Reuters) - The American Bar Association on Monday voted to adopt guidelines urging states to enact new procedural rules on judicial disqualification -- a response to what the ABA sees an increasing influence of money in judicial politics across the U.S.

"No one should be a judge in his or her own case," said William Weisenberg, a member of the ABA committee that drafted the resolution. The matter was brought to the floor during the House of Delegates session of the annual ABA meeting, now under way in Toronto. It was passed by a voice-vote from the 566-member policy-making body.

The ABA's effort was sparked in part by two recent U.S. Supreme Court decisions, one dealing with disqualification and the other with money in politics. *Capteron v. A.T. Massey*, a 2009 decision, urged states to adopt "more rigorous" recusal rules. *Citizens United v Federal Election Commission*, in 2010, allowed unlimited spending by interest groups in political campaigns.

That ruling created concern that spending in judicial election would rise even more. Fundraising in state supreme court races more than doubled in the decade that ended in 2009 from the decade that preceded it, according to Justice at Stake, a Washington-based group that advocates for less spending in court races.

The cornerstone of the ABA's guideline is a suggestion that states institute a prompt appeals process for judicial recusal motions. Such a process would help prevent a judge from acting as the ultimate arbiter of his or her own disqualification.

The guidelines also suggest states enact disclosure requirements for spending on judicial races by lawyers and litigants - both for direct campaign contributions and indirect support. In some states, judicial campaigns are supported largely by trial lawyers and other interest groups that spend heavily on advertising, according to Justice at Stake.

The ABA's one-page guidelines and a lengthy report of recommendations attached to it were nearly four years in the making. An earlier version of the guidelines was pulled from a vote at the ABA's mid-year meeting in Atlanta in February because it didn't have enough votes to pass.

At the end of July the guidelines, which were drafted by the ABA's Standing Committee on Judicial Independence, gained an important endorsement from the ABA's Judicial Division, which became a co-sponsor of resolution.

G. Michael Witte, chair of the ABA's judicial division, told Reuters in an interview before the house of delegates vote that judges had expressed concern that a previous version of the report was too prescriptive for states. They determined, however, that the language in the current

resolution was broad enough to allow individual state courts to craft their own rules in ways they preferred.

"We wanted to make sure there was a menu of options available to the states," said Witte, who is the executive secretary of the Indiana Supreme Court Disciplinary Commission and a former Indiana state court judge. "We wanted to make sure the report was neutral rather than advocating."

Since the Supreme Court Caperton decision, just one state, Michigan, has fundamentally rewritten its rules about how parties can challenge a judge that ruled not to disqualify him or herself, according to the Brennan Center for Justice, an advocacy group. Several other states including Georgia, Mississippi and Texas already had rules concerning the issue on the books.

"Reforming these procedures is always a slow process, but to have an organization as significant as the ABA underlining the importance of these changes can only spur courts to take a close look at reform," said Adam Skaggs, an attorney with the Brennan Center.

In addition, nine states have adopted new rules laying out standards for judicial recusals when it comes to campaign contributions, according to the Brennan Center. Two other states, Tennessee and Georgia have new rules pending.

These new rules vary significantly. New York, for instance, mandates that if a judge receives a contribution of more than \$2,500 in campaign contributions from a party or law firm in the past two years, he or she must be automatically disqualified. Oklahoma, on the other hand, doesn't set a monetary threshold but advises judges to be disqualified when they have received "an amount that a reasonable person would believe" could affect a judge's fairness.

(Reporting by Carlyn Kolker; additional reporting by Leigh Jones)

The Influence Industry: Judicial elections, corporate policies give glimpse into 2012

By Dan Eggen, Published: October 26

Two studies scheduled to be released Thursday offer contrasting predictions for the 2012 elections: Outside groups are likely to spend more money than ever, but many top corporations may not be among them.

The first [analysis](#), by a trio of advocacy organizations, found that almost a third of the money spent on state judicial elections last year came from outside interest groups — a dramatic departure from historic norms. The authors argue that the pattern is a harbinger of the spending to come across the board next year.

The second study, by the [Center for Political Accountability](#), found that most companies in the S&P 100 have adopted policies requiring that they disclose any direct corporate spending on politics. In addition, the survey found, many are limiting or banning such spending.

Both studies highlight the rapidly shifting landscape around campaign finance restrictions, which were significantly loosened by a Supreme Court ruling in 2010, [Citizens United v. Federal Election Commission](#), allowing corporations to spend unlimited money on elections.

The decision has paved the way for a surge in fundraising and expenditures by outside advocacy groups, including a new breed of political action committee called the super PAC, which can raise and spend unlimited amounts of money.

“This is the new normal,” said Bert Brandenburg of [Justice at Stake](#), one of the sponsors of the judicial elections study. “It could well be that this is a signpost of where political spending as a whole is going.”

The judicial study, which was sponsored also by the [Brennan Center for Justice](#) and the [National Institute on Money in State Politics](#), found that \$38.4 million was spent on state high court elections in 2010. About 30 percent of that, or \$11.5 million, came from groups unconnected to candidates.

In addition, the study found that much of the spending was driven by a handful of politically minded groups, with 10 organizations spending a combined \$15 million.

The findings mirror a similar review in 2010, which found a steadily escalating pace of expenditures in the three dozen states where Supreme Court judges stand for election or

retention. The spending is driven by outside interest groups both on the left, such as unions and trial lawyers, and on the right, by groups such as the U.S. Chamber of Commerce and its affiliates.

One of the races that drew nationwide attention last year was in Iowa, where social conservative groups mounted a successful [campaign](#) to unseat three Supreme Court judges who had voted to legalize same-sex marriage. Outside groups spent more than \$1.4 million on the election, a remarkable figure for a small, inexpensive media market such as Iowa.

Independent groups also spent big on judicial races in Michigan, Ohio and Illinois, the study found.

“A very small group of super-spenders have played a disproportionate role in these judicial elections,” said Adam Skaggs, Brennan Center senior counsel. “That disproportionate influence is obviously a concern in terms of keeping the courts impartial.”

While the general tide of court rulings and spending has stoked expectations of heavier corporate involvement in elections, the Center for Political Accountability study casts some doubts on that assumption.

The study found that disclosure of political spending is “the new norm” for many major corporations, many of which have gone so far as to ban spending from company coffers on elections. (Nearly every major company in the United States continues to run PACs that collect limited donations from employees.)

Bruce F. Freed, the CPA’s president, said shareholder pressure and a series of public relations disasters have pushed many companies to increase transparency when it comes to spending on political issues.

Last year, Target and Best Buy [came under fire](#) from gay rights groups for contributing money to a pro-business group backing a candidate opposed to same-sex marriage.

“That was a searing case for many corporations,” Freed said. “Companies don’t like being symbols.”

Fifty-seven of the 100 firms either disclose direct corporate political spending or, in the case of companies such as IBM and Colgate-Palmolive, prohibit it, the study found. About a third of the companies place some restrictions on political spending.

“There’s still room for improvement, but this is a work in progress moving forward,” Freed said. “Companies are really feeling pressure now in the wake of *Citizens United* to make their policies clear.”

THE HUFFINGTON POST



Paul Blumenthal

Independent Groups Pour Money Into State Judicial Elections



First Posted: 10/27/11

WASHINGTON -- On February 15, Wisconsin voters went to the polls to vote on a rather mundane state Supreme Court primary election. The incumbent, David Prosser, had been appointed by then Gov. Tommy Thompson in the 1990s and won his first 10-year term in 2001. Up until that day, there was little expectation that this judicial election would turn into anything more than a mildly contested, little-watched race.

On that same day, protestors began an effort to oppose the budget bill proposed by the newly-elected Republican Gov. Scott Walker. Four days earlier, the governor outlined a bill that would severely curtail collective bargaining rights for public employees, a move that soon inspired a massive grassroots movement that lead activists to occupy the statehouse in weeks long protest actions. It also soon turned the once-sleepy Supreme Court race into a referendum, fueled by independent group money, on the Gov. Walker.

"In a matter of a few weeks we went from an election that probably would have had trouble reaching \$1 million to one where over \$5 million was spent," said Michael McCabe, director to the [Wisconsin Democracy Campaign](#).

The supposedly nonpartisan race turned heavily political as union groups poured money into advertisements against Prosser and spots for his opponent, Jo Anne Kloppenberg. National conservative groups, like the Club for Growth, returned fire against Kloppenberg. By the end -- a

photo finish win for Prosser -- 35 outside groups wound up spending \$4.5 million. The candidates themselves spent only \$900,000.

The takeover of the Wisconsin Supreme Court race by outside interest groups is only part of a growing trend in judicial elections across the country, a trend that is increasing in the wake of the Supreme Court's *Citizens United v. Federal Election Commission* decision.

Spending on state Supreme Court elections by candidates and special interest groups in the 2009-10 elections reached \$38.4 million, according to [a report released Wednesday](#) by the Brennan Center for Justice, Justice At Stake and the National Institute of Money In State Politics. While this total was lower than the \$42.7 million spent in the 2005-06 election, it included a major jump in outside group spending.

Outside groups accounted for nearly a third of all spending, or \$11.5 million, in state Supreme Court elections, up from less than one fifth of all spending in 2005-06. Nearly 40 percent of that spending has been monopolized by a group of 10 super spenders.

"What we're seeing in the continuation of what we've seen over the past 10 years [in judicial elections] is what the people are really starting to see at the national level with the super PACs," said Justice At Stake Communications Director Charlie Hall. "A small group of interest groups are starting to take over Supreme Court elections in America."

The 2009-10 judicial elections also saw a change in the partisan split on spending. Unlike previous years, where Democratic and Republican groups were practically even in spending on judicial elections, pro-Republican groups dominated judicial spending in the last election cycle.

The judicial elections of 2009-10 do, in fact, boast many of the same traits that are beginning to explode onto the national stage. Secretive spending, nationalized local election, and the drowning out of candidate voices are all concerns that have been increasing as judicial election spending has exploded over the past decade. All of this presents a problem for the credibility of the courts, according to local state campaign finance watchdogs and the authors of Wednesday's report.

The national Supreme Court, in the case [Caperton v. Massey](#), ruled that independent expenditures on behalf of a state Supreme Court justice can create a credibility problem and can require the justices to recuse themselves from cases where the independent spender's interests are at stake. (This is in direct contradiction to the Court's ruling in *Citizens United* that independent expenditures cannot give rise to an appearance of corruption.)

"Outside groups and special interests continue to play a leading role in choosing who sits on the bench, and the concern is that they don't do so out of a philanthropic purpose," said the Brennan Center's Adam Skaggs. "They are doing so because they want an influence on who sits on the bench."

"Judicial politics has become every bit as polarized and every bit as divisive as legislative politics," Wisconsin Democracy Campaign's McCabe said. "They have to court every group that has an agenda."

In 2010, Michigan saw highest amount of total spending and outside group spending on state Supreme Court elections in any state. In the two elections held in 2010, outside groups spent nearly \$7 million; total spending was \$9.2 million. Practically all of the outside group spending went undisclosed.

"Michigan is sort of a poster child for what's wrong with judicial elections," Skaggs said. "Because of loopholes in the disclosure rules we don't know where the money is coming from. That is the same as what we've been seeing in the rise of super PACs on the national level."

Laws in Michigan allow outside groups to avoid disclosure when they run ads that do not call for the direct election or defeat of a candidate. These ads, despite not calling for the election or defeat of candidates, are regularly related to personal attacks and not precise issues, other than the general issue of criminal justice.

One ad by the Law Enforcement Alliance of America, an NRA-linked group based out of Virginia, labeled the Michigan Supreme Court justice soft on crime for "rappers, lawyers and child pornographers." The LEAA did not disclose the source of their contributions or file disclosures for the advertisements.

The biggest spender in the Michigan races was a state-based committee of the Republican Governors Association. This came as a surprise because the Michigan Chamber of Commerce has long been the biggest spender in these election.

Contribution numbers suggest the local Chamber may very well have paid for them, though through a complicated shell game aimed at hiding the source of the advertisements, according to the [Michigan Campaign Finance Network](#). The Michigan Chamber of Commerce gave the RGA \$5.4 million in 2010. The RGA then donated \$8.4 million to their Michigan affiliate, which in turn sent \$3 million directly to the reelection of Texas Gov. Rick Perry. That left the Michigan affiliate with the exact amount that the Michigan Chamber initially sent to the RGA.

Michigan Campaign Finance Network director Rich Robinson said he thinks this maneuver "was a way to get the Michigan donor's fingerprints off of the money. This is just one big shell game to try to lose the bread crumbs through the forest."

Wisconsin saw a similar problem emerge, as their disclosure laws have been made largely irrelevant after the Citizens United decision.

"Our disclosure laws were not designed to contemplate the spending of money from the general treasuries of incorporated entities," McCabe said. "Now there are ways for these groups to bring in money and conceal the origins of that money from public view. It's much more difficult to trace that money to its true origins."

In Iowa the trend of secret spending by outside groups met up with a new development that could continue into future judicial elections. Three state Supreme Court justices were ousted by a coordinated campaign by out-of-state groups angry at the justices' votes to approve same sex marriage in the state. These justices were not involved in competitive elections. Instead they were running in retention elections, single candidate elections designed to reduce the partisanship of the judiciary where the public votes to retain or depose the sitting justice.

"Retention elections are unique to the judicial arena," Justice at Stake's Hall said. "Most of the states that appoint judges have a system of retention elections where only the incumbent goes on the ballot. More money was spent on [Iowa elections] than in the entire previous decade [on retention elections]."

The out-of-state groups, including National Organization for Marriage, the American Family Association, the Family Research Council, the Campaign for Working Families and Citizens United wound up spending \$900,000 in Iowa. The campaign was run by the former Iowa gubernatorial candidate and social conservative figure Bob Vander Plaats and was aided by national trends and figures.

Much of the seed money for the campaign was [secured by Republican presidential candidate Newt Gingrich](#). The campaign also drew the attention of Rep. Michele Bachmann (R-Minn.), another Republican presidential candidate who praised the success of the effort in a May 2011 visit to Iowa. Bachmann referred to the ousted judges as ["black-robed masters."](#)

The spending in judicial elections is likely to continue its decade-long rise. After the 2010 elections, state legislatures sought to repeal public financing statutes for judicial races in the states that have them, change retention elections to competitive races and end merit selection of justices.

"It's not just heavy spending going on in these races, but another series of legislative attacks, in part as tools to mobilize the base, particularly on the right," the Brennan Center's Skaggs said. "Attacks on the court are perceived by candidates as a winning issue to gin up energy among the base."

Buying and selling judges

Editorial, November 5, 2011

FOR THOSE who believe that judges should be bought, sold and marketed like any other product, the 2009-10 election cycle brought welcome developments. Special-interest groups from both the left and right inundated judicial campaigns across the country with record levels of cash. These groups — dominated by lawyers, lobbyists, businesses and political parties — independently spent a combined \$11.5 million, or nearly one-third of the \$38 million spent on these campaigns.

The money is question is a pittance compared to the sums spent by groups and candidates for political office, but its impact is profound. Campaigns become demonstrably nastier as the level of outside group involvement increases. Outside groups, for example, were responsible for funding three out of every four attack ads aired during the 2009-10 judicial election campaign season.

These are but a few of the [disturbing findings in a recent report](#) by Justice at Stake Campaign, the Brennan Center for Justice and the National Institute on Money in State Politics — a trio of public-interest groups that follow judicial elections closely. The revelations once more affirm the need to discard the election of judges.

Total spending in judicial campaigns dipped during 2009-10, typical for off-year elections. But the incursion and influence of special interests grew. Just 10 outside groups accounted for nearly 40 percent of the spending nationwide. Lawyers and lobbyists provided the most direct contributions to candidates, funneling \$8.5 million to judicial campaigns. They were followed by business groups and political parties, with \$6.2 million and \$3.5 million, respectively.

Unopposed retention elections — in which voters give a thumbs up or thumbs down to sitting judges — no longer insulate jurists from the most pernicious political elements. National spending on these elections between 2000 and 2009 amounted to just over \$2 million, but they attracted nearly \$5 million just during the 2009-10 cycle. National interest groups poured hundreds of thousands of dollars into the successful campaign to unseat three Iowa Supreme Court justices who joined a decision recognizing same-sex marriage. The message was clear: Render decisions that rile the public and risk the loss of your seat.

This is precisely the problem with judicial elections. Judges should not have to worry about pleasing political constituencies — whether they are business groups, unions or those who support a particular definition of marriage. Judges in many circumstances are meant to be a check against these forces and the unconstitutional excesses of the elected bodies. The notion of impartial justice for all is obliterated when judges are forced to think like politicians and to curry favor with monied interests just to keep their jobs.

Los Angeles Times

Amid bailouts, banks spent big to thwart foreclosure legislation

The \$70 million spent in California on lobbying fees and political contributions came at the same time the banks were getting billions in federal taxpayer bailouts to keep them from collapsing.

April 05, 2011 | By Marc Lifsher, Los Angeles Times

Reporting from Sacramento — Through the depths of the recession, major Wall Street banks and other financial institutions spent nearly \$70 million in California to try to defeat or water down California legislation aimed at slowing real estate foreclosures.

The money, spent on lobbying fees and political contributions, came from 2007 to 2010 — at the same time the banks were getting billions of dollars in federal taxpayer bailouts to keep them from collapsing.

A report commissioned by the Alliance of Californians for Community Empowerment criticized the banks and mortgage lenders for spending the money in the political arena rather than working harder to keep people in their homes.

"There's no doubt that the banking industry is spending millions of dollars in an effort to advance its agenda in Sacramento," said Amy Schur, the alliance's executive director. "Too often, their agenda means less regulation for the banks and more freedom to operate at will.

Dustin Hobbs, a spokesman for the California Mortgage Bankers Assn., defended the lobbying and contributions by banks and their allies.

"Everyone has a right to have a voice in important policy discussions — both consumers and businesses," he said. "In California in recent years, we've seen a tremendous increase in the number of bills proposed that would have an impact on the real estate, finance industry."

The financial institutions included in the study were Bank of America Corp., JPMorgan Chase & Co., Citigroup Inc., Wells Fargo & Co., Goldman Sachs Group Inc. and Morgan Stanley, as well as the California Bankers Assn., the California Independent Bankers and the California Mortgage Bankers Assn.

Over the four-year period, banks and financial institutions spent \$23.3 million on lobbying and \$45.9 million on campaign contributions to candidates, initiative campaigns, political party organizations and other groups.

An example of a bill the banks were against, Schur said, was SB 1275, sponsored by Senate President Pro Tem Darrell Steinberg (D-Sacramento) and Sen. Mark Leno (D-San Francisco). It would have required mortgage servicers to complete negotiations aimed at modifying a loan before moving to foreclose.

The bill got only 30 out of 41 needed votes to pass the Assembly, with 12 Democrats failing to vote on the proposal even though Steinberg was a top caucus leader.

"The banking industry and their lobbyists worked very, very hard in killing it," Schur said. The bill has been re-introduced this year.

Hobbs said the California Mortgage Bankers Assn. has supported bills that helped homeowners, including a 2009 measure that required loan servicers and homeowners to talk directly with each other to try to prevent a foreclosure. The bill provided extra time for renters to stay in a house when a landlord had been foreclosed upon and gave cities tools to ensure that foreclosed properties were maintained.

Last year, the association supported a bill that allowed homeowners to sell their properties for less than the value of their original loan and not be required to still owe the difference to the bank, Hobbs said.

Another trade group, the California Bankers Assn., represents all the major banking institutions that operate in the state. Spokeswoman Beth Mills said that members of the group have participated in programs that "helped folks to stay in their homes whenever possible."

There were half a million foreclosures in the state in 2010, and that total isn't expected to change much this year, said Kevin Stein, associate director of the California Reinvestment Coalition, which advocates to bring equality in financial and housing services to low-income citizens.

"The reality is the banks are stronger in the Legislature than the consumer groups," Stein said. "In a time of unprecedented crisis in mortgage lending and foreclosures, we should have seen better and more legislation from the folks in Sacramento."

He said his group and its allies hope that the Democratic majorities in both houses of the Legislature and the new Democratic governor, Jerry Brown, will pass housing-related bills that previously died or were vetoed by former Republican Gov. Arnold Schwarzenegger.

"I think this year will be different because the problems have only gotten worse," Stein said.

Mercury News editorial: Payday lending legislation would be a disaster

May 5th, 2011

Struggling Californians certainly could use some help -- just not the help that some of their representatives in Sacramento are offering.

Assemblyman Charles Calderon, D-Montebello, is sponsoring AB1158, which would raise the amount payday lenders can loan from \$300 to \$500 at a time. Calderon claims the bill helps the poor cope with unexpected expenses. The reality is that these loans are a debt trap that can lead to financial ruin.

Payday lenders charge outrageous rates. Under Calderon's bill, consumers would write a \$500 collateral check to a lender and receive \$425 in return -- the equivalent of a 460 percent interest rate on a two-week loan. When borrowers don't have the funds to repay the loan, they're forced to take another loan, and then another, each with that hefty fee. One study showed that 90 percent of the lenders' business comes from people taking out more than four loans a year, not coping with one-time emergencies.

Perhaps the most alarming thing about this bill is who's behind it: According to MAPLight.org, Calderon has received \$31,450 in contributions tied to payday lenders since 2003, more than any other Assembly member. The industry contributed more than \$444,000 to California campaigns in the 2010 election alone.

So that explains how payday lenders are able to continue trapping consumers in a cycle of debt, and how AB1158 last month passed the banking committee on a 7-1

vote. The appropriations committee is hearing the bill Wednesday. It should be killed there or by the full Assembly, but if it makes it through the Legislature, Gov. Jerry Brown must veto it. It is the opposite of what California families need.



Editorial: Don't let payday lending outfits buy a bad bill

May 9th, 2011

Campaign cash flowed and, naturally, special-interest legislation has followed.

Assemblyman Charles Calderon, D-Montebello, fits the pattern. He has received more in campaign contributions connected to the payday lending industry than any other member of the Assembly, according to the "Money and Politics" website (maplight.org).

Now he's carrying a bill for that industry (Assembly Bill 1158) that targets people who live paycheck to paycheck and who have little recourse when they are hit with unexpected expenses.

Under the current law, also authored by Calderon in 1996, people can get an emergency two-week loan for a maximum of \$300. With that \$300, they pay a fee of \$45, leaving \$255 in cash. That amounts to a fee of \$17.65 per \$100 – an outrageous 459 percent annual percentage rate.

And if you cannot repay in full at the end of two weeks? A 2009 study by the Center for Responsible Lending showed that the average California payday borrower takes out 10 loans a year (likely on a consecutive basis). In the end, the average payday borrower pays \$450 in fees to get \$255 in cash. Modern day usury.

That's bad enough. So what does Calderon propose to do now?

He could do the responsible thing and cap outrageous annual interest rates on payday loans – as the California Finance Lending Law does for other small loans. Nationally, Congress in 2007 passed a 36 percent rate cap on payday loans for military families. Fifteen states and the District of Columbia have passed similar interest rate caps for all their residents. Why not in California? That would offer some real help for folks.

But no. Calderon wants to up the maximum payday loan to \$500. The borrower would pay a \$75 fee, leaving \$425 in cash. In short, he proposes to make the cycle of debt and fees even worse.

This bill already has whizzed through two Assembly committees, greased by \$444,000 payday industry contributions to legislators in 2010.

Where are the legislators who care about the little guy? That 2009 study by the Center for Responsible Lending, appropriately titled "Predatory Profiling," found that payday lending stores are most heavily concentrated in African American and Latino communities in California.

Calderon has suggested that payday lending is a good way for people to finance a trip to Disneyland, showing he has no sense of what "emergency loans" are or the impact payday lending has on people.

Consumer groups fighting an uphill battle against AB 1158 have proposed some modest amendments that would prevent the worst abuses. Adopt the FDIC's "six-loans-per-household" annual loan limit. That would drive out bad-faith lenders that depend on people taking out 10 (or more) loans. And require payday lenders to evaluate the borrower's ability to repay, a "no-duh" provision in the post-foreclosure era.

This should be a time for lawmakers to figure out better ways for lower-wage folks to get emergency loans with reasonable rates when a car breaks down or some other unexpected event occurs – not to further entrench abusive, usurious lending practices.

AB 1158 needs to go down.

The Bakersfield Californian

Monday, May 9, 2011

OUR VIEW: Hey, what's that smell? Debt from payday loans

The term "follow the money" has never been truer than in the case of Assembly Bill 1158. Neither has the term "plug your nose."

The payday loan industry has given Assembly Majority Leader Charles Calderon \$31,450 in campaign donations since 2003, more than any other current or previous member of the Assembly, according to MAPLight.org, the nonprofit campaign-finance watchdog. State Sen. Ron Calderon, the assemblyman's brother, has raked in even more from the industry: \$50,000.

Now, guess who's carrying the Assembly bill that would allow payday loan companies to substantially raise the borrowing cap on these supposed short-term emergency loans? Bingo! Charles Calderon. When Lt. Gov. Gavin Newsom recently referred to the industry's ability to "buy off" opponents, the two Montebello Democrats were undoubtedly two of the people he was talking about. There are others: The payday loan industry has distributed more than \$1.1 million to state legislators since the 2004 election cycle.

Setting aside the odorific nature of the Calderon-payday loan liaison, AB 1158 is just a bad bill.

Payday loan companies allow people to borrow against future paychecks. The transactions carry high interest rates, an obligation that grows substantially if they're not repaid within a short time, usually two weeks. Many borrowers find themselves trapped.

As it stands, borrowers can receive up to \$300 at a time. They pay a fee of \$45, which brings the transaction to a stunning 459 percent annual percentage rate. Under AB 1158, borrowers could write a collateral check for \$500 and receive a loan of \$425, bringing the APR to 460 percent.

The Assembly Banking and Finance Committee approved AB 1158 on a 7-1 vote last month. It's now before the Assembly Appropriations Committee. Consumer groups that oppose the bill would like to see it amended with the FDIC's "six-loans-per-household" annual loan limit. That, at least, would dissuade that class of lenders, which simply preys on borrowers easily ensnared by the loan-upon-loan trap.

Low-wage workers have it tough enough without predatory lenders, aided by their legislative accomplices, helping them dig deeper holes.

A Congressional Bailout for a Pharma Firm?

By Siddhartha Mahanta | Tue Jun. 28, 2011

The fate of the global economy hangs in the balance as Congress continues to haggle over tax cuts, revenue increases, and raising the debt ceiling. But at least they're taking care of big pharma.

On Thursday, the House passed a John Conyers (D-Mich.)-authored amendment to the [massive bipartisan overhaul of the nation's patent system](#) [1]. Technically, the measure pushes back when the clock starts ticking on patent expirations, making it easier for companies to secure the rights to the products they create. But in practice, it seems to have allowed one drug company to maintain its patent on a single drug.

Roll Call [reports](#) [2] that in 2000, the Medicines Co. (MDCO) missed the deadline on extending its patent on a blood-thinning drug called AngioMax—by one day. That extension would've kept generic versions of the drug off the market until 2014; missing the deadline meant that generics could flood the market by as early as 2010, costing MDCO anywhere between \$500 million to \$1 billion in profits.

MDCO sued the US Patent Office and WilmerHale, the firm that allegedly bungled the extension application. The stakes for WilmerHale are considerable: if a generic hits the shelves before June 15, 2015, the firm has to cough up \$214 million to MDCO, according to a settlement reached earlier this year.

The two firms spent millions lobbying Congress to pass legislation overturning the rejection. And it paid off. Speaking in front of the House Judiciary Committee, Conyers, the committee's senior Democrat, said the amendment would make a "technical—but important—revision" to federal patent law. "By eliminating confusion regarding the deadline... [it] provides the certainty necessary to encourage costly investments in lifesaving medical research."

Skeptics see the amendment as an earmarked bailout for MDCO and WilmerHale. And there's a case to be made that the amendment violates the [House's anti-earmark stance](#) [3]:

Although the amendment does not obligate taxpayer funds be spent on a specific project, by virtue of its narrow scope it falls within the broad definition of an earmark and is a classic example of Congress taking pains to assist powerful interests, Taxpayers for Common Sense Vice President Steve Ellis said.

The language "really has no business in this bill," said Ellis, who called the amendment "almost a private law that helps one or two companies."

In the 2010 cycle, health professionals and pharmaceutical companies clock in as Conyers' [sixth and ninth-highest campaign contributors](#) [4]. Lawyers and law firms? #1. But Conyers isn't the only lawmaker who seems to be performing interest group-due diligence: from 2009 to 2010, lobbying, public relations, and pharmaceutical groups (combined) gave 60% more to House members that voted for his amendment than to those who voted against it, [according to the folks at MapLight.org](#) [5].

Anti-earmark pledge or no, it's not surprising that Conyers et. al, are taking care of those who take care of them. But bending over backwards to bail out specific corporate entities smacks of some pretty crafty lobbying by MDCO and WilmerHale. It also suggests that, with 2012 looming in the not-so-distant future, some members of Congress are in no position to risk upsetting their most generous donors.

Links:

[1] <http://motherjones.com/politics/2011/06/patent-reform-wall-street-claudio-ballard>

[2]

http://www.rollcall.com/issues/56_146/a_late_addition_patent_bill_worth_214_million_MDCO_WilmerHale-206838-1.html?pos=hftxt

[3] <http://motherjones.com/politics/2010/11/gop-earmarks-fight-demint-boehner-mcconnell>

[4]

<http://www.opensecrets.org/politicians/industries.php?cycle=2010&cid=N00004029&type=I&newmem=N>

[5] <http://maplight.org/us-congress/bill/112-hr-1249/990587/contributions-by-vote>

THE HUFFINGTON POST



Nick Nyhart, CEO, Public Campaign

Democracy For The 99%

Posted: 11/18/11

Professor Larry Lessig's [op-ed in the New York Times yesterday](#), "More Money Can Beat Big Money," gets the problem with our political system absolutely right -- our elections should be "of the people," not "of the funders."

While I disagree with Lessig that a constitutional amendment to overturn the Supreme Court's *Citizens United v. FEC* decision is not important, such a measure would simply take us back to January 20, 2010, the day before the decision was handed down. I don't think any of us believe politics were much better, or less bought, two years ago.

In his piece, Lessig writes that, "following Arizona, Maine and Connecticut, we could adopt a system of small-dollar public funding for Congress."

He's talking about systems known as "Clean Elections," or "Voter-Owned Elections." While the small donor voucher proposal Lessig suggests is intriguing, hundreds of candidates across the country have already run and won depending only small donations combined with public funds.

And the results are striking.

Former Maine State Senator Deborah Simpson is a perfect example. When she was elected to the state house, she was a single mom and waitress that knew she could be an important voice in the legislature. The only problem, of course, was that she didn't have access to wealthy donors. Under the state's Clean Election system, she collected a threshold number of \$5 contributions from people in her district and received a grant of "Clean" funds to run her campaign. Once in the legislature, she was able to advocate for issues she cared about -- like children's healthcare, helping victims of domestic violence, and others. Talk about the 99%!

Hundreds of candidates have been elected using these systems and their success in Maine, Arizona, Connecticut, North Carolina, and a handful of cities have led to support in Congress, too. Last year, the Fair Elections Now Act had the support of a bipartisan group of more than 200 Senators and House members. It passed out of a congressional committee in September 2010. Fair Elections candidates would collect donations of \$100 or less from back home that would then be matched on a 5-to-1 basis, raising the voice of small donors in the political process.

There's no silver bullet to fixing the problems of our democracy in which a handful of wealthy elites are increasingly in control of the country's decisions. We know, however, that systems like Clean and Fair Elections make a difference, including bringing working folks -- waitresses and veterans -- into the legislature. When half of the Members of Congress are millionaires, it's the kind of change we need.

As Americans across the country stand together today to protest a political system that benefits the wealthiest Americans at the expense of poor and middle class families, it's time to turn that system upside down, moving politics and power from the money to the many.

July 27, 2011

Bush, Obama pollsters see 'dramatic' shift toward same-sex marriage

By Ben Smith

In a new polling memo intended to shape politicians' decisions on the question of same-sex marriage, the top pollsters for Presidents George W. Bush and Barack Obama jointly argue that support for same-sex marriage is increasingly safe political ground and will in future years begin to "dominate" the political landscape.

The pollsters, Republican Jan van Lohuizen and Democrat Joel Benenson, argue in their memo, [which can be read in full here](#), that support for same-sex marriage is increasing at an accelerating rate and that the shift is driven by a politically crucial group, independents. They are expected to unveil the memo, which was commissioned by the group [Freedom to Marry](#) and shared exclusively with POLITICO, at a press conference at the National Press Club today.

The memo comes at a moment when politicians are weighing the impact of their choices on the issue. An increasing number of ambitious executives in liberal states, led by New York Gov. Andrew Cuomo, have seen support for same-sex marriage boost their standing within the Democratic Party. But while polls have long shown increasing support for same-sex marriage, the issue has failed at the polls even in Democratic-leaning states such as California and Maine, giving pause political figures considering "evolving" on the issue, and encouragement to activists who favor limiting marriage to those between men and women.

The new memo, based on public polling, makes the case that support for same-sex marriage has "accelerated dramatically in the last 2 years" and that the future almost surely belongs to supporters of same-sex marriage.

The pollsters conclude that the issue is changing fast: "It is clear that the public is in the process of rethinking its position on the issue, with all political groups — Democrats, Independents as well as Republicans — and all age groups more likely to support marriage for same-sex couples," they write.

They also note a factor that has been increasingly clear to observers of state legislative fights on the subject: Momentum and public interest appear to be shifting in the direction of supporters of same-sex marriage.

"The intensity of opinion is changing at a rapid pace. As of today, supporters of marriage for gay couples feel as strongly about the issue as opponents do, something that was not the case in the recent past," they write.

And they make the case for a kind of demographic inevitability that's at the core of the argument gay rights activists have been making with increasing conviction to political leaders.

"Support strongly correlates with age," Benenson and van Lohuizen write. "As Americans currently under the age of 40 make up a greater percentage of the electorate, their views will come to dominate."



New Study: Support for Gay Marriage Grew Faster in Past Two Years

Bipartisan study by presidential pollsters shows growth of public support for gay marriage accelerated

By Mallie Jane Kim

July 27, 2011

Support for gay marriage increased at an accelerated rate over the past two years, according to a new bipartisan [report released](#) Wednesday. The study, commissioned by gay-rights group Freedom to Marry, was conducted by two top pollsters—Dr. Jan van Lohuizen of Voter Consumer Research, who worked for President George W. Bush's presidential campaigns, and Joel Benenson of Benenson Strategy Group, who worked for President Barack Obama's.

According to the report, polling data from sources including Gallup, CNN/ORC, ABC/*Washington Post*, and Pew Research Center indicate that average support for legalizing gay marriage grew at a rate of approximately 1 percent per year between 1996 and 2009, but the rate increased to 5 percent growth per year from 2009 to 2011. "That's actually a 500 percent increase in the rate of change," Benenson said at a press conference. "We rarely see that kind of upward spike in support around an issue."

Because of that growth, several national polls show a majority of Americans now support legalizing gay marriage, including Gallup (53 percent), Public Religion Research Institute (51 percent), CNN/ORC (51 percent), and ABC/*Washington Post* (53 percent). A Pew poll from March reported 45 percent supported while 46 percent opposed legalizing gay marriage.

Since the polls show young people are increasingly likely to support gay marriage as they come of voting age, the trend is expected to continue, even if other groups don't rethink their views on the issue. "Because of demographic shifts, we will see a steady march from a majority to a supermajority" of support for same-sex marriage, Benenson said.

And van Lohuizen said the sharp spike in support over the last two years is not just due to generational change, but also because people in key constituencies are changing the way they think about the issue. He says support has increased by 15 percent among seniors, 13 percent among independents, and 8 percent among Republicans. And there has been a shift among those who "strongly support" or "strongly oppose" gay marriage as well: The study's data shows strong opposition for gay marriage has shrunk by 13 percent since 2004 and strong support has grown

by 12 percent. "Even among the core opponents of this issue," van Lohuizen said, "significant change has been going on."

Freedom to Marry's president and same-sex marriage advocate Evan Wolfson says increased awareness and conversation about the issue are responsible for the growth in support. "Even where antigay ballot measures succeed at the time, the net result is that people are prompted into these conversations," he said, pointing to the fact that in 2000, 61.4 percent of California voters cast their ballots to ban gay marriage, but in 2008, that number decreased to 52.3 percent. "The more people talk about this, the more they move into support of the freedom to marry."

July 27, 2011

Poll Analysis: Clear Trend for Marriage Equality

By Andrew Harmon



Freedom to Marry federal director Jo Deutsch (left) and president Evan Wolfson (center) discuss marriage poll findings with Joel Benenson (right.)

National support for marriage equality is not only growing but has accelerated significantly in recent years, according to a public opinion [analysis](#) by two pollsters — one who worked for President George W. Bush, the other who serves as an adviser to President Barack Obama's reelection campaign.

Data from several national polling organizations, including Gallup and ABC News/Washington Post, this year indicated majority support for equal marriage rights, and such support has increased by 10 percentage points in the past two years, according to a memo published by Bush pollster Jan van Lohuizen of [Voter Consumer Research](#) and Joel Benenson of [Benenson Strategy Group](#), who served as lead strategist in the 2008 Obama campaign and now works for the president's 2012 campaign. The memo was commissioned by Freedom to Marry, which presented the results Wednesday morning at the National Press Club in Washington, D.C.

"We're not in 1996 anymore," Freedom to Marry president Evan Wolfson said, referring to the year Congress passed the Defense of Marriage Act, which bars the federal government from recognizing the marriages of same-sex couples.

Speaking of the politically charged marriage issue in past elections, Wolfson said, “The wedge has lost its edge, and the third rail that people thought they saw actually appeals to groups of voters who are critical to winning campaigns.”

Benenson and Van Lohuizen compared national polls over the past decade from Gallup, CNN/Opinion Research Corporation, and Pew Research Center, among others. “The remarkable surge over the last two years can’t be explained by generational change alone,” Van Lohuizen concluded. “It suggests that people across the political spectrum are rethinking their positions and deciding in favor of the freedom to marry.”

A [poll](#) released earlier this week by Greenberg Quinlan Rosner and commissioned by the Human Rights Campaign also found a slim majority — 51% — in favor equal marriage rights for same-sex couples.

Not all recent surveys have found majority support, the two pollsters wrote in their analysis. A Quinnipiac University survey from earlier this month reported that 48% of respondents opposed marriage equality when asked specifically if they would support a law in their own state granting such rights to gay couples (46% approved).

Another, by the social conservative legal group Alliance Defense Fund, [claimed](#) that 62% of Americans said they supported marriage as only a union between a man and a woman in a June poll it commissioned.

“When you set it against these independent national polls, Gallup and others, who all have found something different, I think it says something about the wording and the methodology being as suspicious as the motives behind it,” Wolfson said of the Alliance poll.

Benenson said in the press conference that while he does not advise clients — such as the presidential reelection campaign — on what positions to take, he said the marriage issue “has a very different calculus” in the current political climate than in past elections.

Whether that calculus, and trending public opinion, may resonate with the administration’s reelection strategy as November 2012 nears remains unclear. President Obama has not indicated any personal shift on the issue in recent news conferences.

The Freedom to Marry memo tracks other [estimates](#) this year finding that a narrow majority of Americans support marriage equality with a small percentage still undecided.

Read the full memo via Freedom to Marry [here](#).

2011 Public Polling On Marriage

Poll	Date	Question Text	% Support	% Oppose
Gallup	May 5-8	<i>Do you think marriages between same-sex couples should or should not be recognized by the law as valid, with the same rights as traditional marriages?</i>	53	45
PRRI	May 5-8	<i>Do you strongly favor, favor, oppose or strongly oppose allowing gay and lesbian couples to legally marry?</i>	51	43
CNN/ORC	April 9-10	<i>Do you think marriages between gay and lesbian couples should or should not be recognized by the law as valid, with the same rights as traditional marriages?</i>	51	47
ABC/WaPo	March 10-13	<i>Do you think it should be legal or illegal for gay and lesbian couples to get married? Do you feel that way strongly or somewhat?</i>	53	44
Pew	Feb. 22-March 1	<i>Do you strongly favor, favor, oppose, or strongly oppose allowing gays and lesbians to marry legally?</i>	45	46



Freedom to marry's changed political equation

By Evan Wolfson, founder and president of Freedom to Marry - 07/27/11

Last week, at the first-ever congressional hearing on the repeal of the so-called “Defense of Marriage Act” (DOMA), some of the more interesting statements given in favor of the freedom to marry for same-sex couples came from Senators who, 15 years ago, voted in favor of DOMA.

Senator Dick Durbin (D-Ill.) quoted Abraham Lincoln who, when challenged for changing his mind on a question, replied, “I’d rather be right some of the time than wrong all of the time.” Even Bob Barr, the Republican congressman who wrote DOMA in 1996, and Bill Clinton, the Democratic president who signed it, today support DOMA repeal and the freedom to marry.

That change of heart on Capitol Hill is reflective of the journey the majority of Americans have made as minds have changed and hearts have opened. Fifteen years ago, only 27 percent of Americans approved of ending discrimination in marriage. Today, six national polls confirm that support has doubled to 53%, a national majority in favor of the freedom to marry.

Members of Congress might have taken note that gay couples have been marrying in our Nation’s capital for more than a year now, without using up the marriage licenses, and the sky has not fallen. But when New York ended gay couples’ exclusion from marriage on this past joyous Sunday, the number of Americans living in a state where gay people share in the freedom to marry more than doubled, to 35 million. The momentum in favor of fairness will only grow and accelerate, as New York gives more and more Americans a powerful chance to see that ending the denial of marriage helps families while hurting no one.

The freedom to marry reflects basic values of love, commitment, family, and fairness—and that’s what has inspired a majority of Americans and their elected representatives to decide to support it. And, happily, support for the freedom to marry is not only the right thing to do, it’s the politically smart thing to do.

Today at the National Press Club, Republican Jan van Lohuizen, President George W. Bush’s former pollster, and Democrat Joel Benenson, President Obama’s pollster, jointly released a new bipartisan analysis of the latest polling on marriage entitled, “Rapid Increase in Support for Marriage Changes Political Equation: Emerging Majority Supports the Freedom to Marry.” The results challenge the conventional Washington wisdom on marriage.

Too many Washington politicians have been clinging to a 1996 mindset, which held that marriage is a hot button: a useful wedge for politicians who would pit Americans against each

other to win votes—and an untouchable “third rail” for fair-minded politicians who in their heart support freedom and equality under the law for everyone.

But today, the wedge has lost its edge, and that third rail can actually be used to appeal to important groups of voters, as New York demonstrated.

Those who would now try to tout their anti-gay opposition to motivate narrow segments of voters will find that group of voters dwindling—and will quickly learn that anti-gay politics may turn off a vast voter pool on the other side that rejects division and discrimination. According to polling by the Washington Post, “strong” opposition to the freedom to marry dropped 13 points since 2004—and “strong” support in favor has risen 12 points. Whereas just a few years ago the opposition to the freedom to marry had greater intensity, now the numbers of those who support the freedom to marry outnumber those who strongly oppose it.

One of the major drivers of this momentum shift is a generational tidal wave. Almost 70 percent of those under 40 support the freedom to marry. Every day, as more and more young people come of age and enter the voting population, support will only increase.

This generational dynamic has not gone unnoticed—but many probably don’t realize just how fast it will push the country toward overwhelming support for the freedom to marry. Right now, those under 40 represent roughly 36 percent of the electorate. By the 2016 Presidential election cycle they will make up roughly 47 percent of voters—and roughly 57 percent by 2020. Politicians looking to the future would be wise to get ahead of this rapid rise.

But this change is not just driven by young people. Voters across the board are rethinking their position. In the past seven years, support has increased by 13 percent among Independents and 15 percent among seniors.

Support has also increased eight percent among Republicans. This bipartisan rise is also bearing out in practice. It was Republican State Senators who provided the winning margin to achieve the freedom to marry in New York—the first time a Republican-led legislative chamber voted for a marriage bill. The center of political gravity has moved, for good.

With fair-minded Americans across the spectrum rethinking their position—and deciding that love and commitment deserve protection, not discrimination—Republicans and Democrats alike would be wise to understand the changed political equation and get on the right side, not just of history, but of politics.

Evan Wolfson is the founder and president of Freedom to Marry, the national campaign to end exclusion from marriage, and author of Why Marriage Matters: America, Equality, and Gay People's Right to Marry.

View “The Rapid Increase in Support for Marriage Changes Political Equation: Emerging Majority Supports the Freedom to Marry” report [here](#).

GOP Lobbyist Joins Strategy to Repeal DOMA

By Andrew Harmon

October 2, 2011



Jo Deutsch (left) and Kathryn Lehman (right)

When Jo Deutsch and Kathryn Lehman are en route to Capitol Hill for meetings with Republicans, they find it best to avoid certain conversations. The debt ceiling is off the table. So are their respective political résumés — one has worked for Barbara Boxer, the other Newt Gingrich. In fact, the two lobbyists could not be more divergent on most issues — except repeal of the Defense of Marriage Act.

DOMA, which House Republican leadership is defending in several legal challenges, is a deeply personal issue for Lehman, because 15 years ago, she helped to write it.

“We’re not here to agree on everything. Just one thing,” said Lehman, sitting at a massive circular conference table during a recent interview at lobbying firm Holland & Knight’s D.C. office on Pennsylvania Avenue.

“Though, I found out over the weekend that you like Harry Potter books,” Deutsch points out with a broad smile. “So there are two things we have in common.” Deutsch is a liberal Democrat and earlier this year became the federal director of [Freedom to Marry](#), the organization founded by marriage equality movement “godfather” Evan Wolfson. A Smith College graduate, she has

been a supporter of the National Organization for Women since junior high and has devoted decades of her career to lobbying for unions.

Deutsch and her partner, Teresa Williams, have been together for 28 years and have three children. However improbable legislative repeal of DOMA is in the near future, Deutsch's professional *raison d'être*, as Freedom to Marry national campaign director Marc Solomon sees it, "is to make our strongest case in D.C. with every influential player. Members of Congress, political operatives, the press corps — you name it."

And by hiring Lehman, the organization is taking a page out of the playbook from Proposition 8 opponents, who hired polar opposites Ted Olson and David Boies to make a court win happen.

Lehman, who has a law degree from the Catholic University of America, joined Holland & Knight in 2005 after working for a who's who of GOP lawmakers — Gingrich, Tom "The Hammer" DeLay, Dennis Hastert, and Deborah Pryce among them. As *The Hill* noted in November, the Republicans' takeover of the House in the 2010 midterm election has only raised her lobbying profile in Washington.

When DOMA was being written in 1996, Lehman was chief counsel for the House Subcommittee on the Constitution for former chairman Henry Hyde of Illinois. She oversaw the execution of all the subcommittee's work, including the drafting and passage of DOMA. At the time, the right to marry for gay people existed nowhere on Earth, yet a court case in Hawaii was stoking both homophobia and fear that states could be forced to recognize same-sex marriages performed elsewhere.

When the legislation was drafted and debated in committee, Lehman was not out of the closet (not out to even herself, she said). "I have to say I do recall vividly sitting there, and listening to Barney Frank, who was the ranking member of the subcommittee during the hearings. And Barney's saying, I just don't understand how if I'm in a loving, committed relationship with my partner, how it hurts somebody else's marriage," she said. "I remember thinking at the time, *Yeah, I'm not sure about that, either.*"

Lehman isn't the only one involved at the time who's had a change of heart. Rep. Bob Barr, the bill's original sponsor, now supports its repeal, arguing that DOMA is "neither meeting the principles of federalism it was supposed to, nor is its impact limited to federal law," as he wrote in a 2009 [op-ed](#) for the *Los Angeles Times*.

"I'm not an activist personality. I've been a staffer my whole career," Lehman explained of her new involvement in lobbying for the Respect for Marriage Act, which would repeal DOMA. "It's not a secret that I'm gay, it's not a secret that [Lehman's partner] Julie [Conway] and I have been together for seven years. ... But I really felt like it was time to step up, to step out. And I've recognized the work of people who I don't really agree with politically in the gay and lesbian community, but who have done a lot of work to make my life better."

This spring, Lehman joined forces with Freedom to Marry's Deutsch on the recommendation of Campbell Spencer, a vice president at public affairs firm DCI group who previously worked as

Midwest regional director in the Obama White House's Office of Political Affairs. Spencer describes Lehman as a well-respected lobbyist with the key Hill relationships needed to get in the door. What's more, "She has this transformational narrative," Spencer said. "She can tell a story of growth and evolution, which is a story a lot of folks can relate to and understand."

Deutsch covers Freedom to Marry's lobbying efforts alone when it's time to talk with Democratic lawmakers. But she and Lehman work together on the GOP side and are usually joined by Log Cabin Republicans executive director R. Clarke Cooper in meetings.

Though some GOP presidential candidates seem to think otherwise, an anti-gay marriage position is not a winning electoral strategy, Deutsch and Lehman argue, and it's a clear turn-off to the pivotal independent voters. For starters, six states and the District of Columbia already allow same-sex marriages and have not seen the disastrous societal effects that anti-marriage equality forces continue to predict. Multiple national polls analyzed in a July Freedom to Marry report by George W. Bush pollster Jan van Lohuizen and Obama campaign adviser Joel Benenson indicate that support for marriage equality not only is growing but also has accelerated significantly in recent years.

The conversations with members and high-level staffers are often as much about rallying their support for repeal as they are about educating those who have not considered the devastating effects of DOMA on gay couples (lack of health care benefits, immigration sponsorship rights, and tax advantages being among them).

As Cooper, an Army reserve captain, explains in meetings, the recent repeal of "don't ask, don't tell" will only further highlight DOMA's consequences.

"I think that on a very real level, they have not heard this before from anyone," Deutsch said. "Hearing it from Kathryn and hearing it from Clarke, it's a rude awakening. In almost every conversation, at some point the member will say, 'But I really still do believe that marriage is between a man and a woman.' But what has fascinated me is that in no office have they said, 'Well, can't we just go the civil union route?' No one has brought up civil unions. It's a vehicle, an out, that you can take to get away from the marriage piece, and no one's going that route."

Rep. Ileana Ros-Lehtinen of Florida may not have been the first Republican to conclude that DOMA has to go, but she was the first one bold enough to step forward and [cosponsor the bill](#) to repeal it. Last month, a few days after she released prepared remarks written for a Log Cabin awards dinner in which she stated that "defining marriage is not part" of the federal government's role (she did not ultimately give the speech), Ros-Lehtinen became the 125th cosponsor of the House bill, introduced by New York Democrat Jerrold Nadler. (California senator Dianne Feinstein is the Senate sponsor.) "I voted against the constitutional amendment defining marriage [in 2006], so I'm pleased to cosponsor the repeal of DOMA and work with my colleagues on marriage equality," Ros-Lehtinen said in a statement.

The most senior female Republican House member, Ros-Lehtinen has stepped out on LGBT issues before, but never on one this divisive.

“I suspect that Ileana's cosponsorship of the repeal legislation may be a catalyst for some other [Republicans] to support it,” former congressman Barr wrote in an email response.

That's certainly what Lehman and Deutsch are hoping.

Deutsch, Cooper, and Torrey Shearer, a colleague of Lehman's at Holland & Knight, had met with Ros-Lehtinen's legislative director in July. The team has visited about 15 to 20 GOP offices, in both the House and Senate. Ros-Lehtinen has been attacked by the usual suspects for her decision — Family Research Council and National Organization for Marriage being the chief antagonists — but response has been mostly positive. “Her role is a welcomed sign of true and rare leadership, and her change of heart on gay marriage is also a story about what our children teach us about humanity,” journalist Fabiola Santiago wrote in a September op-ed for *The Miami Herald*.

“We've called every office that we've gone to see, to make sure they know that the door is now open, that thanks to Ileana, the water's fine. Come on in,” Deutsch said. “I had a couple of good discussions [last month] from member staffs who understand that we're talking about a whole new picture now.”

Those who can't see that new picture — or won't yet support DOMA repeal even if they can — are being lobbied to at least oppose antigay amendments to appropriations bills. In June the House passed the annual defense spending bill with several amendments that broaden the reach of DOMA in the military, including one by Rep. Todd Akin of Missouri that would bar military chaplains from acting in their official capacity to perform same-sex weddings and stop ceremonies from being performed on bases. (The Pentagon announced Friday that it would allow military chaplains to officiate the weddings anyway and that bases are “sexual orientation neutral” when it comes to private ceremonies.)

Freedom to Marry's federal program will expand into a Beltway salon series this fall and winter, featuring Democratic and Republican operatives, as well as “Third Party right-of-center think-tank leaders,” according to the organization.

“On one level, it's been like anything else,” Lehman said of her marriage lobbying compared to her day-to-day practice, which includes lobbying on appropriations and federal regulations. “But I just feel an obligation to educate [Republicans] on this issue, on how my views have changed. ... There's an opportunity for momentum, and we're trying to capture that opportunity to move forward.”



Next Generation Farmer: Ana Catalán

July 6th, 2011 By Twilight Greenaway



Ana Catalán may seem young, but don't let this 23-year-old fool you; when it comes to farming, she's wise beyond her years. As the youngest child and only daughter of María Catalán, matriarch and owner of [Catalán Family Farm](#), Ana plays a crucial role in the workings of this Hollister-based organic farm.

"I am basically trained to run the business right alongside my mother," she said on a recent Thursday at the Ferry Plaza Farmer's Market, while waiting in line at the Blue Bottle kiosk for her second (or was it third?) soy latte of the day. Anna's three older brothers all work for the farm as well—one manages restaurant relations and orders while the other two sell produce at farmers markets for a commission—but, as Ana sees it, "together, my mother and I are the brain of the business."

Being the brain of the business generally means working seven days a week, either at a market, in the office, or around the 15-acre farm. It's not a lifestyle Ana shares with many other people her age. "I honestly only have close friends, because they understand that my job consumes my life," she said.

Boss-Ladies

When it comes to co-supervising the farm's crew of workers (a group that ranges in size from six full-time people in December to 40 part-time workers in the summer harvest months), Ana takes cues from her mom. Once a farmworker herself, María graduated from the Agriculture and Land-Based Training Association (ALBA) over 15 years ago and has run her own organic farm ever since.

But getting established as a woman farmer (and single mom) wasn't easy; many in their extended family were skeptical. "People did not value organic farming as they do now," recalled Ana. "It was a hard time. My mom knew how to farm, but she didn't know about marketing. She invested a lot and lost a lot."

Throughout it all, the drive to treat workers with respect has remained central. "My mom tries to be the best boss that she can be," said Ana. "She says, 'I'd rather pay my last dollar to my worker than pay myself.'" Like on any farm with a shifting, seasonal workload, retention can be a challenge. But, Ana said, "No one who has ever worked for us hasn't wanted to come back."

Not that it's easy supervising people twice your age. Ana is a social person and she says it took her a while to figure out how to draw the line between work relationships and personal ones, since she spends so much time at the farm. "I tell them, 'Once we're working I'm your boss; off the clock I'm your friend. That stays there and the job stays here. Don't think I'm going to mix it up.' But I started so young—it took me a long time to figure this out," she said.

She Hearts SF



Ana has been coming to the Ferry Plaza since she was 19; these days she runs the Catalán booth on Thursdays and Saturdays, along with one or two other markets in San Francisco. And although the drive from the farm can be grueling at times, she loves coming to the city for its exciting mix of people, food, languages, and cultures. "I started off doing markets in Berkeley. It was fun; but the City has my heart."

It's hard to say which came first, Ana's love of San Francisco or her sense of independence, but there's no doubt the two things are related. Last year, Ana moved off the farm to an apartment in San Jose with friends—a decision that requires her to drive 45 extra minutes every day (on Saturdays, it means she often leaves her house by 3 am).

"I was the first in the family to move out. In my culture, for a woman to be out of the house, unmarried, and without children...it's a big deal," she said. But Ana held her ground. "I'm the only one of my cousins who didn't get pregnant in high school. I do want to get married and have children some day, but I want my kids to be raised in the home that I choose." She's had to

have “a lot of sit-downs” with members of her extended family, who like to say she’s become too Americanized.

Since graduating from high school Ana has taken classes at several different community colleges in Gilroy and the Salinas area. But, in the end, it’s always hard to prioritize because the farm has to come first. On the bright side, she said, dealing with family politics primed Ana for her favorite class: Political Science. She thinks often about moving in with relatives in Southern California in order to get just far enough away from the farm to focus on finishing her degree. But for now, it’s hard to leave a family that depends on her (“everyone knows me as Maria’s daughter...I’m her Junior.”) and a job she loves.

The Farmer’s Daughter

“There’s just something about the farm when you’re harvesting. The work that you’ve done has paid off and you get to see the fruit of your labor, literally,” said Ana. “I like waking up before sunrise and going out on the field. The air is so fresh; it’s really beautiful out there.”

On top of growing vegetables, Ana has also been planning to expand on a canning experiment she started last fall; “I want it to be like Happy Girl Kitchen, but Mexican,” she says. And no matter what happens next, it’s clear that Ana enjoys being at the helm of the farm she’s built alongside her mother.

“When I was 13 I was so embarrassed to tell my friends that I had to get dirty and help in the fields. I didn’t want them to think I was just another farmworker.” Now, she said, “they’re all like, ‘Can you hook me up with a job?’”

MONTEREY COUNTY WEEKLY

Fruits and Bolts

ALBA expands to Watsonville, partners with neighboring commercial kitchen incubator.

By Sara Rubin

Thursday, October 20, 2011



Safety First: ALBA Organics is doubling its cooler space with this Watsonville site. General Manager Tony Serrano expects the cooler, and all 40 small farm suppliers, to be audited for a food safety certification within six months.

It's hard to conjure stacks of fresh produce in an old tofu plant strewn with rodent traps, paint cans and office junk. But the dusty site in Watsonville is only about two weeks from becoming operational – and from propelling a Salinas nonprofit distributor's sales to aspirational levels.

“This is the bomb right here,” says Tony Serrano, general manager for ALBA Organics, the retail wing launched by Agriculture and Land-Based Training in 2002. He points at one of the three loading docks in the 8,000-square-foot space: “This is the kind of stuff we need to operate.”

With about 40 farmers today growing more produce than ALBA Organics can sell – up to \$200,000 of peak summer's unsold bounty goes to the worms, and growers improve their yields every year – their 1970s Salinas cooler is bursting at the seams.

Alfred Navarro, who took the reins as ALBA's interim director in July after the ouster of former longtime director Brett Melone, says the new site presents a strategic win. "It was ideal for us in terms of complementing what we have at the farm," he says.

The Salinas cooler will remain operational, but by adding a shift and keeping the new facility open 24 hours, everything will be consolidated at the Watsonville site nightly. The location also presents a logistical benefit, since it's an hour closer to ALBA's primary market in Silicon Valley and the S.F. Bay area.

Though Navarro won't disclose how much the new cooler costs, he says ALBA Organics is on track to have a self-sustaining cash flow within a couple of years. He plans to slow its rapid 50-percent growth rate to about 30 percent next year, shooting for \$3 million in annual sales, with hopes to sustain \$4 million beyond that.

ALBA will lease half the building, and El Pájaro Community Development Corporation will occupy the other portion with a commercial kitchen incubator, slated to open by spring of 2012 and provide a code-compliant food prep and cooking area to up-and-coming entrepreneurs.

With the help of a \$90,000 grant from the federal Small Business Administration, El Pájaro is raising another \$300,000 toward capital-intensive hoods, stoves and refrigerators – pricey items that often stop would-be business owners from getting off the ground, according to board president Jorge Reguerin.

Watsonville's economic development manager, Kurt Overmeyer, says food businesses using the incubator are poised to succeed, even though the city has seen major processing plants, like Green Giant and Birds Eye, take off for areas with lower rents and cheaper labor.

In the past decade, Overmeyer says, sporting goods and dietary supplement manufacturers have filled in where large food processors left off, but he still sees a niche opportunity: "There is a place for a high-end, boutique market, as more people get involved in slow food and organic food."

El Pájaro already has 15 bakers, picklers and cooks signed up to use its incubator. Many aren't using organic ingredients today, but there's potential for purchasing from adjacent ALBA. "Putting together partnerships like this," Overmeyer says, "that's the best way cities can do things."



Tasting the Goods at a New Small Purveyor Incubator

By Mark Anderson
October 24, 2011

Like barbecue sauce and garlic bread, or bacon, avocado and jack (on a chicken sandwich, perhaps?!), or mushrooms, pepperoni and olives on a thin-crust pizza, some tasty things go together beautifully.

We can add **Agriculture and Land-Based Training Association** (758-1469), better known as ALBA, the Salinas nonprofit which gives aspiring small organic farmers a foothold, and **El Pajaro Community Development Corporation** (722-1224) to the list. The combination looks poised to transform an old tofu factory in Watsonville into a thrumming hub of organic produce and small food purveyors.

The synergies between the local picklers, piemakers, cooks and caterers gathered by EPCDC and ALBA's organic farmers are natural—but they are also secondary to the original inspiration for the project, as the *Weekly's* **Sara Rubin** illuminates with her piece (at newstands now) ["Fruits and Bolts: ALBA expands to Watsonville, partners with neighboring commercial kitchen incubator."](#)

ALBA needed more refrigeration for its distribution arm, and EPCDC sought a place to house small purveyors who couldn't commit to big-ticket expenses like walk-in fridges and commercial stoves.

Weekly editorial intern and budding foodie **Theodore Lawrence** headed out to the new venue's ribbon cutting to see what he could find out about the chefs moving in and what they have cooking.

Here's what he came back with:

In a field of black extension cords capped in safety-yellow plugs, the smells of spicy pepper-jelly, mouthwatering tacos asada and sugary sweet pan dulce trace an invisible path to new jobs and business opportunities.

Though this former bakery and tofu factory looks largely empty now, by early 2012 it will host up to 10 different small food businesses producing deliciousness around the clock.

“The goal is very simple: To create jobs and energize the economy,” said El Pájaro Community Development Corporation Chair **Jorge Reguerin**. “Typically, these micro-entrepreneurs have very little capital. This way they don’t have to spend the \$2-300,000 it would otherwise take to acquire similar resources.”

The Watsonville Commercial Kitchen Incubator contains eight to 10 workstations, a loading dock and a walk-in refrigerator. Supporters attending the ribbon-cutting included Congressman **Sam Farr**, Watsonville Mayor **Daniel Dodge** and representatives from both **Bank of America** and **Wells Fargo**.

Within these 8,000 square feet, entrepreneurs of the edible, such as one Michoacan bread-maker who currently rents out space from a pizzeria, will be able to utilize modern commercial utilities more conveniently than renting out space from another food company.

Participants will also receive training, small business advice and information on commercial food preparation at no additional cost. It’s with these benefits in mind that dessert artist **Marci Prolo** plans to use the kitchen incubator to expand her business, **Goose’s Goodies** (320-0524).

“My passion is to keep the business in town,” Prolo says. “If it wasn’t for this opportunity, I would probably have to take it somewhere else.”

Facilities suitable for everyone from caterers and bakers to mobile food vendors and farmers mean Prolo won’t be alone. **Silvia Campa** of **Tacos Vega** (262-8226) was on hand serving up *carne asada de lengua* right beside **Claudia Vimala Shargel** of **Global Local Farms** (728-5901) showcasing her special red pepper jelly.

Natalie Castillo, a pastry chef who has been baking for friends and family for years, learned about the class through one of El Pájaro’s business courses for women.

“We get calls from as far as Oregon,” said Castillo while showcasing a birthday cake iced in violet ribbons, which she had completed for a customer in just a day, no small feat for a self-taught chef who spent most of her working years as a secretary (see photo, top of the page).

As cake sales grow, Castillo hopes the incubator allows her **Sweet Blessing Cakes** (840-5681) to really take off: “I can’t do it out of my home, so this place is a huge chance for me to start my first business.”

With help from Farr, El Pájaro won a \$90,000 grant from the **U.S. Small Business Administration**, and is still fund-raising for its remaining \$300,000 budget. After 10 years of planning, The incubator is slated for completion next year, when a waiting list of more than 15 different businesses already planning to spread a wealth of local cuisine to local customers.

Turning Farm Workers into Farm Owners

The Agricultural Land-based Training Association

November 10, 2011



The Agriculture and Land-based Training Association at California's Central Valley

Photos: Tena Rubio





Karina Canto, farmer at ALBA

Karina Canto is pulling her red beets from the soil at a farm in California's Salinas Valley. She's a recent graduate of ALBA, the Agriculture and Land-based Training Association located in the Central Valley, that's helping turn farm workers into farm owners and operators. It's a unique program that has sparked a growing trend across the country. Efren Avalos also graduated from the program.



Efren Avalos, a graduate of ALBA, selling his produce at a Farmer's Market in Berkeley. He owns Avalos Organic Farm.

He owns and runs Avalos Organic Farm – A 17-acre plot of rich farmland located in the ranching and farming community of Hollister, California. We met up with both Karina, and Efren to find out about the journey of becoming farm owners and how it's changed their lives.



August 24, 2011 | By Climate Watch Correspondent

Making Renewable Energy from Farm Waste



Katrina Schwartz

Cast off walnut shells await the "biogasifier."
Lester has more than enough for an entire
year stored in his warehouse.

By Katrina Schwartz

California is just a few votes away from changing the rules to allow farmers to connect machines that create bioenergy to the electrical grid, a privilege that has thus far been reserved for farm-generated wind and solar energy.

Passage of the bill — [SB 489](#) — would mean they could use the byproduct of their crops as fuel to create electricity.

Russ Lester, the owner of [Dixon Ridge Farms](#), has been leading the charge to get the rules changed. He has gone to extraordinary lengths to shrink the carbon footprint of his organic walnut farm and processing plant in Yolo County. Brian Jenkins of the [California Biomass Collaborative](#) at UC Davis calls Lester the “guinea pig” of bioenergy.



Katrina Schwartz
Seemingly endless rows of walnut trees on
Dixon Ridge Farm.

Lester has installed a [50-kilowatt biogasifier](#) that burns walnut shells at high temperatures to create fuel to run his generator, and heat to dry his walnuts. Lester has demonstrated his contraption to many people, including legislators, members of the California Air Resources Board and countless interested farmers. He’s been making the case for SB 489 as the only way to make this type of environmental commitment pay off for farmers. He predicts that many farmers will follow suit if state policy and regulations support farmers to use alternative energy in their businesses.

Beyond creating heat and power to become sustainable, Lester also mixes the char ash leftover from burning walnut shells into the soil where it sequesters stable forms of carbon for hundreds of years and fertilizes his walnut trees. He’s even looking into using walnut oil—another byproduct of processing—as a fuel to replace diesel to run his machinery. Lester says he’s on pace to meet his goal of being energy-neutral by 2012.

“We’re still not 100 percent,” he told me on a recent visit to the farm. “We’re probably at about 45% reduction in our energy usage, but it’s a substantial improvement. So the naysayers who say you can’t do that are really not correct.”

One of the biggest challenges Lester has faced is air quality regulation. It seems that every air quality district in California has different restrictions based on the particular challenges in that neck of the woods. So, the regulations that Lester must meet in the [Yolo-Solano Air Quality District](#) are quite different from those a farmer would face in the [San Joaquin Valley Air Pollution Control District](#). That can pose a problem for farmers operating in districts with chronically bad air quality as any emissions they create will be closely watched.

Kevin Hall, a co-founder of the [Central Valley Air Quality Coalition](#), says he supports efforts by farmers to produce renewable energy, but he's wary of the potential effect on air quality. As long as producers like Lester keep their systems under the one-megawatt limit set out in SB 489, says Hall, it shouldn't be a problem. It's conceivable that many small growers could produce the same amount of pollution as a large power plant if they aren't regulated. Very few California farmers have a biogasifier like Lester's, so Hall isn't too concerned just yet.



Katrina Schwartz
Russ Lester, owner of Dixon Ridge Farms with the walnut shells that fuel his operation.

The biggest opposition to SB 489 comes from utilities. In its opposition letter, PG&E claimed that net-metering (allowing sale-back to the grid) of all renewables would cost the average ratepayer more. The California Public Utilities Commission found the opposite in its [analysis \[PDF\]](#); that SB 489 would likely reduce the cost to the average consumer. That's because farmers and commercial consumers of electricity already pay some costs that residential consumers don't, like the cost to distribute and transmit the power. Those embedded fees make net metering for bioenergy less expensive than net metering for residential solar. PG&E's numbers are based on the performance of solar net metering.

The other problem utilities point to is the net-metering cap. Right now, utilities buy no more than five percent of their peak energy load through the net-metering program. If more types of

technology are eligible for the program, that could mean reaching the cap more quickly. If that happens, legislators might be tempted to raise the cap. For utilities, that would mean managing lots of small producers instead of a few big ones. Nor does the energy produced through net metering count towards the utilities' state-mandated renewable energy targets. Right now, no utility is close to reaching the cap. Most are still buying less than two percent of their power from net metering.



Katrina Schwartz

The Biomax 50 produces heat and power for Russ Lester's organic walnut farm. Lester hopes that SB 489 will allow him to hook the biogasifier to the electrical grid soon.

Supporters of SB 489 are close to reaching their goal. The bill has a broad range of environmental and agricultural supporters, including the [California Climate and Agriculture Network](#) (CalCAN) and the California Farm Bureau Federation. It won significant bipartisan support as it moved through various committees in both the Senate and the Assembly. The next hurdle will be a full Assembly vote and another full Senate vote to reconcile some small changes. Senate sponsor Lois Wolk (D-Stockton) says Governor Jerry Brown has been supportive of the bill and that if it gets to his desk before the end of the legislative year on September 9th, he's likely to sign it.

The following is an update from CalCAN intended for current, past and prospective funders. Please note that although descriptions of some CalCAN lobbying activities are included here, we remain fully compliant with the lobbying rules governing charitable foundations and with those of the IRS and California's Franchise Tax Board.

As always, I welcome your questions and comments.



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Russ Lester at Dixon Ridge Farms (an organic walnut grower & processor) turns walnut shells into heat to dry walnuts and electricity to power the freezers. With SB 489, he'll be able to connect to the grid and generate even more clean energy.

CalCAN-Sponsored Renewable Energy Bill Becomes Law!

On October 8, Governor Jerry Brown signed into law the Renewable Energy Equity Act (SB 489), authored by Senator Lois Wolk and sponsored by CalCAN. The bill will remove barriers to small-scale renewable energy projects by allowing biomass and biogas to participate in the state's Net Energy Metering (NEM) program. Currently, small-scale renewable energy projects can take months and even years to connect to the grid, severely curtailing small-scale renewable energy development in California. SB 489 will help the state meet its renewable energy goals by making it easier for small-scale bioenergy projects to get connected to the grid.

CalCAN was an active sponsor on this legislation, heading up the process of writing the language, hiring a lobbyist, working closely with staff in Senator Wolk's office, collecting support letters, collaborating with other advocates on the bill (notably including conventional agriculture groups such as the California Farm Bureau and the Agricultural Energy Consumers Association), and organizing media coverage.

We are pleased to say that SB 489 had the support of both conventional and sustainable agriculture, including California Farm Bureau, California Rice Commission, California Certified Organic Farmers, Almond Hullers & Processors Association, Community Alliance with Family Farmers and the Ecological Farming Association. It was also supported by many environmental organizations (e.g., Environmental Defense Fund, Planning and Conservation League, Sustainable Conservation, Californians Against Waste).

Now that the bill has passed, we will redouble our efforts to implement it. We will ensure that good rules are written by the Public Utilities Commission, and we will explore methods for raising awareness in farmers and food processors about the potential for generating energy from agricultural waste products.

[Read more...](#)

CDFA meeting to focus on age of California farmers

Tue, 2011-09-27

As the average age of a California farmer creeps toward 60, the California State Board of Food and Agriculture will meet on Sept. 28, 2011 to discuss how to encourage younger generations to pursue farming and ranching. The meeting will be held from 9 a.m. to 2:30 p.m. at the Center for Land Based Learning, 5265 Putah Creek Road, Winters, Calif., 95694.

“Farming is critical to California and the nation,” said CDFA Secretary Karen Ross. “It is a career filled with a variety of challenges and rewards that provides a direct benefit to our families and communities.”

California has well over 80,000 farms and 130,000 farm operators. The average age of principal farm operators is 58 – nearly 20 percent of them are 70 and above.

“Encouraging new farmers and ranchers is not just about agriculture,” said Craig McNamara, president of the California State Board of Food and Agriculture. “It is about community leadership, revitalizing rural communities, and investing in our state’s future.”

Scheduled speakers include: Poppy Davis, U.S. Department of Agriculture (USDA) New Farmer and Rancher Program; Val Dolcini, State Executive Director, USDA Farm Service Agency; Justin Green, Farm School graduate; Tom Tomich, Agriculture Sustainability Institute; Mary Kimball, Center for Land Based Learning; Michael O’Gorman, Farmer-Veteran Coalition; Gary Peterson, Agriculture and Land Based Training Association and Brett Melone, California FarmLink.

The California State Board of Food and Agriculture advises the governor and the CDFA secretary. The state board conducts forums that bring together local, state and federal government officials, agricultural representatives, and citizens to discuss current issues of concern to California agriculture.

Sunday, July 03, 2011

Valley farmers making harvest yield more dollars

By John Holland

Good things can go bad in the heat of summer, but farmer John Lagier has a solution.

He makes jam from the organic cherries and blackberries he grows northwest of Escalon, sealing in flavor that buyers can savor at their convenience.

Lagier spoke at a gathering Thursday on value-added agriculture — farmers processing their crops rather than selling them in bulk to someone else.

The Lagier Ranches products have borne the grower's name for more than a decade, and he has met many of his customers at farmers markets.

"When you sell it yourself, and you sample it out, it's instant feedback," Lagier said during a tour of his South Murphy Road business.

The event was put on by California FarmLink, a group that helps new and expanding farmers find land, loans and other things they need.

Value-added is an economist's term for taking a raw product and making it more useful or appealing, thus raising the price.

It long has been part of the Northern San Joaquin Valley economy: Dairy plants turn perishable milk into cheese, ice cream and other long-lived products. Wineries turn grapes into wine. Walnut and almond processors take the shells off the nuts and add flavors to the kernels.

Tens of thousands of the region's residents are employed in adding value — at poultry plants, tomato and peach canneries, and other places.



Almond butter produced at Lagier Ranches, north of Escalon. The business hosted a tour on Thursday, June 30, 2011, as part of a workshop on how farmers can increase their income by processing and marketing their own crops. - Modesto Bee - John Holland

The idea of farmers processing their crops meshes with the trend among consumers to learn the origin of what they eat.

"There's a huge movement with the awareness of food," said Rose Marie Burroughs, who produces organic milk, beef and other products about 15 miles east of Denair.

Her family has launched Benina Crema, an organic cheese made with milk from grass-fed cows. It also sells eggs from chickens that feed on pasture.

"Distinguishing your differences is the key to value-added," Burroughs said.

Speakers warned that it's not a simple task for farmers to become processors. They must follow government rules on cold storage, sanitation and other means of keeping the food from sickening people. This means, for example, separate sinks for washing produce, equipment and hands.

"A kitchen in your home is not the same as a commercial kitchen," said Kit McClurg, a senior environmental health specialist for Stanislaus County.

Farmers can reduce this cost by renting a commercial kitchen at a catering company, church or other location, she said.

Experts talked about ways to market the crops — farmers markets, farm-based stores, distributors, Web sites and more.

They also mentioned the need for detailed business plans and the loans available from banks, government agencies and other sources.

Mary Junqueiro, Central Valley coordinator for FarmLink, urged attendees to make sure they are not duplicating something that another farmer produces for the same market.

She also said presentation matters, including the label.

"What's attractive to the eye is what you want to consume," she said.

Funding challenges keep number of new farmers low

Tara Duggan, Special to The Chronicle

Saturday, July 23, 2011

In March, Vonita Murray broke ground on 4 acres in Woodland she calls Mariposa Valley Farm. While waiting for her tomatoes and eggplants to mature, she started selling the first heads of lettuce at the farmers' market. This week, she launched her community-supported agriculture program, offering weekly produce boxes to local subscribers.

Murray, 35, also works outside the farm to pay the bills, and her fiancé works full time as an architect. "There's no way I could be a single person and try to farm, maintain a life and have a job," she said.

Murray is typical of many of today's beginning farmers - one of the 100,000 new farmers the federal government says the country needs to add in the next several years to replace its aging workforce.

Murray can't afford to buy her land, depends on outside income and didn't inherit the business. These sorts of challenges explain why few young people are going into farming, and why the average age of the American farmer has risen steadily since the 1970s to 57 today, according to the U.S. Department of Agriculture.

With a farm family's average annual cost of living at \$47,000 and fewer than one-quarter of American farms bringing in more than \$50,000 a year, not many families can afford to stay in business. As a result, retiring farmers are selling their land to developers rather than passing down the farm to their children, resulting in a rapid loss of acreage devoted to producing food.

USDA gets involved

These statistics have sounded an alarm, and the U.S. Department of Agriculture has responded with recent initiatives to encourage new farmers to get into the field.

"If you're 80 and you're still farming, there's not a lot of years left," said Deputy Secretary of Agriculture Kathleen Merrigan. "We don't want to have any more loss of farmland. We don't want to have any more loss in our ability to produce."

In 2009, the USDA created an initiative called Know Your Farmer, Know Your Food - often called KYF2 - that helps beginning farmers and ranchers access USDA loans, grants and training programs. KYF2 includes a Farm to School program that aims to increase the amount of locally grown foods in schools and provide another outlet to smaller-scale farmers. And because

distribution is a big hurdle for small and midsize farmers, the USDA also just launched an online resource to help connect them to markets normally dominated by bigger players.

But the recently passed House agriculture appropriations bill for 2012 recommends significant cuts to the USDA budget, including almost \$1 billion in the conservation programs that benefit many beginning farmers. The bill also includes an amendment by Rep. Virginia Foxx, R-N.C., to eliminate KYF2, although it doesn't have its own budget. When KYF2 went into effect in 2009, several Republican senators criticized it for focusing on "hobbyist" farmers.

With ongoing budget negotiations in Washington, it's unclear how much USDA funding will be cut from regional organizations such as California FarmLink, which connects new farmers with leasing and financing opportunities thanks to a \$500,000 USDA lending fund, or the Agriculture and Land-Based Training Association, which runs a farm incubation program in Salinas.

"Operating loans have been really important in growing our business, from the standpoint that I don't have a father or father-in-law to sign some big note for me for ag financing," said Seth Nitschke, 35, who started his ranch in Newman (Stanislaus County) five years ago. "When you're coming from the outside, it's hard to get started."

Leased land

Nitschke founded his grass-fed beef company, Open Space Meats, after working as a buyer for large cattle companies. He began with three head of cattle and now has 300 that range over 2,000 leased acres.

While it's common for beginning farmers and ranchers to lease rather than own their land, the practice can be problematic for produce growers, especially organic ones.

When Rebecca Spector and Jason McKenney founded Purisima Greens in 1997 on 5 leased acres in Half Moon Bay, they put a lot of money and labor into transitioning the soil to organic. But when their landlord died, they had to move and start over, losing tens of thousands of dollars the process.

They eventually built up a membership roster of 100 subscribers for their boxes of produce, and sold to local restaurants and at farmers' markets. Still, they struggled to pay their bills even while Spector worked full time elsewhere.

Then, their land was put up for sale again, just when they were starting a family. Without land or housing stability, they decided to let the farm go.

"It was a very hard decision to close the business," said Spector, who now heads up the West Coast office of the Center for Food Safety. "It was a very sad time in our lives."

One organization with a track record for helping new farmers thrive is the Agriculture and Land-Based Training Association. For the past 25 years, the organization has run a farm incubator

program for low-income aspiring farmers in which they create business plans and then lease land at below-market rates for six to seven years.

After that, the association's partner organizations help the new farmers secure financing to lease their own land. Eighty percent of the dozens who graduate from its incubation program are still in farming five years out, said spokesman Gary Peterson.

Running track, yoga

New farmer Murray, a disabled Navy vet, has received assistance from the Farmer Veteran Coalition, USDA conservation programs and California FarmLink.

"I go to every workshop I can, and I shake hands with every person I can find," said Murray, who wants to one day install a running track and yoga studio at her Yolo County farm to encourage an overall healthy way of life.

"Honestly, I have big plans for the farm. I need to be there so I can bring these things to fruition."



Vonita Murray did not know about using black plastic to stop weeds, so her rows need frequent weeding.

Photo: Audrey Whitmeyer-Weathers / The Chronicle



New farmer Vonita Murray holds a growing black Hungarian pepper on Mariposa Valley Farm in Woodland.

Photo: Audrey Whitmeyer-Weathers / The Chronicle



Murray decided to try planting a large variety of heirloom greens like these Pattison panache verte et blanc squash.

Photo: Audrey Whitmeyer-Weathers / The Chronicle

Earth Island Journal

Autumn 2011

Conversation

Kieran Suckling



Kieran Suckling doesn't suffer fools gladly. As the founding director of the Tucson-based [Center for Biological Diversity](#) (CBD), Suckling is often invited to represent the environmentalist position on cable news shows, national radio programs, and at public debates. Employing a combination of acerbic wit, lightning intelligence, and red-hot passion, Suckling usually flattens his adversaries from the logging, mining, and fossil fuel industries. He's a rhetorical pugilist who knows that it takes muscle to win arguments in today's shout-fest public discourse.

Suckling's street-fighting skills are a major asset for the green movement – until he turns them on putative allies. Suckling has boasted that CBD is “like fire and wolves and Apaches to big environmental groups.” Not surprisingly, that attitude has made some greens uncomfortable. It has also made CBD one of the most successful environmental outfits around, a group with a string of

victories protecting wilderness. “Uncompromising” is a word that comes to mind.

Suckling, a former [Earth First!](#) member, contests that label, and says his group has no problem cutting deals. But he also warns that there's no use in talking to adversaries unless you're negotiating from a position of strength, a political truism that, he says, green groups forget too often: “You've got to be willing to negotiate hard and ruffle feathers,” he says.

The line is classic Suckling – unvarnished, ballsy, and, I think it's fair to say, right.

—*Jason Mark*

As a former member of Earth First!, it's not surprising that I've heard you complain about the "professionalization of the environmental movement." Yet you're also the founder of a multimillion-dollar organization. So what do you mean exactly by that concern?

It's not so much the size or wealth of an organization. What it's really about is this switch that happened in the mid-late 1990s where people came into the movement.... Well let's put it this way: Prior to the late '90s or so, a lot of people came into the movement who had their college degrees in anything you can imagine, but not necessarily anything directly having to do with the environment. And they got involved in the movement because they had to: because the forest outside their town was being logged, because the river that they lived near was being dammed. And they got in environmentalism because of the passion to save a place, or to save a species, not because they ever thought it was going to be their career. And then, in part because of the success of the environmental movement, because of the success of ecological education, we're now churning out many, many people with natural resource degrees of various kinds. So they begin their adult life with the idea that they're going to have a job in the environment, rather than coming to it sideways. I think that there tends to be a very different level of experience and a very different level of passion that comes in there – and a much greater willingness to compromise generally. So I think the movement is stronger and more vibrant, more successful, when it has a higher percentage of people who come into the movement sideways because they were driven to do so, not because they decided they're going to have a career in the environment when they're 18.

Aren't there are still people who are coming in sideways? Think of the [Tim DeChristophers](#) of the world.

Yeah, well he's a perfect example, an excellent example. It's not that it's not happening. It's just I think the balance has shifted a little more toward professionalism. There's good aspects of that as well. I've found that generally the most passionate, the most creative people – if you look around at all the people who started environmental groups, who head up environmental groups, who run major campaigns – very few of those people have a college degree related to the environment. It also, I think, brings in a much broader worldview, which is really helpful.

Politics 101 says, "unite your friends and divide your enemies." Yet CBD sometimes ruffles feathers among allies. Do you ever worry that you're alienating allies?

No, I don't. Originally all of our campaigns are done in a coalition setting. At this very moment we're working in 30 different coalitions, whether it's dealing with pesticide spraying, lead bullets, protection of wolves, or the EPA regulating greenhouse gases. And that's just a small sample. All of our work is done in a coalition setting. It's true that we very often shore up the left-most position in these coalitions, and we're very often the group most willing to criticize Democrats. I think that one of the weak points of the environmental movement is it has become so strongly associated with the Democratic Party that it doesn't have the level of independence it needs to pressure the Democratic Party. Whereas [CBD], we're truly nonpartisan. It's not because we have some naïve concept of nonpartisanship. It's that the Democratic Party is not adequately looking after the needs of nature, and therefore it's counterproductive to completely ally with them. We obviously have a stronger relationship with the Democratic Party, but we feel

like the movement is most effective, most powerful, when it is able to step back from the Democratic Party and apply pressure to it. Very often the movement doesn't do that. It's so close to the party that it's not able to apply political pressure.

Where do you think that compromise makes sense? What is your policy about when you bend?

Here's a thing a lot of people don't realize: The great majority of [our] legal victories have come through settlement agreements and have not come through court orders. So we negotiate all the time. And in fact I feel like negotiation is one of the center's strongest suits, so we're not at all against negotiation. One of the reasons we've had so many victories over time is we always negotiate from the position of strength. So, for example, if you're trying to stop logging in a forest, you don't go into a negotiating posture before you've shut down logging somewhere, because you have no position of strength. Our strategy is to develop a strong position through using law, science, and legislation that puts us in the position of being able to negotiate strong, long-term agreements. But you've got to go at the negotiations from a position of strength and you've got to have a bright line, know when to walk away and not be afraid to walk away. And you've got to be willing to negotiate hard and ruffle feathers. Unfortunately, that doesn't always happen.

You mean within the environmental movement?

Yeah, I think too often the movement enters negotiations before it has built up any strength or capital. It starts from the position of weakness and then it lacks a bright line, so it gets talked continually downward because it doesn't know when the line is crossed and when it's time to walk away from the table. For example, the collaborative and consensus groups we've seen being developed around forest management issues – many of those are just not set up from a position of environmental strength and consequently don't result in a strong position when the day is over.

Over the last couple years CBD, along with [WildEarth Guardians](#), has been at the front a “bioblitz” to get the US Fish and Wildlife Service to list many more plants and animals on the endangered species list. The Fish and Wildlife Service recently reached a settlement with WildEarth Guardians to list a certain amount of species. You all opposed it. Why?

This is actually a good example of one of the things I was talking about. In the final years of the Clinton administration, the Secretary of Interior really slowed down the listing of species for political reasons, and it virtually stopped during the Bush years. So through the filing of strategic litigation, we were able to convince the Department of Interior that it was at great risk of having the court specify its entire workload for many years. And that potentiality put us in a strong negotiating position to go in and work out a long-term deal with them. So we began those negotiations, while the Guardians came into them later. They lacked a bottom line, so when negotiations got to a point where we were just not willing to accept what Interior wanted to put on the table, we walked from the deal knowing that we still had our position of strength and that Interior was going to have to come back to us. They didn't really have a choice.

Because the court will order it?

Yeah, all the court cases are still active. The administration's legal position is very vulnerable. They know that we're not going to walk away and give up this mission, so if we walk out of that room, Interior knows it's still facing all the same threats and vulnerabilities it had when we came into the room. So it's got to come back. But Guardians was lacking that sort of clear strategy and identification of a bright line of what's needed, so they ended up striking a bad deal, a weak deal. It doesn't cover all of the species that need to be covered, it's largely unenforceable, it allows Interior to walk away whenever it wants from the deal, and it's too limiting on what Guardians itself is able to do in the future of endangered species conservation. So we went to the court, told the court, "Don't approve the deal, it's not good enough." The court said, "Go back and try to renegotiate this." And so we got sent back to the negotiation table, which is how we were going to end up always, and now we're working out a new deal with the Department of Interior, which we just finalized.

A lot of your petitions for listings have referred to the dislocations from climate change. But as [Eric Wagner wrote in our last issue](#), events may have passed by the Endangered Species Act as it was conceived in the early 1970s. Do you think the Endangered Species Act is up to the task of confronting climate change?

Well, I thought Wagner's piece was pretty dumb, frankly. It kind of missed the boat on the whole thing. Did Wagner bother to interview anyone who had ever used the Endangered Species Act? He interviewed all people who did not actually litigate the Endangered Species Act. Very odd strategy for an article about the Endangered Species Act.

... There's two points about the value of the Endangered Species Act in climate change. The first is a broad one that is really important – which is that every major environmental issue in this country has always been solved by a web of multiple laws and policies coming together to solve the problem. For example, overhunting was a very big issue in the US. We didn't solve that by coming up with one national hunting law. We have several federal laws regulating hunting and importation of animals, and then we got multiple state laws governing them, and those all come together to create the solution. And today, hunting is not a major threat to endangered species anymore in America. Or take pesticides. We don't have one law that says, here's what you can do with pesticides. We've got many laws that deal with it at different levels, from the Clean Air Act, the Clean Water Act, FIFRA, various state laws, and these all come together. If you go down the line – mining, logging, overfishing, whatever it is – there's no silver bullet. You always have a repertory of laws coming together. So the critique that Wagner has, which I've seen elsewhere, is that the Endangered Species Act all by itself can't stop climate change. Well no shit, dummy. Who ever said it would? It's a ridiculous argument. It's a total straw man argument. Turns out nobody believes or asserts the position that Wagner has effectively refuted. So what was the point of that, exactly?

So with climate change, for example, the center is working on the Endangered Species Act, the Clean Air Act, the Clean Water Act, the National Environmental Policy Act, the National Forest Management Act, and a whole bunch of lesser-known laws. The Endangered Species Act is one piece in the puzzle, and nobody has any expectation that it will all-by-itself solve climate change.

That's actually the major flaw of that article. It just misses the actual way that environmental issues are dealt with by acts and agencies in this country, and consequently it builds up a straw man and then knocks it down.

Then secondly, in terms of what Fish and Wildlife can do under climate change, it already is doing some of the things that Wagner says are impossible. For example, it already is looking at greenhouse gas emissions from power plants and its impact on endangered species at far distances. Turns out the agency is capable of doing it, actually is doing it, and Wagner is just apparently ignorant that it's actually already happening.

... The point here being: there's lots of actions that the Fish and Wildlife Service can and already is taking under the Endangered Species Act to help species survive global warming. It's just sort of silly to say it's not happening. It's sillier to say it can't happen. And it's just foolish not to see how the Endangered Species Act operates in a greater context of many laws and policies all bearing down on this issue from various angles. That's where your solution comes from – is from that whole web of activity.

Well, I guess we'll use that as a detailed letter to the editor in our next issue.

[Laughs].

Jason Mark is the editor of Earth Island Journal.

Wait, Did the USDA Just Deregulate All New Genetically Modified Crops?



A Kentucky bluegrass trial in Fayetteville, Arkansas

In a surprise move, the agency green-lights Roundup Ready lawn grass—and perhaps much, much more.

By [Tom Philpott](#)

Fri Jul. 8, 2011

It's a hoary bureaucratic trick, making a controversial announcement on the Friday afternoon before a long weekend, when most people are daydreaming about what beer to buy on the way home from work, or are checking movie times online. But that's precisely what the US Department of Agriculture pulled last Friday.

In an [innocuous-sounding press release](#) titled "USDA Responds to Regulation Requests Regarding Kentucky Bluegrass," agency officials announced their decision not to regulate a "Roundup Ready" strain of Kentucky bluegrass—that is, a strain genetically engineered to withstand glyphosate, Monsanto's widely used herbicide, which we know as Roundup. The maker of the novel grass seed, Scotts Miracle Gro, is now free to sell it far and wide. So you'll no doubt be seeing Roundup Ready bluegrass blanketing lawns and golf courses near you—and watching anal neighbors and groundskeepers literally dousing the grass in weed killer without fear of harming a single precious blade.

Which is worrisome enough. But even more worrisome is the way this particular product was approved. According to Doug Gurian-Sherman, senior scientist at the Union of Concerned Scientists' Food and Environment Program, the documents released by the USDA's Animal and

Plant Health Inspection Service (APHIS) along with the announcement portend a major change in how the feds will deal with genetically modified crops.

Notably, given the already-lax regulatory regime governing GMOs (genetically modified organisms, click [here](#) for a primer), APHIS seems to be *ramping down* oversight to the point where it is essentially meaningless. The new regime corresponding with the bluegrass announcement would "drastically weaken USDA's regulation," Gurian-Sherman told me. "This is perhaps the most serious change in US regs for [genetically modified] crops for many years."

Understanding why requires a brief history of the US government's twisted attempts to regulate GMOs. Since the Reagan days, federal regulatory efforts have been governed by what's known as the Coordinated Framework for Regulation of Biotechnology. Despite its name, the Coordinated Framework amounts to a porous hodgepodge of regulations based on the idea that overseeing GMOs required no new laws—that the novel technology could be effectively regulated under already-existing code.

Long story short, it means that the USDA theoretically regulates new GMO crops the same way it would regulate, say, a backyard gardener's new crossbred squash variety. Which is to say, it really doesn't. But that's absurd. GM crops pose different environmental threats than their nonmodified counterparts. The most famous example involves the rapid rise of Roundup Ready corn, soy, and cotton, which were introduced in the mid-late 1990s and now blanket tens of millions of acres of US farmland. Spraying all of that acreage every year with a single herbicide has given rise to a [plague of Roundup-resistant "superweeds,"](#) forcing farmers to [apply more and more Roundup](#) and also resort to [other, far-more-toxic products](#). Crops that aren't engineered to withstand an herbicide could never have created such a vexation.

From the start, in a tacit acknowledgement that modified crops really are different, the USDA has resorted to a fiction that allows it to at least nominally regulate GMOs, Gurian-Sherman told me. A '50s-era law called the Plant Pest Act gave the USDA power to restrict the introduction of organisms that might, well, harm plants. Genetically modified crops technically qualified as "plant pests" because industry scientists used DNA "promoters" derived from natural plant pathogens, most notably cauliflower mosaic virus, to amplify the genetic traits they introduced into new crops. "These promoters ensure that the desired trait is always 'on,' that is, expressed," Gurian-Sherman explains.

The promoters—short stretches of DNA—are not themselves expressed by the engineered plant. In other words, the cauliflower mosaic virus used to bolster, say, Roundup Ready soybeans, poses no threat to actual cauliflower plants. In addition to promoters, GMO developers also use plant-pest substances at other points in the genetic-modification process—but again, they don't express themselves in the finished project. "The Plant Pest Act was always just a regulatory hook to give the USDA authority to regulate engineered crops," notes Gurian-Sherman. "Everyone—the industry, industry watchdogs, the USDA—always knew it was a fiction."

Yet the fiction has endured. The industry accepted it, Gurian-Sherman says, because cursory oversight gave companies from a "fig leaf...They could say that their crops are regulated and have been deemed 'safe' by the USDA." GMO foes accepted it as well, he adds, because without

the plant-pest fiction, the USDA would have *no* authority to regulate genetically modified crops. Indeed, this plant-pest business has given activists important tools to force better oversight. For instance, the USDA is required by the National Environmental Policy Act to assess the environmental impact of the novel crops it regulates, and by the Endangered Species Act to gauge potential impact of GM crops on endangered species. Well, in recent years, the Center for Food Safety has successfully sued the agency for failing to conduct proper environmental-impact statements and endangered-species analyses for crops it removed from its plant-pest list.

Then, in 2000, Congress passed the Plant Protection Act, which broadened the Plant Pest Act slightly, adding one more regulatory hook (Gurian-Sherman's words) to the USDA's sparse GMO-regulation toolkit. That was the "noxious weed" status—any engineered crop that threatens to go rogue in the field and become a hard-to-control weed may be regulated.

That, roughly speaking, is where things stood. Until last Friday.

Obviously, a regulatory regime based on a lie was never really durable. Gurian-Sherman says the plant-pest schtick has been wearing thin for years now, because the industry has begun using nonpest material to develop novel crops. "If the companies don't use plant pests, then the USDA ostensibly doesn't have a legal hook to regulate the crops," he says. To compensate, Gurian-Sherman says, the agency has resorted to tacitly acknowledging that it has no jurisdiction, but doing so quietly to avoid exposing the fiction.

But the agency's decision on Scotts Miracle Gro's Roundup Ready bluegrass may have changed all that. Scotts essentially shattered the code of silence in a [Sept. 13, 2010 letter](#) (PDF) to the USDA, which the agency released Friday. The company declared:

Because Kentucky bluegrass itself is not a plant pest, no plant pest components will be involved in the transformation, and the native plant genomes that will be used are fully classified, there is no scientifically valid basis for concluding that transgenic Kentucky bluegrass is or will become a plant pest within the meaning of the Plant Protection Act.

Based on that impeccable logic, the company went in for the kill: "Scotts requests that [USDA] confirm that Kentucky bluegrass modified without plant pest components...is not a regulated article within the meaning of the current regulations."

In its [July 1 response](#), the USDA agreed: "[N]one of the organisms used in generating this genetically engineered (GE) glyphosphate tolerant Kentucky bluegrass...are considered to be plant pests," so Roundup Ready bluegrass "does not meet the definition of a 'regulated article' and is not subject" to the Plant Protection Act. In other words, go forth and multiply.

On Friday, the agency also retracted its only other hook for regulating GM crops—the noxious-weeds provision. The Center for Food Safety had petitioned the USDA to classify genetically modified bluegrass as a noxious weed. The case for this is strong: Gurian-Sherman explains that bluegrass has light pollen that can be carried for miles on the wind, meaning that genetically modified bluegrass can easily transfer its genes to established conventional bluegrass.

And like most grasses, bluegrass spreads rapidly. Anyone who has ever grown a garden can testify that it's tough to get rid of unwanted turf grass. In fact, Scotts is also seeking deregulation of Roundup Ready bentgrass, another grass that has proven hard to control. In 2005, Scotts grew trial plots of its bentgrass in Oregon. It escaped the boundaries of the experimental plot and is [still creating problems for homeowners miles away](#).

In one of the [documents](#) (PDF) released last Friday, the USDA conceded that, by its own reckoning, Scotts' genetically modified bluegrass "can be considered for regulation as a Federally listed noxious weed that shows potential to cause damage to crops and natural resources of the United States." But to avoid actually declaring it a noxious weed, the agency simply claimed that the weed risks posed by genetically engineered and conventional are "essentially the same."

That's highly debatable, since anyone who wants to address weed problems from conventional bluegrass can turn to Roundup, the nation's most-used herbicide, whereas dealing with rogue Roundup Ready bluegrass means resorting to chemicals far more toxic. Starting with the "essentially the same" premise, the USDA notes that conventional bluegrass is already widely planted across the country without causing much harm; from there it assumes that Scotts' engineered bluegrass won't be a problem either, concluding that it need not be declared a "noxious weed" after all. And if it's neither a plant pest nor a noxious weed, the USDA has no right or obligation to regulate it. Game, set, match to Scotts Miracle Gro. Or, to use a more appropriate sports metaphor: a hole in one for Scotts!

So where does this leave us? If the plant-pest fiction no longer applies (Gurian-Sherman says fewer and fewer novel crops rely on it), and if even crops that carry an obvious noxious-weed risk won't be regulated as such, then what happens?

Well, if the USDA doesn't regulate novel GMOs, then it has no obligation to perform environmental-impact or endangered-species analyses of new organisms in the biotech pipeline, including plants engineered as pharmaceutical substances and biofuel feedstocks. In an email exchange, a USDA press officer confirmed that the agency would not be conducting an environmental-impact statement on Roundup Ready bluegrass—and by extension, any other crops that don't count as plant pests or noxious weeds.

And that means watchdogs like Center for Food Safety will no longer have a legal foothold to sue the USDA for regulating those things badly—which is usually how it's done. In the wake of several recent deregulations—including Roundup Ready sugar beets, alfalfa, and bentgrass—federal courts [have sided with Center for Food Safety and rebuked the USDA](#) for failing to properly assess risks. Are such lawsuits, essentially the last line of defense for GMO regulation, a thing of the past? "We're still analyzing the documents," says George Kimbrell, the center's senior attorney.

But Kimbrell made an important point: "Look, [the USDA] is a rogue agency," he said. "It has been rebuked time and time again by the courts for its failed oversight of these crops."

Implication: Take away the plant-pest and noxious-weed hooks and the courts can no longer intervene. The industry gets free rein to plant whatever it wants—wherever it wants. This

development worries Gurian-Sherman. "Will some companies still want to have the fig leaf of USDA regulation even if they're not using plant-pest material? Probably," he says. "But they don't have to. It's now their choice."

Moreover, he adds, "the noxious-weed standard has been set so high as to be virtually meaningless." The message to industry is clear: "You can completely skirt the regulatory process."

Welcome to the Age of GMO Industry Self-Regulation

—By [Tom Philpott](#)

Thu Jul. 14, 2011



USDA chief Tom Vilsack: not exactly baring his fangs in his role as GMO-industry watchdog.

As I [reported last week](#), the USDA's recent surprise decision not to regulate genetically modified bluegrass poked yet more holes in an already-porous regime for overseeing GM crops—essentially to the point of regulatory collapse.

There were a few important strands I wasn't able to wrestle into the story. The main one is an odd letter that USDA secretary Tom Vilsack sent Scotts Miracle-Gro as an addendum to the agency's response to Scott's GM bluegrass petition. Vilsack's [letter](#), dated July 1, acknowledges concerns that GM bluegrass will contaminate non-GM bluegrass—that is, that the Roundup Ready gene will move through wind-blown pollen and work its way into non-modified varieties. This is the process known as "gene flow," and it has already been [well-established](#) for GM corn and other modified crops.

Since bluegrass shows up (among other places) in cow pastures, organic dairy and beef farmers face the risk of suddenly having their animals nosh on fields full of a GM crop, which would jeopardize their organic status. As the the secretary put it in his letter:

The USDA recognizes that if this GE variety were to be commercially released, producers wishing to grow non-GE Kentucky bluegrass will likely have concerns related to gene flow between the GE variety and non-GE Kentucky bluegrass. Exporters of Kentucky bluegrass seed, growers of non-GE Kentucky bluegrass seed, and those involved in the use of non-GE Kentucky bluegrass in pastures will likely have concerns about the loss of their ability to meet contractual obligations.

So, Scotts is going to release a product that will potentially cause real and arbitrary harm to market actors. What's Vilsack's response?

USDA therefore strongly encourages Scotts to discuss these concerns with various stakeholders during these early stages of research and development of this GE Kentucky bluegrass variety and thereby develop appropriate and effective stewardship measures to minimize commingling and gene flow between GE and non-GE Kentucky bluegrass.

Thus, in lieu of taking action to stop Scotts from doing harm or penalize it if it does, the USDA is encouraging Scotts to talk to stakeholders to avoid harm. In other words, go forth and regulate yourself ... *please?*

Vilsack's letter is deftly summarizes of the agency's paradigm for overseeing the introduction of new GM crops: Yes, they have the potential to cause serious harm; no, we can't do anything about it. In one sense, that approach represents progress. Before Vilsack, the agency was loathe to admit that GMOs posed *any* threat to the environment or to farmers. But as I reported last week, the Roundup Ready bluegrass decision also signals an even higher level of *laissez faire*: Whereas before the agency regulated novel crops weakly, it now seems content not to regulate them *at all*.

This is a critical change. The National Environmental Protection Act (NEPA) requires that the USDA conduct an environmental impact study for all the crops it deregulates. But to deregulate a crop, the agency has to regulate it first. As I explained last week, the USDA has two "regulatory hooks" under which it can regulate GM crops: "plant pest" status and "noxious weed" status. In the bluegrass decision, the USDA signaled that it won't be applying those hooks to a broad variety of novel crops.

That leaves new crops unregulated—and not subject to NEPA requirements for environmental impact statements. We should recall that it was the requirement to conduct such assessments that forced the USDA to acknowledge some of the pitfalls of GMOs in the first place.

Take the case of the Monsanto's Roundup Ready alfalfa. The agency deregulated it in 2005 without an impact statement, but because its "regulatory hooks" had caught the crop in the first place, the watchdog group Center for Food Safety was able to sue the agency for violating NEPA. A federal judge ruled that the release of GM alfalfa be delayed pending an impact statement.

In December 2010, the USDA finally got around to releasing it. The agency's vast [environmental impact statement for GMO alfalfa](#) (PDF)—so sprawling I had to download a new version of Adobe Reader to read it—was blunt on two points: 1) "gene flow" between GM and non-GM alfalfa is "probable," and threatens organic dairy producers and other users of non-GMO alfalfa; and 2) there is strong potential for the creation of Roundup-resistant "[superweeds](#)" that require ever-higher doses of Roundup and application of ever-more toxic herbicides. The report noted that 2 million acres of US farmland already harbor Roundup-resistant weeds caused by other Roundup Ready crops.

The analysis was so stark that soon after the report's release, Vilsack felt moved to explain it. He issued an ["open letter to stakeholders"](#) that acknowledged the "the potential of cross-fertilization to non-GE alfalfa from GE alfalfa—a significant concern for farmers who produce for non-GE markets at home and abroad." And he signaled that the agency was moving toward a "new paradigm based on coexistence and cooperation" between GM and non-GM players.

The remarks were significant, because no USDA chief had ever acknowledged that the novel technology could do real damage to organic agriculture. Rumors stirred that the agency was going to impose restrictions on plantings GM alfalfa—something it had never done before. Food-industry critics applauded. NYU professor Marion Nestle [declared](#) the notion that Vilsack was even considering restrictions a "breakthrough." The biotech industry, meanwhile, reacted to the specter of restrictions on a GMO crop with fury, backed up by [farm-state senators](#).

But soon after, the agency abruptly [reversed course](#) and [fully deregulated](#) Monsanto's novel crop without restrictions, brushing aside concerns raised in its own analysis. Just as the bluegrass decision came down late on the Friday before a long holiday weekend, the USDA announced its alfalfa call in that sleepy week between Christmas and New Year's.

A *Wall Street Journal* [report](#) suggested that the White House had intervened in the decision, preventing the USDA from imposing restrictions on GM alfalfa as part of an effort to combat "burdensome" regulation. Certainly, the GMO industry maintains a powerful voice in Obama-era Washington, just as it has under every president dating to Reagan. A recent Food & Water Watch [report](#) documented the gusher of cash the biotech industry spends on D.C. lobbying. The industry spent more than a half billion dollars on lobbying between 1999 and 2009, FWW reports. In 2009 alone, the GMO giants dropped a cool \$71 million pushing its agenda. It's also worth noting the [number of Monsanto-related people](#) who have worked in key policy ag-policy positions in Obama's administration.

Whatever the motivation, the alfalfa deregulation set a pattern for how the USDA views GMOs: Yes, GMOs cause harm; no, we don't plan to do anything about it. Last week's bluegrass decision, by creating an avenue through which the USDA can avoid conducting environmental impact statements, raises that attitude to the level of policy.

Clearly, the USDA has neither the appetite nor the regulatory tools to properly oversee novel GMOs. The only remedy I can see is congressional intervention: a new set of laws governing the oversight of GMOs to replace that the failed ones now in place. But in the money-dominated US political system, the prospect for such reform is dim.

Ban Sought on Gene-Altered Crops on Federal Land

August 12, 2011

by Chuck Bartels

LITTLE ROCK, Arkansas -- Three environmental groups filed a lawsuit Thursday seeking to stop the planting of genetically-modified crops on 44,000 acres of federal land in the South, but the U.S. Fish and Wildlife Service says the corn, milo and rice provide food for migrating birds along critical flyways.



The Center for Food Safety and two other groups argue that the Fish and Wildlife Service did not follow proper procedures in permitting farmers to grow on the public lands in a program that began 14 years ago. Their suit seeks an injunction that would agree that Fish and Wildlife violated rules and would order a halt to the planting.

The groups pursued two similar lawsuits in Delaware, which blocked planting of genetically-engineered crops in two wildlife refuges and, ultimately, resulted in the Fish and Wildlife Service ending the practice in its 12-state northeast region.

"Our general larger point is that the use of these crops ... promotes weeds that grow everywhere and promotes growth of different feeds that wildlife would not normally be eating," said attorney Kathryn Douglass of the Washington, D.C.-based Public Employees for Environmental Responsibility, one of the groups suing.

"That is actually harmful ... changing the diet of animals that have traditionally relied on the endemic flora and fauna in the area," Douglass said.

Fish and Wildlife spokesman Tom MacKenzie disputed allegations in the lawsuit that the agency didn't adequately assess the environmental impact or allow sufficient public comment on the program. He also said the program uses carefully selected land along waterways where waterfowl and other birds migrate.

"Any farming operation is solely for the benefit of wildlife," MacKenzie said.

The federal agency allows genetically-modified crops to be planted on its lands in eight states in the South: Alabama, Arkansas, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee. Altogether, the agency manages 4 million acres in the 10-state region.

A total of 23 refuges are included in the agency's planting program, with two others being considered. All 25 are listed in the lawsuit.

Arkansas has the greatest number of refuges targeted in the suit — six — and they're all in the eastern part of the state, where both farming and duck hunting are key elements of the economy.

Growers harvest about 75 percent of what they plant, leaving 25 percent on the ground for the birds to eat.

"Our farming programs use the same commercial seed stock used by farmers across America," MacKenzie said.

That usually includes seed that has been modified to resist the herbicide glyphosate, which is marketed by Monsanto Co. as Roundup.

MacKenzie said the planted acres include buffer zones, require crop rotation and other checks "to facilitate safe, consistent and sustainable" food sources for migrating waterfowl and other birds.

Douglass said genetically-engineered crops "are the last thing that should be introduced onto a national wildlife refuge." She said that if the groups are successful in ending those plantings, they may then turn their attention to ending all crop development on wildlife refuge land.

MacKenzie said using traditional seed would lead to a greater need to spray herbicides, something the genetically-altered grains don't require.

The third group suing is Washington, D.C.-based Beyond Pesticides.



ConAgra sued over ‘natural’ GMO cooking oils

by Michele Simon

25 Aug 2011



Cross-posted from [Food Safety News](#).

If you use Wesson brand cooking oils, you may be able to [join](#) a class-action lawsuit against food giant ConAgra for deceptively marketing the products as natural.

These days it's hard to walk down a supermarket aisle without bumping into a food product that claims to be "all-natural." If you've ever wondered how even some junk food products can claim this moniker (witness: [Cheetos Natural Puff White Cheddar Cheese Flavored Snacks](#) -- doesn't that sound like it came straight from your garden?), the answer is simple, if illogical: The Food and Drug Administration has not defined the term "natural."

So food marketers, knowing that many shoppers are increasingly concerned about healthful eating, figured: Why not just slap the natural label on anything we can get away with? That wishful thinking may soon be coming to an end if a few clever consumer lawyers have anything to say about it.

While various lawsuits have been filed in recent years claiming that food companies using the term "natural" are engaging in deceptive marketing, a suit filed in June in California against ConAgra could make the entire industrial food complex shake in its boots.

The plaintiff claims he relied on Wesson oils' "100 percent natural" label, when the products are actually made from genetically modified organisms.

GMOs not exactly natural, so says Monsanto

Ironically, the complaint cites a definition of GMOs by none other than [Monsanto](#), the company most notorious for its promotion of the technology. According to Monsanto, GMOs are: "Plants or animals that have had their genetic makeup altered to exhibit traits that are not naturally theirs."

The complaint also quotes a GMO definition from the [World Health Organization](#): "Organisms in which the genetic material (DNA) has been altered in a way that does not occur naturally."

Four Wesson varieties are implicated in the case: their canola oil, vegetable oil, corn oil, and "best blend." And it's not just on the label that ConAgra is using the natural claim, but also [online](#) and in print advertisements. (Additional silly health claims on the website include "cholesterol free" -- vegetable oils couldn't possibly contain cholesterol anyway.)

The complaint describes the extent of ConAgra's deception, alleging that the "labels are intended to evoke a natural, wholesome product." And further:

The "100 percent Natural" statement is, like much of the label on Wesson Oils, displayed in vibrant green. The "Wesson" name is haloed by the image of the sun, and the canola oil features a picture of a green heart.

A green heart -- you just can't get any healthier than that. However, as registered dietitian Andy Bellatti told me: "These oils are high in omega-6 fatty acids, which, in excessive amounts, are actually bad for your heart." Guess they left that part out of the green heart icon.

Supermarkets chock-full of GMOs

But what makes this lawsuit especially intriguing is its potentially far-ranging impact. According to the [Center for Food Safety](#): "Upwards of 70 percent of processed foods on supermarket shelves -- from soda to soup, crackers to condiments -- contain genetically-engineered ingredients." While it's unclear how many of these products also claim to be natural, given all the greenwashing going on these days, it's likely to number in the thousands.

Specifically, up to 85 percent of U.S. corn is genetically engineered, as are 91 percent of soybeans, both extremely common ingredients in processed foods. Numerous groups, including the Center for Food Safety, have been calling attention to the potential hazards of GMOs for years. From their [website](#):

A number of studies over the past decade have revealed that genetically engineered foods can pose serious risks to humans, domesticated animals, wildlife, and the environment. Human health effects can include higher risks of toxicity, allergenicity, antibiotic resistance, immune-suppression, and cancer.

Not exactly the stuff that green hearts are made of. The legal complaint also notes that on its corporate [website](#) ("but not on the Wesson site that consumers are more likely to visit"), ConAgra implies that its oils are genetically engineered. The company concludes: "Ultimately, consumers will decide what is acceptable in the marketplace based on the best science and public information available."

But by being told the oils are "100 percent natural," consumers can no longer make an informed decision, as they are being misled.

Which reminds me of a great quote from [Fast Food Nation](#) author Eric Schlosser: "If they have to put the word 'natural' on a box to convince you, it probably isn't."

Michele Simon is a public health lawyer specializing in industry marketing and lobbying tactics. She is the author of [Appetite for Profit: How the Food Industry Undermines Our Health and How to Fight Back](#). She is grateful to live in Oakland, Calif., within walking distance of a farmers market. You can follow her on [Twitter](#).

Monsanto Denies Superinsect Science

—By [Tom Philpott](#)

Thu Sep. 8, 2011



Superinsect problem? Show me the evidence!
holman.heather/Flickr

As the summer growing season draws to a close, 2011 is emerging as the year of the superinsect—the year pests officially [developed resistance to Monsanto's genetically engineered \(ostensibly\) bug-killing corn](#).

While the revelation has given rise to alarming headlines, neither Monsanto nor the EPA, which regulates pesticides and pesticide-infused crops, can credibly claim surprise. Scientists have been warning that the EPA's rules for planting the crop were too lax to prevent resistance since before the agency approved the crop in 2003. And in 2008, research funded by Monsanto itself showed that resistance was an obvious danger.

And now those unheeded warnings are proving prescient. In late July, as I reported recently, scientists in Iowa [documented the existence of corn rootworms](#) (a ravenous pest that attacks the roots of corn plants) that can happily devour corn plants that were genetically tweaked specifically to kill them. Monsanto's corn, engineered to express a toxic gene from a bacterial insecticide called Bt, now accounts for [65 percent of the corn planted in the US](#).

The superinsect scourge has also arisen in Illinois and Minnesota. "Monsanto Co. (MON)'s insect-killing corn is toppling over in northwestern Illinois fields, a sign that rootworms outside of Iowa may have developed resistance to the genetically modified crop," reports [Bloomberg](#). In southern Minnesota, adds [Minnesota Public Radio](#), an entomologist has found corn rootworms thriving, Bt corn plants drooping, in fields.

Monsanto, for its part, is reacting to the news with a hearty "move along—nothing to see here!" "Our [Bt corn] is effective," Monsanto scientist Dusty Post insisted in an interview with [The St. Louis Post-Dispatch](#). "We don't have any demonstrated field resistance," he added, pretending away the Iowa study, to speak nothing those corn fields that are "toppling over" in Illinois and Minnesota.

But the company's denials ring hollow for another reason, too. Bill Freese, science policy analyst for the Center for Food Safety, alerted me to this [2008 study](#), conducted by University of Missouri researchers and published by the Proceedings of the National Academy of Sciences on this precise question of Bt corn and rootworms.

The first thing to notice about the study is that Monsanto is listed in the acknowledgements as one of the "supporters." So this is Monsanto-funded research, meaning that the company would be hard-pressed to deny knowledge of it.

The researchers found that within three generations, rootworms munching Monsanto's Bt corn survived at the same rate as rootworms munching pesticide-free corn—meaning that complete resistance had been achieved. Takeaway message: rootworms are capable of evolving resistance to Monsanto's corn in "rapid" fashion.

But such concerns were nothing new by 2008. From the early days of Bt-based GMOs in the '90s, everyone—Monsanto, the EPA, independent scientists—agreed that farmers would have to plant a portion of their fields in non-Bt corn to control resistance. The idea was that, as bugs in the Bt portion of the field began to develop resistance, they would mate with non-resistant bugs from the so-called "refuge" patch, and the resistant trait would be kept recessive within the larger bug population and thus under control.

The contentious point involved how large these refuge patches would have to be. Monsanto insisted that 20 percent was adequate—that farmers could plant 80 percent of their corn crop with Bt seeds, and 20 percent in non-Bt seeds, and in so doing, avoid resistance.

But the majority of a panel of scientists convened by the EPA countered that the refuge requirement should be 50 percent—which would have, of course, eaten into Monsanto's profits by limiting its market. The reason for the scientists' concern, Freese explained, was that the corn plants express the Bt protein toxic to root worms at a low dose, meaning that a large portion of the rootworms survive contact with the plants, leaving them to pass on resistance to the next generation. With just 20 percent of fields planted in non-Bt crops, the scientists warned, resistant rootworms would eventually swamp non-resistant ones, and we'd have corn fields toppling over in the Midwest.

The [minutes](#) (PDF) of the committee's Nov. 6, 2002, meeting on the topic documents their concerns. The majority of the committee's members, the minutes state, "concluded that there was no practical or scientific justification for establishing a precedent for a 20 percent refuge at this time."

I asked Freese why Monsanto didn't simply engineer a high-dose version of its rootworm-targeted corn, since that would have lowered resistance pressure and thus addressed the panel's concerns. "Well, from the start, the EPA pushed for a higher dose for the toxin," he said. "My sense is that Monsanto came up with the best they could in terms of dose." Freese stressed that industry rhetoric to the side, the genetic modification of crops turns out to be a rather crude process: The companies can't always make the genes behave exactly as they want them to.

Nevertheless, the EPA registered the rootworm-targeted corn in 2003—and defied the scientific panel it had convened by putting the refuge requirement right where Monsanto wanted it: at 20 percent.

Jilted panel members, along with other prominent entomologists who hadn't been consulted by the EPA, greeted the decision with anger and disbelief, as this May 2003 *Nature* [article](#) (behind a pay wall but available [here](#)) shows. "The EPA is calling for science-based regulation, but here that does not appear to be the case," one scientist who served on the panel told *Nature*. Another added: "This is like the FDA approving a drug with flimsy science and saying to then do the safety testing... I don't think that's how you do science."

Eight years later, Monsanto and the EPA have been proven wrong, and their scientific critics have been vindicated. Monsanto, meanwhile, booked robust profits selling its corn seeds without the burden of a 50 percent refuge requirement—and continues to do so today even as the technology fails.

So what happens now? Go [here](#) for my thoughts.

Tom Philpott is the food and ag blogger for Mother Jones. For more of his stories, click [here](#). To follow him on Twitter, [click here](#). Get Tom Philpott's [RSS feed](#).

Monsanto Superinsects Eating Your Corn? Diversify!

—By [Tom Philpott](#)

Fri Sep. 9, 2011



A corn field in Iowa: excellent habitat for corn rootworms. Rastoney/Flickr

Yesterday I [showed](#) that Monsanto's formidable Bt corn empire, whose domain extends to about 65 percent of corn grown in the United States, appears to be on the verge of being brought to its knees by a humble insect called the corn rootworm. Make that the *Bt-resistant* corn rootworm.

What to do about it?

One approach, of course, is to do what Monsanto did about its other festering resistance problem: [weeds resistant to its flagship herbicide, Roundup](#). Bill Freese, science policy analyst for the Center for Food Safety, points out that—similar to Bt-resistant rootworms today—Roundup-resistant "superweeds" first appeared in isolated fields in the early 2000s, and Monsanto's first reaction was to deny the problem existed. Yet Roundup resistance soon exploded, and now affects a stunning 11 million acres—and growing—nationwide.

Today, Monsanto deigns to acknowledge the problem—and claims it has the solution: It will engineer crops that can withstand multiple powerful herbicides. This approach could be described as "ignore the problem, let it careen out of control, then dramatically escalate the response with profitable and questionable new technologies."

Something similar seems to be afoot with the superinsect problem. *The Wall Street Journal* [reported](#) that Monsanto is developing a new genetic technology called RNA interference to, "among other things, make crops deadly for insects to eat." In other words, "forget that our current technology is failing—look at this wonderful technology that beckons!"

In a recent [blog post](#), Union of Concern Scientists senior scientist Doug Gurian-Sherman warns that it will likely be "years, at least" before that novel technology is available to farmers. Moreover, "there is no reason to believe that [RNA interference] would not also face resistance problems." In the meantime, farmers could muddle along by spraying toxic chemicals in their effort to control Bt-resistant rootworms, just as they are now spraying increasingly toxic herbicide cocktails to try to knock down Roundup-resistant weeds. And, it will be difficult to wean farmers from Monsanto's Bt corn any time soon, because the company's market dominance makes it quite difficult to find non-Bt seed. The Center for Food Safety's Freese points to research from University of Illinois crop scientist Michael Gray suggesting that in Illinois corn country, 40 percent of farmers lack access to high-quality non-Bt corn seed.

Gurian-Sherman suggests a more robust and surer path to solving the problem than muddling along with the status quo and waiting for Monsanto to come out with its next blockbuster: crop rotations, and not just between corn and soy, but employing a variety of crops. The corn rootworm menaces industrial agriculture because industrial agriculture is so tightly focused on corn, which covers millions of acres of our farm land, providing a vast habitat for its pests. "The rootworm is not much of a problem if sensible crop rotations are used," Gurian-Sherman writes.

He adds:

And long [i.e., more than just corn and soy] crop rotations reduce more than rootworm damage. They greatly reduce most pests, including other insects, diseases, and weeds, thereby greatly reducing pesticide use as well. Long crop rotations also improve soil fertility, and reduce fertilizer use, cost and pollution. [And they can be just as productive as our current corn obsession.](#)

But as Gurian-Sherman points out, moving farmers away from their fixation on corn and soy means transforming federal farm and energy policy. Until that happens, Monsanto, despite its history of failed technologies, evasions, and denials of the obvious, is poised to keep dominating our agriculture and minting profits.

Groups Demand FDA Label Genetically Engineered Foods

10/04/2011

Today, a coalition of nearly 400 businesses and organizations filed a legal petition with the U.S. Food and Drug Administration (FDA) to require mandatory labeling of genetically engineered (GE) foods.

GE foods are altered at the molecular level in ways that could not happen naturally.

The legal action is being taken on behalf of the *Just Label It* campaign, a coalition of health, consumer, environmental, farming organizations, food companies, scientists and doctors dedicated to food safety and consumer rights.

The [diverse coalition includes](#) the American Nurses Association, breastcancer.org, Center for Food Safety, Consumer Federation of America, Consumers Union (publishers of Consumer Reports), National Cooperative Grocers Association, Physicians for Social Responsibility, Union of Concerned Scientists, numerous food companies and many more.

The petition calls for the FDA to require that food products with GE ingredients disclose this information on the label.

The FDA has rejected labeling of GE foods since 1992. In contrast, labeling is required in the European Union, Australia, New Zealand, Japan, Korea, Brazil and China.

"FDA's current policy uses 19th century rationale for a 21st century issue, leaving consumers in the dark to hidden changes to their food," says Andrew Kimbrell, executive director for the Center for Food Safety. "It is long overdue that FDA acknowledge the myriad reasons genetically engineered (GE) foods should be labeled and label these novel foods once and for all."

In 1992, the FDA issued a policy statement that GE foods were not "materially" different - and thus did not need to be labeled. The agency severely constricted what it called "material," limiting it to the ability of a change to be tasted, smelled, or known through the other senses. After almost 20 years, this policy is unfortunately still in effect today.

The legal petition identifies scientific and legal grounds requiring GE foods be labeled. Most importantly, the current lack of any labeling makes GE foods misleading, in violation of FDA's duties under the Federal Food, Drug, and Cosmetic Act.

GE foods *are* different from conventional foods - they are able to be patented because they are "novel." Studies show GE crops carry significant novel environmental harms, such as transgenic

contamination of natural crops and massive increases in pesticide use. These differences should mandate labeling.

FDA does not independently test GE foods; in the U.S., food safety [oversight is limited to voluntary consultation](#) with industry. Safety is based on the confidential industry data.

A 2010 Thomson Reuters PULSE™ Healthcare Survey, "National Survey of Healthcare Consumers: Genetically Engineered Food," showed that 93% of Americans believe GE foods should be labeled.

Nearly 90% of corn, 94% of soy, and 90% of cottonseed grown in the US are from GE seeds. These ingredients are most often found in packaged foods like cereals, crackers, cookies, chips, and frozen meals, or any food that's contains these ingredients that's not certified organic.

This year, Monsanto added sweetcorn, sugar beets and alfalfa to the list of GE crops that already included field corn, cotton, canola, soy, and papaya - without regulations to protect organic farmers from contamination and no labels to respect consumers' right to know.

Also, this year, research showed that Monsanto Round-Up Ready GE crops were strangled in the fields, attacked by the very insects and weeds they were genetically engineered to resist.

Read Resisting [The Corporate Theft Of Seeds](#), which says:

..."But the biggest threat we face is the control of seed and food moving out of the hands of farmers and communities and into a few corporate hands. Monopoly control of cottonseed and the introduction of genetically engineered Bt cotton has already given rise to an epidemic of farmers' suicides in India. A quarter-million farmers have taken their lives because of debt induced by the high costs of nonrenewable seed, which spins billions of dollars of royalty for firms like Monsanto."

"Scientists and consumers alike have many reasons for being concerned about the long-term health and environmental consequences of genetically engineered foods. And the scientific debate about the benefits and risks of these crops will continue for a long time. Meanwhile an entire generation will have grown up consuming them," says Gary Hirshberg, CEO of Stonyfield Farm, a member of the coalition. "While our reasons for wanting to know what is in our food may vary, the one thing no one can debate is that it is our ***right to know***. Without labeling of GE foods, we cannot make informed choices about the foods we eat and, we all should have this choice while the debate continues."

Pending before the FDA is a decision on whether to approve the first genetically engineered animal - salmon that grows to maturity twice as fast as the wild fish - and if approved, whether to require labeling.



Groups petition FDA to require labeling of GMO food

Tuesday, October 4, 2011

By Carey Gillam

Oct 4 (Reuters) - The Center for Food Safety said Tuesday it has filed a legal petition with the U.S. Food and Drug Administration seeking mandatory labeling for foods made from genetically engineered crops, a move long opposed by big biotech companies.

"They should label the foods and let consumers know. This carte blanche they've been giving the industry is not acceptable," said Andrew Kimbrell, executive director of the Center for Food Safety (CFS), in an interview.

"There are novel ingredients in the food that have never been there before," he said.

The legal action by CFS requires a formal response from the FDA and is the first step toward ultimately filing a lawsuit against the government agency to try to force labeling, Kimbrell said. CFS, a consumer advocacy organization, has filed several lawsuits against the government in recent years and successfully stymied approvals of some biotech crops.

There are thousands of unlabeled items on grocery store shelves that contain at least traces of genetically altered corn, soybeans and other crops. The government is also considering approval of a genetically altered salmon.

In the summer, Biotech crop developer Monsanto Co. introduced a new sweet corn for consumers that is genetically altered to make it toxic to insects and able to withstand treatments of chemical herbicides.

The CFS and the Center for Environmental Health have been calling on food companies that make frozen and/or canned corn to boycott the new corn, which is not labeled as genetically altered.

Monsanto and other biotech seed companies oppose labeling and say the crops and foods made from genetically modified seeds are indistinguishable from non-GMO foods in composition, nutrition and safety.

"The safety and benefits of genetically modified crops are well established," Monsanto spokesman Thomas Helscher told Reuters.

The action against FDA by CFS is backed by a coalition of about 350 organizations that include representatives of the healthcare industry, consumer advocates, environmentalists, food and farming organizations and businesses.

Horizon Organic, one of the country's largest suppliers of organic milk and several other organic organizations, are part of the effort, as is The Rural Advancement Foundation International nonprofit policy group, and Food & Water Watch consumer rights group in Washington.

In addition to the legal petition, the coalition also launched a website petition campaign on Tuesday to encourage consumers to pressure the FDA on the labeling issue. The coalition argues that many other developed countries such as the 15 nations in the European Union, Japan, Australia, Brazil, Russia and China, have laws requiring labeling of genetically engineered foods. A majority of U.S. consumers wants such labeling as well, according to polls.

A political action group calling itself "Label GMOs, Committee for the Right to Know," is pushing a 2012 ballot initiative in California to require companies to label foods that contain GMO products.

The FDA had no immediate comment on the CFS legal petition, but a spokesman said previous court decisions have found that the agency does not have the authority to require labeling on the basis of consumer interest alone.

Monsanto said extensive government review assures the safety of the foods.

"All of the products being grown by farmers in the U.S. have been reviewed by the U.S. Food & Drug Administration, U.S. Department of Agriculture, and U.S. Environmental Protection Agency," said Helscher. "The safety has been confirmed by national food safety agencies like FDA and counterparts agencies in other countries, as well as international public health institutions like the World Health Organization."

The CFS petition alleges that the "absence of mandatory labeling disclosures for GE (genetically engineered) foods is misleading to consumers," and says the "requested actions are necessary to prevent economic fraud, and to protect consumers who are deceived by thinking the absence of labeling means the absence of GE foods."



Food companies petitioned to ban new Monsanto GMO corn

By Carey Gillam

Thu Oct 27, 2011

(Reuters) - Opponents of Monsanto's new genetically modified sweet corn are petitioning national food retailers and processors to ban the biotech corn, which is not labeled as being genetically altered from conventional corn.

A coalition of health, food safety and environmental organizations said they have collected more than 264,000 petition signatures from consumers who do not want to buy the corn.

The coalition includes the Center for Environmental Health, the Center for Food Safety, and Food & Water Watch. It said it is pressing 10 of the top national retail grocery stores to ban the corn, including Wal-Mart, Kroger and Safeway. It is also asking top canned and frozen corn processors including Bird's Eye and Del Monte to ban the modified corn.

The coalition said General Mills and Trader Joe's have already indicated that they will not be using the Monsanto biotech sweet corn in their products.

The coalition said the biotech corn would be used in canned and frozen foods as well as sold fresh, but will be indistinguishable to consumers from conventional corn because the U.S. government does not require genetically altered food products to be labeled.

"Consumers deserve to know what's in their food, especially when there is a pesticide in every bite," said Charles Margulis of the Center for Environmental Health. "This whole, unprocessed corn has been spliced with genes that produce a risky, untested insecticide. Parents should be informed when food on supermarket shelves has been genetically altered."

Monsanto, the world's largest seed company and a developer of genetically altered corn, soybeans, cotton and other crops, said in August it was preparing to launch a genetically altered sweet corn that marks Monsanto's first commercial combination of its biotechnology with a consumer-oriented vegetable product.

The sweet corn seed has been genetically altered to tolerate treatment of Monsanto's Roundup herbicide, and to fight off insects that might attack the plants.

Monsanto officials said they were surprised their new product was generating so much controversy, as a rival seed company has already been marketing a biotech sweet corn for more than a decade.

"The safety and benefits of biotech sweet corn products -- as well as other biotech crops -- is well established," said Monsanto spokeswoman Danielle Stuart.

Stuart said the new sweet corn is a fresh-market product that will be sold on the ear, with or without husk, in the produce section of grocery stores.

Sweet corn makes up about 1 percent of total corn acreage in the United States.

Critics say they are worried that genetically altered crops, including the new sweet corn, pose environmental and health risks that include food allergies and unknown long-term health effects. They also say the herbicide-resistant crops are fueling a rise in "super weeds" that are hard to control because they are resistant to herbicide, and in many areas of the country the weeds are so prevalent they are limiting crop production.

November 4, 2011

Groups Sue U.S. Over GMO Crops in Wildlife Refuges

by Carey Gillam

Environmental and food safety groups filed suit on Wednesday against the U.S. Fish & Wildlife Service, demanding it end the cultivation of genetically modified crops on Midwestern wildlife refuges.



The groups claim the government violated the National Environmental Policy Act by failing to do a complete environmental impact statement before allowing the biotech crops to be planted in the refuge areas.
(photo: SierraTierra /CC2.0)

The groups claim the federal agency broke the law by entering agreements with farmers that allowed planting of biotech crops on refuge land in eight U.S. states without environmental reviews required by U.S. law.

Most of the crops at issue are "Roundup Ready" -- biotech crops engineered by Monsanto to tolerate doublings of Monsanto's Roundup herbicide, the plaintiffs said. Roundup Ready crops have been shown to "foster an epidemic of superweeds," and create other problems for the environment, according to the plaintiffs.

"National Wildlife Refuges are sanctuaries for migratory birds, native grasses, and endangered species," said Paige Tomaselli, an attorney for the Center for Food Safety, one of the plaintiffs in the lawsuit.

"Allowing pesticide-promoting, GE (genetically engineered) crops degrades these vital ecosystems and is antithetical to the basic purpose of our refuge system. Worse still is approval without meaningful review of these crops' impacts," Tomaselli said in a statement.

The lawsuit, filed in the U.S. District Court for the District of Columbia, is the fourth in a series of suits aimed at ending this practice, Tomaselli said.

The plaintiffs include Beyond Pesticides, a nonprofit public health and environmental safety group; the Center for Food Safety, also a national nonprofit involved in health and environmental safety issues; and

Public Employees for Environmental Responsibility, a nonprofit alliance of local, state and federal scientists, law enforcements officers, land managers and others.

The groups claim the government violated the National Environmental Policy Act by failing to do a complete environmental impact statement before allowing the biotech crops to be planted in the refuge areas. They also claim violations of wildlife protection laws.

The Fish & Wildlife Service had no immediate response to the lawsuit.

In the suit, the plaintiffs state that studies have shown that cultivation of herbicide-tolerant genetically engineered crops such as Roundup Ready soybeans and corn dramatically increases the use of herbicides. The primary herbicide used on U.S. farmland is glyphosate - the main ingredient in Roundup - and heavy use of glyphosate has been degrading the soil ecosystem and polluting wetlands, streams, lakes, and rivers, some studies have shown, the plaintiffs said.

Herbicides also harm habitats of wildlife and in many instances, directly harm plants and wildlife, including listed endangered species, according to the lawsuit.

Maine Farmer Heads Group Challenging Genetics Giant Monsanto

by Avery Yale Kamila

November 9, 2011

A fight to maintain consumer choice and farm independence has landed Maine farmer Jim Gerritsen on Utne Reader's list of "[25 Visionaries Who Are Changing Your World](#)," published in the November/December edition of the magazine on newsstands now.



Organic seed potato farmer Jim Gerritsen heads a trade association that is suing chemical giant Monsanto. (photo: Charlotte Hedley)

Gerritsen, wife Megan, and their four children run the Wood Prairie Farm in Bridgewater, which produces and sells organic seed potatoes to kitchen gardeners and market farmers in all 50 states. Gerritsen is also president of the Organic Seed Growers and Trade Association, and it was that role that led to the Utne recognition.

The nonprofit organization created a stir in food and farming communities when, with legal backing from the Public Patent Foundation, it filed a lawsuit in March against the chemical and biotechnology giant Monsanto. OSGATA has since been joined in the lawsuit by 82 other seed businesses, trade organizations and family farmers, which together represent more than 270,000 people.

The lawsuit questions the validity of Monsanto's patents on genetically modified seeds, and seeks protection from patent-infringement lawsuits for the plaintiffs should their crops become contaminated with Monsanto's transgenic crops.

"The viewpoint of Monsanto is that (in such a situation) we have their technology, even though we don't want it and it has zero value in the organic market," Gerritsen said. "We think they should keep their pollution on their side of the fence."

Laws prohibit certified organic crops from containing genetically modified ingredients, and Monsanto's patents prohibit farmers from growing its seeds unless purchased from the company. Yet pollen doesn't heed certification or patent laws, and regularly drifts from transgenic crops to contaminate nearby non-genetically altered ones.

To add insult to injury, Monsanto has a reputation for suing or threatening to sue farmers for patent infringement in cases involving its genetically altered seeds, action reported in numerous media outlets as wide ranging as the Columbia Daily Tribune, CBS News and the New York Times.

Despite this well documented legal tactic, Monsanto spokesperson Thomas Helscher stated in an email: "Monsanto has never sued and has publicly committed to not sue farmers over the inadvertent presence of biotechnology traits in their fields. The company does not and will not pursue legal action against a farmer where patented seed or traits are found in that farmer's field as a result of unintentional means."

"Inadvertent" and "unintentional" are the key words here, but for farmers to prove that Monsanto's transgenic seeds are unwanted invaders in a court of law is an expensive and time-consuming endeavor. A 2005 report from the Center for Food Safety, an organic-food and sustainable agriculture advocacy group, contends that Monsanto had at that time filed 90 lawsuits against American farmers. The report also contends that the corporation employed 75 people armed with a budget of \$10 million devoted "solely to investigating and prosecuting farmers."

Pre-trial motions are still being filed in the lawsuit brought by OSGATA, with the most recent from Monsanto asking that the lawsuit be dismissed.

Helscher said the motion to dismiss results from the corporation's pledge to not sue farmers "where patented seed or traits are found in that farmer's field as a result of inadvertent means. Accordingly, there is no real controversy between parties and the OSGATA case should be dismissed."

Gerritsen views Monsanto's statements as part of a disinformation campaign designed to prolong the lawsuit.

"What they typically try to do is drag out lawsuits as long as they can, hoping the plaintiffs will run out of funding," Gerritsen said. He is confident OSGATA has the resources necessary to pursue this lawsuit for years, if necessary.

Unlike open pollinated crops such as corn and canola, which have suffered from widespread contamination by genetically modified seeds, potatoes remain relatively safe, Gerritsen said.

Monsanto developed multiple strains of transgenic potatoes in the 1990s under the name New Leaf. However, when major food companies such as McCain, which operates a french fry

processing plant in Easton, and McDonald's rejected genetically-modified potatoes, Monsanto was forced to pull its transgenic strains off the market.

Gerritsen said the lawsuit will also seek to clarify what he sees as Monsanto's contradictory stance on its genetically modified seeds.

When arguing against labeling of transgenic food, Monsanto and other biotech companies claim that genetically modified seeds are substantially equivalent to traditional seeds. However, when seeking patents, the same companies claim the insertion of foreign genes creates unique seeds deserving of patent protection.

"Which is it?" Gerritsen asked. "It's one or other, but it can't be both. Is it the same? Or is it different?"

All genetically modified seeds are designed to do something different from the original seed. This can mean the modified seed will produce increased quantities of a particular substance inherent to the plant, manufacture chemicals foreign to the original plant, or withstand heavy applications of herbicides and pesticides manufactured by the same corporation seeking the seed patent.

Helscher said, "these genetic modifications in seeds do not significantly change composition, nutrition or safety of resulting food products and thus the food products are not required to be labeled." He did not comment on why seeds that he states do not contain significant changes from the originals would merit patent protection.

Despite Monsanto's legal muscle, Gerritsen remains convinced the current lawsuit will succeed. He also sees hope in the Occupy Wall Street movement, which has spread rapidly around the world and has demanded an end to corporate greed and dominance.

"What I understand the Occupy movement to represent is resistance to the growing tradition of power concentrated in the hands of the few, which is most often corporations," Gerritsen said.

Citing the revolving door between corporations (including Monsanto) and the government agencies which purport to regulate them, Gerritsen said, "we basically have a dysfunctional government. The Occupy Wall Street concept is to try to give power back to the people."

In the same vein, the lawsuit against Monsanto seeks to restore the power of citizens and farmers to choose food free from genetically modified organisms.

Arsenic—It's in Animal Feed Too

by Ben Lilliston, December 2, 2011



Pharmaceutical companies produce and sell four arsenic compounds that are added to animal feed for turkey, chicken and swine production to increase weight and improve pigmentation of the meat.

(Used under creative commons license from qmnonic.)

The media has been splashed with recent findings of elevated levels of [arsenic in apple juice](#). Much less attention has been given to concerns about the presence of arsenic in meat. Last week, the Institute for Agriculture and Trade Policy (IATP) and the [Center for Food Safety](#) filed a series of petitions with the Food and Drug Administration (FDA) calling for the agency to vastly reduce the legally permissible levels of arsenic in meat. Pharmaceutical companies produce and sell four arsenic compounds that are added to animal feed for turkey, chicken and swine production to increase weight and improve pigmentation of the meat.

“Arsenic’s a poison that causes cancer, among other harm,” IATP’s David Wallinga, M.D. said in a [press release](#) on the petitions. “The FDA can’t seriously uphold its public health mission while allowing residues of arsenic in the meat our children and families eat. That’s why we’ve submitted this petition.”

In 2006, IATP's report [Playing Chicken: Avoiding Arsenic in Your Meat](#) estimated that more than 70 percent of all U.S. chickens raised for meat are fed arsenic. That report found detectable levels of arsenic in many name brand poultry products from supermarkets and fast food restaurants.

Earlier this year, Pfizer [voluntarily agreed](#) to stop selling 3-Nitro, an arsenic-containing product for food animals. But Pfizer has given no indication that it will stop marketing the product in as many as 11 other countries where it has been sold, or that it will stop selling other FDA-approved arsenic feed additives.

The four petitions filed last week called for FDA action to reduce levels of arsenic-containing compounds in animal feed, including: [arsanilic acid](#), [nitarsonsone](#), [carbarsone](#) and [roxarsone](#).

BANGOR DAILY NEWS

Aroostook farmer the face of organic growers' fight against Monsanto

by Kathryn Olmstead

Dec. 08, 2011



Photo courtesy Jim Gerritsen

Jim Gerritsen of Bridgewater made his first trip to New York City to address the Dec. 4 “Farmers’ March” to Zuccotti Park organized by the Food Justice Committee of the Occupy Wall Street movement.

I have wanted to catch up with Bridgewater organic farmer Jim Gerritsen ever since he was named in October to the 2011 list of 25 visionaries who are changing the world by the national magazine *Utne Reader*. When I finally succeeded last weekend, he was on his way to New York City to give a speech and participate in the Dec. 4 rally and “Farmers’ March” to Zuccotti Park organized by the Food Justice Committee of the Occupy Wall Street movement.

Gerritsen, 56, who with his wife, Megan, and their family has operated Wood Prairie Farm in Bridgewater since 1976, is on a mission that has put him in the national — and international — spotlight. As president of Organic Seed Growers and Trade Association, the trade organization

for the organic seed industry, he is the lead plaintiff in a suit to protect growers and consumers of organic foods.

The defendant is Monsanto Corp., world leader in production of genetically modified organisms, or GMOs, intended to increase yields of herbicide-resistant crops — crops that can withstand sprays such as Roundup that kill the weeds around them. Airborne or insect-borne pollen from these transgenic, or gene-spliced, crops can do irrevocable damage to organic seed crops. But loss of crops is only the beginning.

“Farmers lose not only the value of the organic crop, but we are also open to patent infringement lawsuits,” Gerritsen said “Monsanto can contend that the (organic) farm is in possession of a (patented) Monsanto product.”

To date, Monsanto has sued 90 American farmers for patent infringement, receiving an estimated \$15 million for judgments in its favor, according to the Center for Food Safety. Many cases have been settled out of court with farmers bound to confidentiality. Monsanto dominates the sale of seed stocks worldwide, especially corn, soybeans and cotton, and sends private investigators to farms suspected of replanting saved seed.

Hence, the legal action, OSGATA v. Monsanto, has captured the attention of international media, but mostly the alternative press in the United States — until Monday, that is, when Gerritsen’s role in Sunday’s Farmers’ March was reported in the New York Times under the headline: “A Maine Farmer Speaks to Wall Street.”

Gerritsen heads OSGATA, based in Montrose, Colo., which is leading 83 plaintiffs in the case against Monsanto. The individual farmers, seed companies and agricultural organizations that have signed onto the case represent about 300,000 members nationwide.

“Monsanto is trying to achieve seed control based on aggressive assertion of patent infringement,” Gerritsen said, explaining that the farmers’ lawsuit has two goals: to protect organic farmers against patent infringement lawsuits and to challenge the validity of patents issued to Monsanto.

“Organic farming is predicated on the concept of crops free of GMO content,” he said, noting the irony of a suit against a farmer by the company that has destroyed that farmer’s crop.

“If organic seed is contaminated, there is no way to grow nongenetically modified crops,” he said. “The outcome will be either seed controlled directly by Monsanto or contaminated by Monsanto.”

If the 83 plaintiffs led by OSGATA are successful, Monsanto would be forced by the court not to sue farmers whose crops are contaminated by the corporation’s product. When lawyers for the farm groups — working on a pro bono basis — requested such a guarantee, Monsanto refused.

“They are reserving the option to go after those farmers,” Gerritsen said, adding that Monsanto filed a motion to dismiss the case last July. “We need to get the court to protect farmers from invasion, trespassing and patent infringement. We are anxious to get into court.”

If the plaintiffs achieve their second goal, the court will agree that the U.S. Patent Office erred in granting Monsanto patents for crops that do not fulfill the “social utility” standard, which requires that a new invention will result in some “social good.”

Gerritsen faults not only the U.S. Patent Office, but also the U.S. Food and Drug Administration, which accepted Monsanto’s claim that GMO products are “substantially equivalent” to traditional seed and need not be labeled. Thus, consumers can’t know what foods have been grown using GMO technology.

“They can’t have it both ways,” he said, questioning the awards of patents for products because they are new, which then evade labeling because they are not new.

“President Obama promised mandatory labeling of genetically modified products and we must hold him to that,” Gerritsen said, acknowledging a possible challenge: The current deputy commissioner of the FDA, which regulates labeling, Michael R. Taylor, is a former vice president of Monsanto.

Gerritsen said the plaintiffs hope the case will go to trial by late winter or early spring. At this point, they are still awaiting a ruling on the motion to dismiss.

“Once we win the case, one can imagine Monsanto will want to appeal,” he said, predicting a process that could take three to five years and end up in the Supreme Court, where they might face another challenge: Justice Clarence Thomas served as an attorney for Monsanto from 1976-1979 and has failed to recuse himself from other cases involving the corporation.

Meanwhile, Gerritsen is encouraged by the effectiveness of the Occupy Wall Street movement in putting a spotlight on inequity. “It is the new conscience of America,” he said. That’s why he made his first trip to New York City to let the Occupy protesters know that farmers are behind them.

“I have not spoken to one farmer who doesn’t understand the message of Occupy Wall Street,” he told New York Times reporter Julia Moskin. “We have fifth- and sixth-generation farmers up where I live being pushed out of business, when all they want to do is grow good food. And if it goes on like this, all we’re going to have to eat in this country is unregulated, imported, genetically modified produce. That’s not a healthy food system.”

For more information, visit fooddemocracynow.org, pubpat.org, osgata.org, foodintegritynow.org, woodprairiefarm.com and www.i-sis.org.uk/MonsantovsFarmers.

Monsanto (Still) Denies Superinsect Problem, Despite Evidence

Meanwhile, it draws a rebuke from the EPA over its failed self-monitoring and peddles a dubious solution to a problem it denies exists.

By [Tom Philpott](#) | Thu Dec. 8, 2011

Back in August—as I reported [here](#) [1]—something strange began to happen in isolated Iowa corn fields: Otherwise healthy corn plants were falling over, their roots devastated by a ravenous insect called the corn rootworm.

The weird part wasn't pest outbreaks in vast corn fields; farmers know that when you plant a huge amount of land with a single crop, you're also providing a friendly habitat for insects that like to eat that crop. The odd part was that the fields were planted with seed engineered by Monsanto precisely to kill the corn rootworm. Monsanto's product—known as Bt corn—had failed; rootworms were developing resistance to it.

At the time, the EPA—which is responsible for registering pesticide-containing crops like Monsanto's—maintained an icy silence on the matter. But last week, the agency released a [report](#) [2] (PDF) that, in calm bureaucratese, rebuked Monsanto for its "inadequate" system for monitoring. It's one of those delectable reports written not by political appointees or higher-ups, but rather by staff scientists reporting what they see. The document offers a fascinating glimpse into the way the agency conducts business with Monsanto.

The report confirmed that resistant rootworms had risen up in four states (Iowa, Minnesota, Illinois, and Nebraska) and suspected in three others (Colorado, South Dakota, and Wisconsin). Now, everyone—Monsanto, the EPA, ag scientists—have known all along that resistance was a danger with Monsanto's rootworm-targeting Bt corn. To avoid resistance, the EPA decreed back in 2003 that farmers using the product had to plant a "refuge" crop of non-Bt corn alongside their Bt corn, so that rootworms that had developed Bt resistance would mate with peers that had not been exposed to it, diluting the resistant trait and keeping it under control.

The question was, how large a refuge? Monsanto, hot to move as much product as possible, wanted to keep it small. In [this post from early September](#) [3], I laid out the whole tangled history of how back in 2003, Monsanto strong-armed the EPA into accepting a 20 percent refuge requirement, even after an independent scientific panel convened by the agency had recommended a 50 percent buffer. In a *Nature* article from the time, available [here](#) [4], scientists involved in the panel express rage at the EPA's cave-in.

With this document, the agency is tacitly acknowledging that its independent advisory panel was right, and Monsanto was wrong. What happens now? The Center for Food Safety's Bill Freese points to research from University of Illinois crop scientist Michael Gray suggesting that in some Illinois farm counties, 40 percent of farmers lack access to high-quality non-Bt corn seed. That same problem likely affects farmers throughout the corn belt. Just as farmers have [responded to the collapse of Monsanto's Roundup Ready weed-killing technology by dousing their fields with "herbicide cocktails."](#) [5] We'll likely see farmers respond to superinsects with increased doses of toxic insecticides. Beyond that, here are the two takeaways of the EPA's recent bombshell.

• **The EPA has been relying on Monsanto to monitor the development of rootworm resistance, and—surprise!—Monsanto has been doing a lousy job of it.** When Monsanto hears reports from farmers and seed dealers about possible resistance outbreaks, it's supposed to investigate them. The company's monitoring plan is "inadequate and likely to miss early resistance events," the document states. A less polite but more accurate assessment might be "inadequate and designed to miss early resistance events."

The document lists no fewer than five major problems with Monsanto's monitoring program. The agency notes that when Monsanto gets a report of possibly resistant rootworms, it collects samples of them "within 1-2 miles from neighboring sites of failed fields." That's like a police dispatcher receiving a report of a crime in progress, and sending a cop car within one or two miles of the address. The EPA dryly notes:

Since the majority of adult corn rootworm may not disperse long distances, the greatest probability of capture of resistant genotypes should be in the problem fields, possibly in adjacent fields, but less likely in fields 2 miles away during that particular year.

The document also chides Monsanto for setting the threshold of root damage too high before an investigation is triggered, and thus missing possible early-stage resistance outbreaks that can later break out into large ones.

Perhaps most devastatingly of all, EPA reveals that Monsanto has been receiving reports of possible resistance since 2004—the year after the product's release—when it got 21 such complaints nationwide. The number of reports ballooned to 94 in 2006 and has been hovering at around 100 per year since. And guess what? "Monsanto reported that none of their follow-up investigations resulted...in finding resistant populations [of rootworms]."

In other words, to hear Monsanto tell it, resistance isn't a problem at all! And since Monsanto is responsible for monitoring it, the public would not know about the problem if an independent scientist, Iowa State University entomologist Aaron Gassmann, hadn't published a paper documenting four cases of it in Iowa in August, prompting a [major story](#) [6] in the *Wall Street Journal*.

Monsanto responded to Grossman's findings with brazen denial: "We don't have any demonstrated field resistance," a Monsanto official insisted to the [St. Louis Post-Dispatch](#) [7] when asked about the study. As recently as last week, in the wake of the EPA document's release, Monsanto officials continued to assert that there had been no scientific confirmation of

resistance to its Bt corn, Bloomberg [reported](#) [8]. The response calls to mind the old Groucho Marx joke about the man pleading with his wife after being caught in flagrante with another woman: "Who are you going to believe: me, or your lying eyes?"

Monsanto's denial calls to mind the old joke about the man caught in flagrante by his wife: "Who are you going to believe: me, or your lying eyes?"

• **Monsanto is already peddling a solution to the problem it generated—and it, too, looks vulnerable to resistance.** Now, even though Monsanto has so far refused to acknowledge the resistance problem, the company has not shied away from promoting its new "Smartstax" corn seeds, which contain the current failing Bt toxin plus another that it has licensed from its rival, Dow, as a remedy. Bloomberg reports:

Farmers with root damage in their fields should consider changing practices to "stay ahead of this insect," Monsanto said in a statement. That could include rotating corn with soybeans or using a product such as Monsanto's SmartStax corn, which kills rootworms with two types of Bt, the company said.

Because it contains two separate rootworm-attacking pesticides, Monsanto insists that Smartstax is less prone to cause resistance and thus needs an even smaller refuge area. The company has persuaded the EPA to require only a 5 percent refuge for Smartstax, leaving the other 95 percent open for Monsanto's business.

But in its memo from last week, EPA scientists bluntly question the wisdom of that approach. With one of its Bt toxins having already lost effectiveness, the report notes, Smartstax will be "substantially less durable" when planted with just a 5 percent refuge, and it "could ultimately compromise the second unrelated toxin used to control the pest." In other words, the debut of Smartstax will likely delay, but not stop, the march of Bt-resistant superinsects. But putting off problems by forever rolling out profitable new "solutions" is precisely the [agrichemical industry's business model](#) [9].

The question now is, will the EPA's decision makers heed this bombshell of a report and start actually subjecting Monsanto to independent oversight? Of course, as for those ravenous corn rootworms squirming around the Midwest, the solution is simple: The Union of Concerned Scientist's Doug Gurian-Sherman has [said it before](#) [10] and he [said it again](#) [11] this week: Just stop growing so much damn corn. Simple biodiversity in farm fields, it turns out, trumps the latest patented geegaw conjured up by Monsanto. And it also makes for a healthier food supply.

Source URL: <http://motherjones.com/tom-philpott/2011/12/superinsects-monsanto-corn-epa>

Links:

[1] <http://motherjones.com/tom-philpott/2011/08/monsanto-gm-super-insects>

[2] <https://motherjones.com/files/epa-hq-opp-2011-0922-0003.pdf>

[3] <http://motherjones.com/tom-philpott/2011/09/monsanto-denies-superinsect-science>

[4] <http://www.gene.ch/genet/2003/May/msg00066.html>

- [5] <http://motherjones.com/tom-philpott/2011/07/monsanto-superweeds-roundup>
- [6] <http://online.wsj.com/article/SB10001424053111904009304576532742267732046.html>
- [7] http://www.stltoday.com/business/local/article_48721bc6-38cb-5cf0-aae1-2b1a7e85cea5.html
- [8] <http://mobile.bloomberg.com/news/2011-12-01/monsanto-corn-may-be-failing-to-kill-rootworms-in-four-states-epa-says?category=%2Fnews%2Fexclusive%2F>
- [9] <http://www.grist.org/article/How-the-agricultural-industry-turns-failure-into-market-opportunity>
- [10] <http://blog.ucsusa.org/engineered-pest-problems>
- [11] <http://blog.ucsusa.org/is-this-sustainable-agriculture-resistance-to-engineered-bt-corn-on-the-rise>

State asks funds for healthy food in new Farm Bill

Stacy Finz, Chronicle Staff Writer

Sunday, October 30, 2011

A patchwork of food, farming, conservation and environmental groups fear that lawmakers could act on the 2012 Farm Bill as early as this week with no input from California - the largest agricultural state in the nation.

Leaders of the House and Senate Agriculture committees are proposing \$23 billion in cuts - the 2008 Farm Bill's five-year budget exceeded \$300 billion - and could take their proposed legislation directly to the new congressional "supercommittee" to be passed without votes in their own committees or in Congress.

The supercommittee, made up of six senators and six representatives from both parties, has been tasked to come up with \$1.2 trillion in federal budget cuts by mid-November to reduce the deficit.

A new Farm Bill, which sets the budget for everything from farm support programs and renewable-energy research to food stamps and conservation initiatives, is passed every five years. Many in California's agriculture community are concerned the new bill will show favoritism to commodity crops - corn, soybeans, wheat, cotton, rice and peanuts - leaving California, largely a specialty crop state emphasizing fruits, vegetables and nuts, with fewer funds for organic farming, environmental protection and research programs.

Currently, California receives only about 5 percent of the money set aside for farm programs despite producing 12 percent of the country's total agricultural revenue. And with the proposed cuts, the state could get even less.

"To think that a Farm Bill is being written in a few weeks behind closed doors is crazy," said Kari Hamerschlag, a senior analyst for the Environmental Working Group, a Washington and Oakland nonprofit that is outspoken about toxic chemicals, farm subsidies and land use. "We think that it's important that California stand up and look out for what is best for the state."

Groups such as the California Association of Food Banks, California State Grange, Center for Food Safety, Community Alliance with Family Farms and the Ecological Farming Association have sent a petition with more than 16,000 signatures to California's congressional delegation and to Gov. Jerry Brown, urging them to make sure that the state gets funding to protect conservation, nutrition and research programs.

What the state wants

In the meantime, the California Department of Food and Agriculture submitted to the Ag committees and supercommittee its recommendations for the Farm Bill, asking to either maintain or in some instances increase funding for conservation, job creation, revitalizing rural economies, investing in research and education and improving health and nutrition.

Karen Ross, California's secretary of food and agriculture, said the recommendations are based on the state's diverse needs. California produces more than 400 different crops, employs 800,000 people and generates annual revenues of \$37.5 billion, according to the CDFA.

But she knows that to meet the nation's mandate to reduce spending some programs will have to go.

"We're concerned about nutrition programs," she said. "More people than ever are receiving assistance now from food programs."

California's recommendations call for maintaining nutrition funding at current levels and removing eligibility barriers for programs such as SNAP (food stamps) and free school lunches. Last year the state received \$6.3 billion in federal nutrition funding.

"There isn't going to be any program that goes unscathed by the cuts," said Rayne Pegg, assistant manager of national affairs for the California Farm Bureau Federation. "But getting healthy food access is critical."

Pest prevention

In addition, the state's proposal includes recommendations to increase funding for pest prevention nationwide from \$50 million to \$100 million. Ross said the key to successful farming is to be proactive in eradicating invasive insects that kill crops. Other suggestions include \$350 million over five years for specialty crop block grants; maintaining conservation and organic farming programs at the same level and reducing the cost of crop insurance for organic farmers.

Ross said for the first time California is also asking that money be set aside for programs and grants that will invest in young and new farmers. "It's an area we have to think about if we want to have food security in the future," she said.

Hamerschlag said she applauds the proposal and specifically supports substantial funding toward nutrition, conservation, organics, local and regional food systems and rural development.

"What we'd like to see is a real shift in the subsidy money used for commodity crops go to healthy food and conservation research."

From 2008 to 2010, commodity crops across the nation received \$20 billion in subsidies, whereas fruits, nuts and vegetable farmers got \$3 billion in federal funds and grants, according to the Environmental Working Group, which collects its data from the USDA. Although California

receives few subsidies, the state's upland cotton growers received a combination of direct payments and subsidies totaling \$198.1 million in 2009. They only generated \$85.8 million in sales that year, Hamerschlag said.

Specialty crops in California received \$200 million in federal funds and grants for procurement, marketing, promotion and research programs in 2009. Those crops were valued at \$19.5 billion, she said.

End direct payments

"Looking at these numbers, California would be well placed in shifting (those cotton subsidies) into conservation, fruits and vegetables," Hamerschlag said. There is talk of the new bill eliminating the direct-payment program, which are subsidies based on past acreage planted regardless of commodity prices. The new proposal calls for a program that would only apply to planted acres when prices drop to certain levels.

While some cheer the end of the direct-payment program, there are many in California who still fear that Sen. Pat Roberts, R-Kan., Rep. Frank Lucas, R-Okla., and Rep. Collin Peterson, D-Minn., the Ag committees' top leadership, will look out for their big commodity states. Many Californians are placing their faith in the fourth member of the leadership, Sen. Debbie Stabenow, D-Mich. Like California, her state grows mostly specialty crops.

"We're not a traditional farm bill recipient," said Pegg of the California Farm Bureau Federation. "So it's important for us to prioritize. It's not over until it's over."



Photo: Michael Macor / SFC

Organic crops, such as these berries, would get the nod over commodity crops in the Farm Bill if California activists were to get their way.



Photo: Michael Macor / SFC



Good (Food) News: The Food & Environment Reporting Network Launches

November 28th, 2011 By Paula Crossfield



For years, agriculture and the food system have been critically under-reported subjects in the media. Take for example earlier this year, when Gannett (the parent company of *USA Today*) laid off Phillip Brasher, one of the last reporters covering agriculture issues in Washington, D.C. Thanks to a public outcry (and in part to reporting [here on Civil Eats](#) and elsewhere) he was rehired. However, this made clear that the desire for food reporting is not being sufficiently met by the current media structure.

The [Food & Environment Reporting Network](#), a journalism non-profit for investigative reporting in the area of food, agriculture, and environmental health, which [launches operations](#) today, is seeking to reverse this trend. (Full disclosure: I am the Managing Editor and a Founding Director of the project).

“Over the past four decades, coverage of food and agriculture has waned in the mainstream press at the same time as the impact of a more industrialized food system on public health has become increasingly severe,” said Ruth Reichl, editorial board member of the Food & Environment Reporting Network, Editorial Advisor to *Gilt Taste*, Editor-at-Large at Random House, and former Editor-in-Chief of *Gourmet* magazine. “Without detailed investigations into food and agriculture, our understanding of humanity’s impacts on the environment is incomplete and related policy changes ineffective.”

In its first report, out [today](#) in the western magazine *High Country News*, reporter Stephanie Paige Ogburn investigates a successful citizen movement to halt pollution by New Mexico’s powerful mega-dairy operations. Future reporting will appear in newsmagazines, including *The American Prospect* and *The Nation*, as well as major daily newspapers. You can read the current piece [here](#) on the Food & Environment Reporting Networks’s [Web site](#), where future reporting will also be archived.

“Our stories will fall under the classic mandate of investigative reporting—to reveal corruption, abuse of power, and exploitation wherever it happens; to expose activities that the powerful work to keep hidden or to explore subjects that are just too complex for the breaking news cycle,” said the Food & Environment Reporting Network’s Editor-in-Chief Samuel Fromartz. “We’ve chosen to focus on food, agriculture, and environmental health specifically because we feel these are under-reported subjects that touch people’s lives every day.”

The Food & Environment Reporting Network’s Board of Directors includes Editor-in-Chief Samuel Fromartz, author, freelance journalist and a former *Reuters* business editor; Allison Arieff, a contributing columnist for *The New York Times*, contributing columnist for *The Atlantic Cities*, and editor of the *Urbanist* magazine for SPUR (San Francisco Planning & Urban Research Association); and Ralph Loglisci, a leading food policy media strategist. Naomi Starkman is the strategic communications adviser to the project. Tom Laskawy is the Executive Director and manages the organization. Former board members Katrina Heron and Naomi Starkman were involved in the organization’s founding and development.

The Food & Environment Reporting Network’s editorial board includes Brian Halweil, editor of *Edible East End* and co-publisher of *Edible Brooklyn* and *Edible Manhattan* magazines; Katrina Heron, Editor-at-Large at *Newsweek/The Daily Beast* and previously Editor-in-Chief of *WIRED* and a senior editor at *The New Yorker*, *Vanity Fair*, and *The New York Times* magazines; Ruth Reichl Editorial Advisor to *Gilt Taste*, Editor-at-Large at Random House, and former Editor-in-Chief of *Gourmet* magazine; Elizabeth Royte, author of the critically acclaimed *Garbage Land: On the Secret Trail of Trash*; *Bottlemania: How Water Went On Sale and Why We Bought It*; and Charles Wilson, the co-author with Eric Schlosser of the number one *New York Times* children’s bestseller *Chew On This: Everything You Don’t Want to Know About Fast Food*.

A citizen activist forces New Mexico's dairies to clean up their act

By Stephanie Paige Ogburn on November 28, 2011



Jerry Nivens stands near what he refers to as “my little miracle in the desert,” a naturally occurring pond that is fed by ground water surrounded by arid desert. The pond is located less than a mile away from a proposed dairy site. By Vanessa M. Feldman.

Jerry Nivens lives in a trailer in Caballo, N.M., 165 miles south of Albuquerque. A bulky Texas transplant who chain-smokes American Spirits, Nivens cares as deeply for his mesquite-speckled patch of ground as any rural New Mexican. He enjoys driving into the mountains, where he used to while away afternoons panning for gold. He goes fishing Lone Star-style—in reservoirs, not rivers.

On the sunny May day I met him, he spilled out of his GMC Jimmy sporting a National Rifle Association ballcap and *Magnum P.I.*-style sunglasses. He wore brown corduroy pants hung from suspenders with a matching jacket over a plaid shirt. A giant Marlboro belt buckle

completed the ensemble. As we drove around, Nivens marveled at artesian pools supporting desert wildlife, exclaimed as a squadron of baby quail crossed our path, and wondered over underground rivers that run to the nearby Rio Grande. Retired from the refrigeration business, he earns money from an invention of his used for water purification. He spends much of his time alone. “I’m kind of an old hermit,” he says.

Which, in a way, was why I had come—to learn how and why this loner became the driving force behind a movement that brought the state’s mega-dairies to heel. The dairy industry is New Mexico’s largest agricultural sector and an influential lobbying force. Although the state Environment Department has long worked with dairies to reduce pollution, change has been slow: Almost 60 percent of the state’s dairies have polluted groundwater with manure runoff, yet not one has begun the required cleanup.

Now, thanks largely to the pressure brought to bear by Nivens, his allies, and an Environment Department employee named Bill Olson, New Mexico has passed some of the most progressive dairy-related water regulations in the West.

Citizens have campaigned against dairy pollution in Idaho, Washington and California. Yet despite grassroots support for tighter controls, industry has largely succeeded in slowing or even loosening regulations. New Mexico’s new rules may inspire other states to take the responsibility for limiting factory-farm pollution into their own hands, activists say.

In early 2007, “there was a rumor in one of our local newspapers here about some dairy trying to come down close to Caballo,” Nivens explains as we drive to a sandy wash called Percha Creek. At first, he paid little attention, but then curiosity finally sent him exploring a tangle of dirt roads until he found a sign announcing ParaSol dairy’s intention to build a 2,000-cow facility. It was right next to the creek, which becomes a raging torrent when it rains. There were houses nearby, too, and the Rio Grande, a drinking water and irrigation source already polluted by E. coli, was just two miles downstream.

To Nivens, it looked like a disaster in the making: Flash floods could flush manure from the dairy into Percha Creek, polluting the shallow groundwater and eventually the Rio Grande, threatening the drinking water of nearby residents and possibly contaminating the lettuce, chiles and pecans growing downstream.

Nivens went first to a local diner to share his fears with neighbors, and then to a nearby chile-processing plant. A woman there asked if a petition might stop the dairy. “I don’t know,” he recalls saying, “but I’ll go home and make some.”

“That’s how it all started.”



One of the many large-scale dairies that operate along Interstate 10 in Doña Ana County, New Mexico.

The modern Western dairy, more factory than farm, was invented in Los Angeles County, Calif., by Dutch dairymen after World War I. Newly arrived from a land-scarce country, they brought the idea of keeping cows in a small space and importing their feed from elsewhere. This made it possible to become a successful dairyman in the arid West, which generally lacks good pasture.

As L.A. County boomed, so did the dairies. But sprawl pushed them out, first into the Chino Valley and neighboring San Bernardino County, and later, in the 1980s and 1990s, north into the San Joaquin Valley or out of the state entirely. California is still the number-one milk-producing state in the country, but Idaho is now number three, Texas seventh, New Mexico ninth, and Washington tenth.

With each move, the dairies grew. They sold land at suburban development prices and bought other parcels at agricultural cut rates, using the extra cash to add more cows. Changes in U.S. milk-pricing policy propelled their growth. Beginning with the Reagan administration, the government began setting milk prices based on the price of cheese traded on the Chicago Mercantile Exchange, so prices fluctuated more than before. Dairymen hedged against price drops by buying more cows and producing more milk. Their fixed costs stayed relatively constant, and they had more milk to sell as a cushion against low prices. When neighboring dairies went under, surviving ones bought up their cows. In 1970, there were almost 650,000 dairies in the United States. Today, there are only 62,500; almost 50 percent of U.S. milk now comes from dairies with more than 1,000 cows. New Mexico, whose dairies average 2,000 cows each, has the largest mean herd size in the nation.

As dairies added cows, the cows added manure. That manure—145 pounds of mixed solids and liquid per cow per day—is usually flushed into a holding pond, or manure lagoon. Dairy owners often spray manure water onto cornfields as fertilizer and separate out the solids for compost. In theory, using waste to grow feed makes a dairy a closed-loop system.

In practice, the loop leaks. Farmers have more manure than crops to apply it to. Manure liquid can ooze from lagoons into groundwater, carrying nitrates, sulfate and chloride, along with remnant antibiotics and dangerous bacteria such as *E. coli*, salmonella, listeria and campylobacter.

“A lot of people still think of a dairy farm as black-and-white cows on a green hillside somewhere. And we still have that, but that’s not (how) the majority of milk (is) produced anymore,” says Mark Stephenson, director of dairy policy analysis at the University of Wisconsin’s college of agriculture.

The pollutant most regulators focus on is nitrate. At high levels in drinking water, nitrate can cause methemoglobinemia, or blue baby syndrome, where nitrogen compounds interfere with the blood’s ability to carry oxygen. Formula-fed infants are particularly susceptible. Possible effects of chronic high nitrate exposure on adults include cancer, reproductive problems and diabetes, although researchers say more study is needed.

Nitrate is not necessarily the most dangerous substance given off by Concentrated Animal Feeding Operations, or CAFOs. But it is one of the few manure pollutants the government has the authority to regulate. The federal Safe Drinking Water Act limits nitrate concentration to 10 parts per million. That law, which applies to all drinking water systems serving more than 25 people, and the Clean Water Act, which regulates water quality for pollutants like phosphorous, nitrates and E. coli in surface water, are the main tools regulators can use to curb pollution from factory farms; the majority of air and water contaminants produced by CAFOs are not federally limited.

States can go beyond federal law to curb CAFO pollution, however. New Mexico, for example, has a water-quality act that protects groundwater and stipulates that all facilities whose waste may end up in groundwater—including dairies—must get discharge permits.

Kathy Martin, an engineer from Oklahoma, has consulted for over 15 years on technical aspects of rulemaking in 20 states, including Kansas, Colorado, Nebraska and New Mexico. She’s watched residents protest against odor and flies; worry about CAFO-caused air pollution, a major health problem that is virtually unregulated; and fight to protect their drinking water. In her opinion, none of the states where she has worked has adequate rules to protect the health of dairy neighbors and the environment. “Industry almost invariably gets their way,” she says. “Very rarely do the citizens get their way even on one or two points. We’re just there to keep the dam from completely falling apart.”

Because of New Mexico’s water-quality act, the state has been monitoring pollution from dairies since about 1980, shortly after the first of several California dairies moved to a depopulated stretch of U.S. Route 80, now Interstate 10, between Las Cruces and the Texas border. Today, over a dozen dairies and tens of thousands of cows crush together along a 10-mile stretch of highway here that locals call Dairy Row.

In areas around Dairy Row, nitrate levels in drinking water exceed safety standards, and many people purchase bottled water. In 2007, the federal Environmental Protection Agency accused 11 local dairies of violating the Clean Water Act by not keeping proper records on waste management and disposal, and ordered them to comply immediately.

Martin sees better regulations as an issue of fairness, particularly for the rural and low-income areas where such facilities tend to locate. “If I find out that the mozzarella cheese in my pizza

comes from a facility that has destroyed the groundwater for fifth- and sixth-generation Hispanics in New Mexico, it makes me sick to my stomach. ... I think at the end of the day, everyone would like to go to bed knowing that there isn't one person suffering, or child ill, because I had a Big Mac today."



Jerry Nivens, standing outside his trailer door, mobilized other Caballo citizens in an almost-four-year fight to keep ParaSol from building a dairy near Percha Creek.

Jerry Nivens already knew what keeping so many animals in one place could do. Years ago in Texas, he'd lived near giant beef feedlots in the Panhandle and around dairies near Waco, where he'd seen rivers polluted and towns filled with the stench of untreated manure. (In 2004, Waco sued 14 dairies for polluting the town's drinking water.) Thinking about ParaSol, he says, "I couldn't hardly sleep at night. Things like this are such a destruction to the surrounding area and the environment, you know, they create a sacrifice zone."

He called the state's Environment Department and learned that officials, who had never denied a permit before, did not plan to do so with ParaSol. In New Mexico, however, the environment secretary must sign off on all such permits. This gave Nivens, who had organized a group called Caballo Concerned Citizens and allied with the Rio Grande chapter of the Sierra Club, a wedge. Members sent more than 400 letters to the agency and visited New Mexico Environment Secretary Ron Curry, a Bill Richardson appointee, in person, asking him to say no to ParaSol. And in February 2008, Curry did.

Nivens was ecstatic. He had no way of knowing this was just the beginning of a nearly four-year fight.

ParaSol immediately hired Pete Domenici Jr., a powerful lawyer and son of a former U.S. senator from New Mexico, and appealed the decision. Dairy owners formed a lobbying organization called Dairy Industry Group for a Clean Environment, backed by the national Dairy Farmers of America. By early 2009, the group, whose lobbyists included former Lt. Gov. Walter Bradley, had pushed the Legislature to amend the state's water-quality act to require the Environment Department to create a new, standardized permit process. The dairy owners were betting it would work in their favor.

“The environment at that time was one of constant change (for dairy permits),” says New Mexico state Sen. Clinton Harden, R, who sponsored the legislation amending the act. That uncertainty made it hard for new dairies to start up and existing ones to expand, he says. During that time, at least three dairies—important employers and economic engines in his eastern district—had moved to Texas, which had “a known permit process.”

But the dairymen hadn’t counted on Bill Olson. Olson, a hydrologist and 25-year veteran of the Environment Department, was the chief of New Mexico’s groundwater division. He exudes the patience and practicality of your ninth-grade chemistry teacher, but with a Western flair: The day I met him at a Santa Fe bakery, he was wearing cowboy boots, jeans, a pearl-button shirt and a bolo tie.

“Ninety percent of all our drinking water in the state comes from groundwater,” he explained. Though he would retire almost as soon as the process was over, he viewed the rulemaking as a chance to “prevent pollution and protect the resource.”

Olson’s department drafted a preliminary rule with two key requirements. To get a permit, dairies would have to install monitoring wells upstream and downstream of their manure lagoons. They’d also have to install high-density polyethylene synthetic liners.

The latter are much more effective at containing pollutants than traditional clay liners. And the wells would let the Environment Department know if groundwater was becoming contaminated. Because wells would be located both above and below lagoons, they’d help regulators triangulate on the source of any contamination. Most states don’t directly track dairy waste this way. Regulators may believe a dairy has contaminated groundwater, but without a way to pinpoint the source, blame—and responsibility for cleanup—often gets passed around.

Starting in May 2009, the New Mexico Environment Department held meetings to get public comment on the draft rule. Angry dairy owners boycotted. But Jerry Nivens had spent months creating an activist network, meeting with grandmothers from Dairy Row whose children couldn’t play outdoors because of flies, and a mom from the faraway town of Hobbs who blamed her kids’ illnesses on high levels of nitrates in her drinking water. Nivens organized these people and allies from his earlier efforts under the name New Mexicans for Dairy Reform and formed alliances with a local water protection nonprofit called Amigos Bravos, as well as the national consumer advocacy group Food and Water Watch. The New Mexico Environmental Law Center, a nonprofit law firm specializing in environmental justice issues, represented the group during the rulemaking.

Nivens himself attended every stakeholder meeting and hearing for the next 18 months. “I went all over the state for that,” he recalled. “My wife said, ‘Why don’t you quit that?’ It’s because I don’t know how to quit it. It’s such an urgent matter, our water, and what do you do when you mess it up?”

Months of public comment, expert testimony and re-drafting went by. Then, in April and June of 2010, the Environment Department held official hearings in front of the state’s Water Quality Control Commission, which has the final say on the rules the department submits. This time, the

dairy owners showed up. Each stood up, declared his patriotism and made nearly identical complaints.

“The New Mexico Environment Department’s proposed rules will be the demise of the dairy industry in this state,” said Alva Carter, a dairy owner from eastern New Mexico and chair of the dairy industry group, who served as a spokesperson, at the June hearing. “Many of the existing dairies will be forced to shut down, thereby depriving the state, local communities and their citizens of a valuable economic engine and associated jobs, not to mention the safest and most nutritional natural food product known to man.” If the rules go through as is, he said, “We will go to Texas, or we will go to Oklahoma, or we will go to Colorado.”

The monitoring wells and synthetic liners were too costly, Carter went on. Besides, he said, existing monitoring wells “have been the conduit to contaminate the groundwater.” Clay liners work well in most circumstances, he said, and synthetic liners can rip and fail.

“It seems like we’re low-balling everything to the point that it might not even be effective,” Nivens responded. “Every time you get on an elevator ... you will remember that the low bid got it. And the low bid’s not always best.”

Olson calmly demolished Carter’s arguments. “Clay liners seep,” he said, pointing to widespread contamination from dairies that use them. “Synthetic liners are one million times less permeable than a clay liner. They are readily available, and there is a cost associated with them. We don’t deny that, but in terms of preventing water pollution, this is the most effective way.”

Besides, Olson noted, existing dairies that weren’t polluting wouldn’t need synthetic liners—only new dairies or those already cited for pollution. As to Carter’s claim that monitoring wells cause contamination, Olson’s response was almost a sigh. “The department has been trying to address this issue with the industry for several years. We keep asking for any type of technical or scientific information to back up their case (but none is submitted).” The fact that lagoons filled with manure water leak and contaminate groundwater below them is “basic science,” said Olson.

And though synthetic liners and monitoring wells—which can approach \$10,000 in areas with deep water tables—aren’t cheap, pollution cleanup is even more expensive.

“Once you get groundwater contamination, a lot of times you’re looking at hundreds of thousands to millions of dollars to work through an abatement where you could have prevented the whole thing for a fraction of that in up-front costs,” says Olson. “That’s part of what we pushed in the dairy rule.”

In December 2010, the department released its final rule. The activists didn’t get the notification letters they’d requested for everyone within a mile of a proposed dairy, or the two- and three-mile setbacks from schools, residences, parks and water bodies. Instead, only a newspaper notice and sign was required along with setbacks of 200 to 1,000 feet. But Nivens was pleased. “It was keeping the light on in the lighthouse,” he says. “And it was a real chore, but it finally worked out.”

The rule became law in January. But hours after new Republican Gov. Susana Martinez took office, she issued an executive order to stop it, with coaching from dairy lawyers. New Mexicans for Dairy Reform took her to the state Supreme Court. “It didn’t take them 15 minutes to say, ‘You can’t do this, Governor, you don’t have the authority,’ ” says Nivens.

So the dairies appealed again, placing the rules in limbo. Finally, in mid-July, the Environment Department brokered a settlement. It lightens some reporting requirements, adds a new variance procedure and mediation for disputes over monitoring well placements, clarifies that dairies may keep unlined lagoons if there is no evidence of contamination, and allows operators to mix irrigation water with their wastewater. But it keeps the main protections—synthetic liners, monitoring wells, and flow metering and nutrient management systems to limit and track where nitrates are going—in place. The Water Quality Control Commission unanimously approved this final version of the rules Nov. 16. They are scheduled to go into effect Dec. 31.

Jon Block, the attorney who represented the citizen coalition, calls New Mexico’s rules some of the strongest in the country. “While none of this is a magic wand, from the point of what we care about, these regulations are going to slowly change the face of dairy production in this state and bring it in line with higher and higher levels of best practices.”



ParaSol Dairy’s plans appear to have been abandoned — the proposed site now displays a sign for a residential subdivision. By Jerry Nivens.

Nivens and his allies sometimes wonder why the dairies fought so hard; the four years of lawyering probably cost more than monitoring wells. But Michael Jensen of Amigos Bravos believes the dairies were worried that regulators in other states might adopt similar rules.

“It’s not just about New Mexico dairies, it’s about dairies in general,” he says. “People were looking to see what New Mexico was going to do. Because the dairies are looking at places to, sort of, hide, because they don’t like regulations.”

But even if other states aren’t influenced, New Mexico’s overall attitude toward dairies seems to have changed. In December 2010, the Environment Department denied its second dairy permit, for the Ruch dairy in Hobbs, which had been discharging waste without a permit. Environment

Secretary Ron Curry has left. His replacement, David Martin, recently highlighted the need for industry to be honest in permit applications, thanking local activists for outing a permittee whose application underestimated how industrial discharge would affect groundwater. “Regular citizens can make a difference in protecting the environment,” Martin commented.

The dairymen’s attitudes may also be shifting. Beverly Idsinga, whose group Dairy Producers of New Mexico represents most of the state’s dairies, was pleased with the final rules. “I think (they are) going to be favorable to producers; it’s going to be easier to follow than before,” she says. The dairymen did, however, reserve the right to evaluate the rules after a year, and petition the Environment Department for changes if they are having “any problems,” Idsinga adds.

As for ParaSol, owner John McCatharn eventually got his permit. But because of the dairy’s sensitive location, it was loaded with so many requirements — from double synthetic liners to extra flood barriers—that McCatharn, who declined to comment on his plans for the dairy, appears to have abandoned the project. Today, the site looks much as it did when Nivens first saw it four and a half years ago—a dirt lot by a dry creek in the midst of desert. One day this fall, though, the tattered notice for the dairy disappeared. In its place is a new sign. It reads: “Para Sol Subdivision. 116 Lot Type II Residential Subdivision. Subdivider: John McCatharn.”

ConsumerWatch: ‘Slow Money’ Investing Gains Followers

October 12, 2011 11:59 PM



SAN FRANCISCO (CBS SF) — The recent anger directed at Wall Street is also stoking a new philosophy of investing known as “[Slow Money](#).”

Entrepreneurs who take their lead from the slow food movement ideal of locally-grown gathered at San Francisco’s Fort Mason Center Wednesday for a three-day conference to meet investors who don’t see a contradiction between small scale and big growth.

The idea is for individuals to invest small amounts of money directly into local food-related businesses. Investments generally start around \$1,000.

“By taking a little money out and putting it to work near where we live, we keep the economic benefits of that investment circulating in the local economy,” said Woody Tasch, a founder of the movement, and an organizer of this week’s conference. Tasch said the benefits also include more local jobs and a cleaner environment.

“Where you spend your money, where you place your money, how you hold it, what you do with it. Every one of those is an act of expressing your values,” said Joel Solomon. His [investment firm](#), Renewal 2, is a boutique operation out of Vancouver that invests in companies whose products are fair trade, organically grown or otherwise market green consumer products.

Like Solomon, the small [business owners](#) from across the country at the [3rd National Slow Money Gathering](#) want to make money by doing the right thing.

KCBS' Margie Shafer Reports:

Slow Money Investors Put Their Dollars Where Their Values Are

Much of the slow money movement has steered capital to small food enterprises. The Berkeley restaurant Gather has often been held up as a poster child for a new model of finance.

“We really had to be creative about how we used SEC laws and various guidelines and exceptions to craft the equity deal that we crafted so that we could involve both accredited and unaccredited investors,” said co-owner Ari Derfel.

Where slow food encourages the preservation of regional cuisine, slow money lets anyone with even \$100 or \$1,000 put their money in a values-driven investment.

Derfel and his partner got their venture off the ground with funding from 100 investors from the community, rather than the 35 deep pocketed investors attorneys recommended they seek out instead.

“An accredited investor is not an easy person to find. They have to have a significant network. They need to make a lot of money. And we said, that’s not going to work for our model. We need a lot of people making small investments.”

And after four months, a restaurant that treats vegetarians and omnivores equally with a menu of food entirely from California that’s 50 percent meat and 50 percent veg turned a profit.

Slow money isn’t just for start-ups. The companies at Fort Mason represented many different stages of growth serving both small and large markets.

This experiment in citizen finance still faces hurdles, in particular the onerous regulations that make modern [stock markets](#) so efficient, said author Amy Cortese.

“It’s easier for most people to invest in a company halfway around the world than one in their own backyard because securities laws make it difficult for average people to invest in a small private company,” she said.

Berkeley and Oakland Come to the Table

—By [Tom Philpott](#)

Thu Aug. 11, 2011



Nikki Henderson of Oakland's People's Grocery and Alice Waters of Berkeley's Chez Panisse Restaurant
Images courtesy of People's Grocery and the Chez Panisse Foundation

Alice Waters and Nikki Henderson occupy radically different places in the sustainable food movement.

Waters is a white baby boomer who was raised comfortably middle class; Henderson is an African American millennial who grew up with seven foster brothers. Waters runs an iconic white-tablecloth restaurant in well-heeled Berkeley. Henderson runs an iconic anti-poverty nonprofit in low-income West Oakland. Waters speaks most naturally as an aesthete; Henderson, as a community organizer.

The fact that a single movement can contain both demonstrates its great potential—think of the civil rights movement, which really began to coalesce when an alliance along similar race/class lines developed in the late 1950s. But it also indicates crucial fault lines: If the food movement becomes dominated by its white-tablecloth faction, it risks devolving into a high-end tasting club that has little impact on the broader culture.

So when I was invited to interview these two formidable women via Skype recently, I jumped at the chance. The occasion was a class Waters has organized at UC Berkeley this fall called ["Edible Education 101,"](#) as part of the 40th-anniversary celebration for Chez Panisse, her temple to local, organic food. Henderson, executive director of [People's Grocery](#), will be coteaching the course with Berkeley journalism professor Michael Pollan, author of *The Omnivore's Dilemma*

and other best-selling critiques of the food system. They spoke to me from the Chez Panisse Foundation's Berkeley offices.

Alice Waters: Aren't you going to ask me what I had for breakfast?

Mother Jones: We all know you had an Egg McMuffin. We'll talk about that later! [*Laughs.*] Let's start with a hard question. The last time I remember Chez Panisse and People's Grocery interacting was in 2008, when People's Grocery's then-executive director Brahm Ahmadi launched a stinging critique of [Slow Food Nation](#), which Alice organized. He charged that Slow Food threatened to "suck the air" out of the food movement, marginalizing low-income people of color. Now, here the two of you are together. What gives?

Nikki Henderson: Something else that happened at Slow Food Nation is that [Van Jones](#) and Alice Waters were on stage together for a panel. And at that point I was working for Van as his aide, and I was the one who kind of prepped him for that panel.

And so something else that I saw there was Oakland and Berkeley coming together. And right after I left Green for All, I went to work for Slow Food USA to try to figure out what the real story was, and fell head over heels in love with the concept of slow food, and didn't find it at all conflicting with the food justice movement's principles.

It was just that race and class and power and privilege were not dissected enough to allow these two communities to come together healthfully. And so one of the things about this course is that it's an exploration over 14 weeks of those class and race and power dynamics.

AW: I think there's some extraordinary people within Slow Food who really speak to food justice. One of them, of course, is its president [Carlo Petrini](#). Food justice, the right of everyone to eat well, is something just that's deeply part of Slow Food; it comes from the Italian labor movement. I also think that [*Fast Food Nation* author] Eric Schlosser, who is one of my heroes, drives [the food justice issue] in a beautiful way. Both will be speaking in Nikki and Michael's course.

MJ: Let's hear more about this UC-Berkeley course. How was it conceived?

NH: Chez Panisse asked me to coteach the class with Michael Pollan. Michael was pretty clear—he wanted the drive for the course to come from me and Chez Panisse. So we agreed that it's our opportunity to take it to the wall. How hard-hitting can we be? How many controversial topics can we come up with? One of the sessions will feature an open conversation with a Walmart executive and also a representative from the the largest corporate bulk-food distributor in the world. There will be a dialogue about what corporate food actually looks like.

We subtitled the course "The Rise and Future of the Food Movement," because we wanted to locate the concept of edible education within a movement...kind of Oakland activists and Berkeley activists coming together. Because every successful movement in America, and elsewhere, has found ways to get disparate groups of people to actually work together, especially when they're not in direct conflict with one another.

If the problem [within the sustainable-food movement] is just race and class issues that come from a lot of misunderstanding, that we can handle. Because there are actual enemies out there who are destroying our bodies and our land and whole groups of people, either intentionally or unintentionally.

MJ: Alice, a couple of years ago, you wrote a smart op-ed in the [New York Times](#) calling for a significant increase in school lunch funding. But when Congress reauthorized the school food budget last year, the program got a tiny increase. What can school cafeterias do to improve lunches on such a shoestring?

AW: Not very much. I mean, if you have an incredibly energetic, creative, inventive, school lunch director, you can do what [former nutrition director of the Berkeley Unified School District] [Ann Cooper](#) did here in Berkeley, which is upgrading. Trying to buy things that are from the farms. She was, I think, fairly successful in that way because of the willingness of all the farmers in this area to participate. It's a very unusual situation.

We want kids to have an experience that could be really transformational, that really brings them into another relationship to food. And in order to do that, you have to have trained cooks and a circumstance for eating that's civilized. The only way to really do this, democratically, with social justice in mind, is to feed every child, every day, for free—beginning in kindergarten. That is the way to change the food system, too, because 20 percent of the population is in school.

MJ: You two represent distinct generations in the food movement. What is the most impressive change you've observed over the years?

AW: The thing that really amazes me is that in those 40 years, when I first went to France, I just had the most extraordinary food that was based on all the values that I believe in. In just my lifetime, this has changed entirely in France. And in that time, I have a farmer's market just down the street from Chez Panisse. It's pretty astonishing the amount of change that can happen in really a very short period of time. I'm very optimistic about that.

NH: What got me thinking about food in the first place was that my great aunt and uncle were amputees due to diabetes. My aunt has diabetes, my grandfather had diabetes and almost had his feet amputated. So for me, eating healthy food is not really a choice—it's an imperative. I don't want my family members to die young.

And I think that the way that the mainstream has picked up the food message so deeply that it has infiltrated SNAP [food-stamp] benefits and federally subsidized food programs in the last few years, in particular, has given me hope. There's a whole sector of society that doesn't hear what's going on in the news. They don't really know what's going on in mainstream society; they get news when their benefits change. And I feel like the fact that federally subsidized food programs have shifted so radically to include farmers markets and to give bonus points when you get fresh produce, and the fact that you can buy garden supplies with your food stamps, there's all these things. Those trends give me hope.

MJ: Okay, Alice, please tell us what you had for breakfast.

AW: I'm no baker—you have to be too precise to bake well—but I've learned to make this little whole-wheat flat bread. It just has a little olive oil in it, a little salt, and some baking powder. And you knead it together, you just let it sit a while, then roll it out. I put it right on the burner, and it browns and bubbles up just a little bit. I spread it with a hummus I've been making with a touch of Indian spice. Eating this little breakfast has really made me very happy.

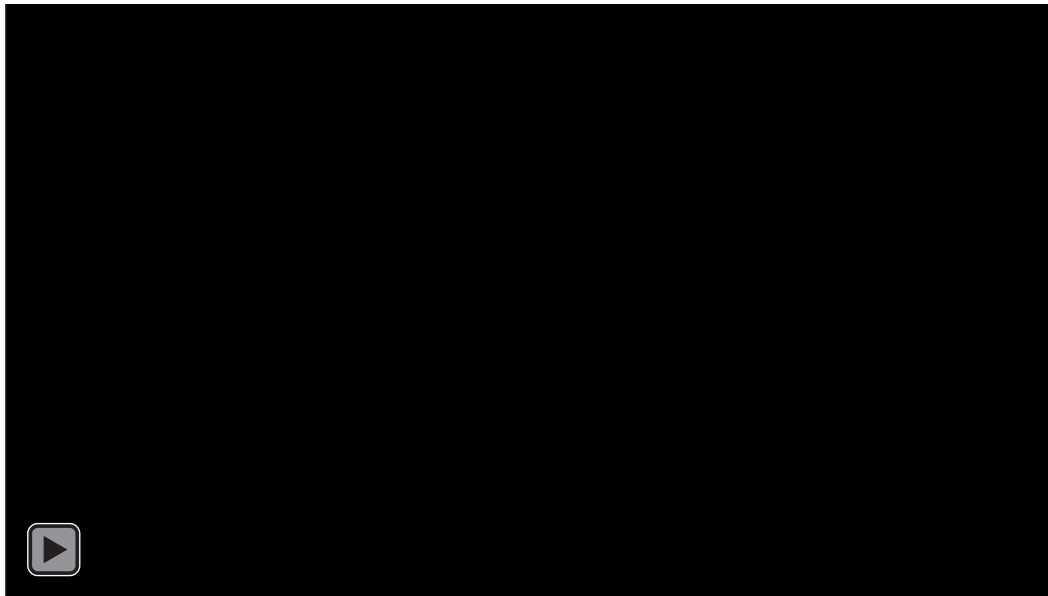
MJ: What about you, Nikki?

NH: I had an Egg McMuffin. [*Laughs.*] No, I didn't. I had a bowl of granola with dried cranberries and soy milk.

YouTube.com

Food Movement Rising

June 17, 2011



<http://www.youtube.com/watch?v=ySSbI0ZrNAE>

California shut out of shocking new farm scheme

Carolyn Lochhead | October 26, 2011

Leaders of the House and Senate Agriculture Committees are attempting a breathtaking end-run around the democratic process. They are hatching their own farm bill in private and plan by Nov. 1 to take it to the new deficit Super Committee to be enacted whole, without votes in their own committees or in Congress.

The farm bill sets U.S. food policy for five years. It is the biggest environmental bill by far that Congress enacts. One quarter of California — 27.6 million acres — is farmland, much of it in the heavily polluted San Joaquin Valley. Agriculture covers 40 percent of the land in the United States. How food is grown on that land has massive consequences for the air, waterways and wildlife. The farm bill also (mis)shapes the American diet.

The Ag committees, populated by Midwest and Southern farm state lawmakers from both parties, want to defend subsidies to the big commodity crops such as corn, wheat, cotton and rice. They know that \$5 billion a year in “direct payments” to commodity farmers are vulnerable, so they want to replace these with a new scheme to “insure revenues.” The new scheme — variations of which are being written by the commodity groups — would lock in today’s record crop prices as a new subsidy while claiming to save money.

Let us pray that the other committees in Congress don’t get the same idea. The deficit Super Committee was born last summer as a political maneuver to get around Congress’s inability to raise the debt ceiling and make hard choices generally. If the Super committee can pass a deficit reduction plan, it will be presented to Congress for an up-or-down vote without amendment. This would allow the Ag committees to get their farm bill enacted into law without so much as a vote. The Super Committee may be well intended, but its creation has clearly opened a Pandora’s Box by overriding the normal committee process.

“It’s a profoundly undemocratic process,” said Kari Hamerschlag, a senior analyst with Environmental Working Group in Oakland.

California, the nation’s largest farm state, locked out for decades from the commodity subsidy system because it grows mainly fruits, nuts and vegetables, is sure to get short-changed by this process.

California food, health and environmental groups such as Roots of Change, Prevention Institute and others have sent a letter, and more than 16,000 Californians signed a letter, urging California’s Congressional delegation, Gov. Jerry Brown and state farm and health officials to

lobby for changes that would protect current conservation programs, the incorporation of fresh fruits and vegetables into federal food programs and the like.

What Californians really need to do is not lobby within this new “process” but blow it up completely. Congress needs to go back to regular order before the Armed Services Committees figure out they can jam through Pentagon spending the same way.

Time to Occupy California's Food System



Nov 17 2011

By Greg Ostroff

After a long Wall Street career that included time as a global research director at a major investment bank, even I was shocked to see our nation's financial system come to the brink of collapse in late 2008. As the dust began to settle I was compelled to look where similar danger might exist and was startled to find parallels in the development of our nation's food system to some of the root causes of the financial crisis, namely

1. a laissez faire regulatory environment that allowed extreme industry concentration and the significant growth of an ultimately "toxic" product,
2. over reliance on faulty math and models instead of street smart common sense and
3. the prevalence of "just in time" business thinking which led to the elimination of fail-safe measures inappropriately branded as system redundancies.

But when it comes to liquidity, while the immediate solution to a banking crisis is to print more money, printing more food stamps offers little benefit in a food crisis! Three years later the financial system is still in a precarious state and the solutions debated and enacted by Washington and Big Finance seem to be getting us no closer to restoring the long term health of that system. The level of complexity is immense but does it really make sense to rely on the same "experts" who failed to adequately respond to the problems in the first place to admit their mistakes, revolutionize their mindset and find the lasting solutions? I am not surprised that the Occupy Wall Street movement has spread so rapidly in just a matter of weeks. It's evidence we've reached a tipping point among ordinary citizens dissatisfied with their lack of

representation in the political process and the top down solutions, debated and created by ‘experts’ and imposed from afar. It gives me hope that we’re beginning to see a much bigger conversation take place on how the financial system can best serve “the people” it was meant to serve. And the same must be said about our food system, which is why I decided to join the Stewardship Council at Roots of Change, a model-busting NGO/philanthropic intermediary working on public policy and programs that support the creation of a network of diverse stakeholders united by the vision of healthy, affordable, safe, just and ecologically responsible food and agriculture. The ultimate goal is [a new mainstream food system for California by 2030.](#)

At our most recent Stewardship Council meeting in Sacramento I found myself wondering how there continued to be a gulf between various groups involved in both good and bad aspects of California’s existing food system. Shouldn’t these groups be working much more closely together to build the new mainstream food system? Why are organic farming practices so often positioned in opposition to conventional farming when both types of farmers see sustainably fertile land and markets as paramount to multi-generational success? How is it that the goals of food justice activists are not identical to those of food systems activists - when the ordinary citizen doesn’t understand the difference between the two anyway? How can we move beyond expert-only debates to include the views of ordinary citizens who are demanding access to healthier food choices and feel excluded from the political process? Why aren’t all these groups working in concert to best understand and restructure a system that marginalizes and subjugates the views, aspirations, economic and social returns of the majority for the benefit of the few leaders of well-connected mega corporations and their bought and paid-for representatives? As our work for the day ended, I walked across the street and into a park where Occupy Sacramento was holding its General Assembly. I noticed that all walks of life were present, respectful and deferential to each other, willing to give equal time to honest viewpoints. The discussions were being documented and the organizers appeared adept with social media to provide direct access to a large number of remote participants as well as similar happenings elsewhere. And what did they want? They wanted the truth about how our political economy really works and how a small minority could hijack it for their benefit at the expense of the many, now marginalized and disenfranchised. They also wanted the ability to teach and learn from one another in a public forum, protected under our constitutional rights to free speech and assembly. I heard one speaker say he believed that the current brand of representative democracy isn’t working and that this movement was the only chance he saw to engage in direct democracy. What’s so interesting is how this openness had created the space where seemingly opposing viewpoints could find common ground; where libertarians and liberals could deeply contemplate and respect each other’s values, seeing the unifying higher ideals and objectives through the veils of typically divisive labels.

The Occupy movements around the country appear almost exclusively focused on Wall Street and Washington. However, the issues go way beyond money and politics to how we as a society of local and national identities come together in dialogue and action to re-engineer important systems, infrastructure and institutions to best serve the interests of the vast majority – the 99%. A guiding principal of the Occupy movement is that they see locally organized agendas and a horizontal organizational structure as far superior to one that is vertically imposed from afar, encouraging conversations within communities about the kinds of systems that best support the

needs of those communities. In the last five years, Roots of Change has started a conversation among groups of farmers, labor, conservationists, food security activists, entrepreneurs, distributors, retailers, foundations, government officials, consumers and others about the type of food system that will best serve their needs and those of their communities at large. It's time to take our conversations to another level. It is my hope to see the 99% gathering together to demand replacement of the current vertically imposed, industrially oriented national model. A strong, horizontally structured, regionally based food system, guided and regulated by broadly representative food policy councils can **occupy California's food system!** That's my vision how we will create the new mainstream California food system. What's yours?

Greg Ostroff, Stewardship Council, Roots of Change

A Wall Street veteran and former Co-Director of Global Research at Goldman Sachs, Greg's nearly three decades of investment experience includes global equities; high-yield, municipal and sovereign debt; commercial real estate; angel investments and asset allocation. He is an member of the Stewardship Council for Roots of Change and involved at other Bay Area foundations with related values. At home, Greg is a devoted husband and father of four, health nut and backyard farmer.

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Across the Bay Area, urban farming is in season

Cities are changing ordinances to permit sales of home-grown produce as residents demand access to high-quality food and greater connection to the source.

July 31, 2011|By Lee Romney, Los Angeles Times

Reporting from San Francisco — In a dense pocket of the Mission Terrace neighborhood, a quiet grid of streets near the city's southern edge, the afternoon fog rolls in over a rare sight: nearly an acre of land sandwiched between homes and planted with kale, exotic salad greens, bursts of flowers and fragrant herbs.

The women who work this plot are pioneers. Their Little City Gardens recently became the first legal commercial farm within city borders. Thanks to them, San Francisco leaders revised zoning laws to allow the cultivation and sale of produce in all neighborhoods.

Other Bay Area cities are following suit.

Berkeley soon will take up a measure to allow residents to sell raw agricultural products from home without a costly permit. And Oakland has pledged to one-up its neighbors by tackling the raising of backyard animals as a personal food source.

More than 300 people packed an Oakland community center this month to weigh in. While a handful of attendees — some carrying bunnies rescued from an overcrowded backyard meat venture — spoke out against residential slaughter, the majority were urban farming trailblazers who blend the Bay Area's zest for organic locally sourced food with a do-it-yourself sensibility.

"There's been a huge change in how we look at food and food production," said Eric Angstadt, Oakland deputy planning and zoning director.

That selling a bunch of backyard basil to a neighbor — or even sharing it — violates most urban planning codes may come as a surprise. But the decades-old rules date to a time when neighborhoods were zoned for living and rural areas for farming. That has resulted, for example, in a woman in Oak Park, Mich., recently being charged with a misdemeanor for growing vegetables in her front yard.

Although San Francisco, Berkeley and Oakland are the first California cities to craft modern urban farming regulations, they follow others nationwide that have done so, including Kansas City, Mo., and Seattle.

The changes may lead to a proliferation of discrete neighborhood farm stands. But for Little City Gardens co-founders Caitlyn Galloway and Brooke Budner, they will test the economic viability of small-scale market gardens in a place that pays plenty of lip service to sustainability.

"The movement can become a lot more inclusive if people are able to at least supplement their income," said Galloway, 30, as she prepared bouquets packed with dahlias, wild fennel and sunflowers for tables at a nearby restaurant.

Former art students who each had interned at sustainable farms, Galloway and Budner teamed up more than a year ago to take their gardening venture to the next level

Using Google Earth, they located a suitable three-quarter-acre lot. They signed a lease and started digging — and immediately hit a snag when a neighbor complained to the city.

In 2009, former Mayor Gavin Newsom issued an urban farming directive requiring, among other things, that city departments convert unused lots, median strips and rooftops into gardens. Yet Budner and Galloway learned that growing food for sale would require a special hearing and a permit costing several thousand dollars.

"The Bay Area considers itself so progressive around food," Galloway said. "It seemed like a pretty significant gap."

City officials agreed. To ensure quicker approval of amended regulations, the raising of farm animals was excluded from the conversation.

As of April, growing and selling produce on less than an acre is allowed citywide, with the only requirement being a relatively low-cost permit. Larger operations are permitted in designated non-residential zones, as are sales of value-added products like jam.

Little City Gardens this month launched its Community Supported Agriculture plan, which now provides 27 members with a freshly harvested mix of cooking greens, salad greens, herbs and flowers each week.

The urban farming movement is driven by people's craving for a connection to their food source and for more affordable organic fare, said San Francisco Urban Agriculture Alliance co-coordinator Eli Zigas, and it "is forcing cities to think about how to bring back activities that we pushed out of cities a long time ago."

Across the Bay, Esperanza Pallana is party to what may be a broader set of changes. Her compact yard abuts a gas station in Oakland's Lake Merritt neighborhood and overflows with hops for beer, kale, peanuts, dwarf pears, bees, hens and Vienna Blue rabbits — first cultivated for meat in the early 20th century.

For Pallana, raising food offers a connection to her Mexican roots. She chooses seeds and breeds that are fading from use to enhance the gene pool. Raising her meat, she said, gives her some independence from "corporate food systems."

"More and more people are rethinking what our local economy is going to look like," said Pallana, a trim 36-year-old with dark curls who helped form the East Bay Urban Agricultural Alliance and provides her household with about 20% of its food.

Still, the push for change in Oakland is controversial. Earlier this year, West Oakland resident Novella Carpenter, who gained national acclaim with her book "Farm City," gave away rabbit pot pies during a fundraiser. The move spurred a complaint, exposing a deep rift around backyard food animals.

Critics argue that animals raised for food spread disease and that eating meat leads to poor health — something city policy should not encourage.

Angstadt said he was determined to present a plan for Oakland that "deals with the entirety of the problem. Otherwise, vegetables will sail through and animals will get stuck forever." The rules will probably determine how many animals could be kept and whether or not slaughter for personal use only would be allowed. The sale of meat, milk and other processed foods is regulated by counties and state and federal agencies, not cities.

"San Francisco punted," Angstadt said, in keeping with good-natured cross-bay rivalry.

Whatever the outcome of Oakland's plan, it seems clear that the cultural shift toward home-raised food is here to stay.

In Berkeley, proposed urban farming rule changes would allow the city to meet a goal for the broader "social good" laid out in the city's 2009 Climate Action Plan — reducing the carbon footprint in getting food to the community.

Councilman Jesse Arreguin's plan, expected to come to a vote this fall, would allow for the home production and sale of all raw agricultural products — eggs and raw honey in addition to plants — with a simple permit at a reduced or waived cost. It also would require testing to ensure the soil is free of harmful chemicals.

"We want to make sure that the food that's being produced and ultimately will be sold to Berkeley residents," Arreguin said, "is of the best quality possible."

In San Francisco, Little City Gardens has offered both healthful food and a sense of community. One family bikes over to pick up their weekly produce, bringing the kids to show them where their chard is harvested. A fellow gardener, also a member, donated pepper seeds he cultivated to thrive in the biting city fog. They have sprouted to seedlings inside the greenhouse built by Galloway and Budner.

As for their neighbors, "I think it took a while for us to prove to them that we weren't wing nuts," said Budner, 30, wiping her brow as she clipped broccolini. "We've been here every day. There's a certain point where you have to get behind that."

Bay Area's foodshed stretches from backyard to farmland

Joe Eaton, Ron Sullivan

Sunday, November 13, 2011



The 18-acre AgPark includes farming operations and education programs at the Sunol Water Temple, owned by the San Francisco Public Utilities Commission.

Photo: Stephen Joseph, [stephenjosephpho](#)

We all know we live in a watershed, the one that begins in the Sierra and ends in San Francisco Bay. Some, with hillside homes and/or tall trees, may be all too familiar with the word "viewshed."

"Foodshed" is a less familiar concept. The term was coined in 1929 in Walter Hedden's book "How Great Cities Are Fed" to refer to the physical area defined by a structure of food supply - where it's produced, how it's transported, where it's consumed.

The tomato patch in your garden is an intimate part of your personal foodshed. So is the Chilean orchard that produced the avocados you bought at Costco.

This week at the David Brower Center in Berkeley, Bay Area food producers and activists will discuss how our local foodshed works.

The event, "Urban Gardens to Open Range," is co-sponsored by Sustainable Agriculture Education (SAGE), Bay Nature magazine, and the Bay Area Open Space Council. SAGE President and Director Sibella Kraus will be a panelist, along with Sue Conley of Cowgirl Creamery in Point Reyes and Jered Lawson of Pie Ranch on the San Mateo County coast. Concurrently, Bay Nature is featuring the region's food landscape in its fall issue, with a special Food Landscapes map of croplands, rangelands and farmers' markets ([calagalmanac.com](#)).

Kraus has a rich background in food and agriculture. She cooked at Chez Panisse, covered the food scene for The Chronicle and NBC-TV and founded the Center for Urban Education About Sustainable Agriculture, which gave rise to the San Francisco Ferry Plaza Farmers Market.

SAGE, her newest venture, aims to connect urban and rural interests by educating city folks about farming and by encouraging agriculture at the urban edge.

San Francisco's foodshed isn't just the hinterlands, Kraus told us: "Gardens in the city clearly supply food, even if not at the scale and intensity of large farms.

"They're also a way of deepening the understanding of what it takes to grow food. It gives city dwellers a sense of what can go well or not, how nature can interfere, how slugs can devastate seedlings - the exigencies that go along with growing food, especially for a living."

Not to forget the pleasures: "If you've enjoyed a warm tomato fresh off the vine, there's a real appreciation for freshness, flavor and quality," she said. That's a lesson from Chez Panisse, with its deceptively simple recipes: "If your recipe only takes tomatoes, basil and olive oil, they'd better be good."

Kraus sees "all sorts of drivers for the local urban food movement." Both San Francisco and Oakland have inventoried public land that might be used for food production. San Francisco Planning and Urban Research Association (SPUR) is working on a city food system directory.

"It's more complex than just growing food in the city. In West Oakland, the flourishing community gardens are part of revitalization. Gardens are an efficient place to grow community while growing food. There's a mix of goals, including food security, job training, commercial opportunities, public health and a cleaner environment."

Between city and countryside, there's also potential in the "peri-urban area." Richmond has ample space, and greenhouses that could be put back into use.

SAGE created the Sunol Water Temple AgPark on land leased from the San Francisco Public Utilities Commission. Its current four farming operations include Mien farmers from Laos and Fred Hempel, who raises heirloom tomatoes, peppers and squashes.

"The AgPark is one way to help beginning farmers who have limited resources to acquire land," she explained. Similar projects are under way on public land in the South Bay. Public access is part of this: "Visitors can see a living agricultural tradition. It won't be a farming museum where people dress up in period costumes."

There's a cultural dimension. "When the Mien first started at Sunol, one of them said to me: 'We grow these seeds to keep our culture alive,' " Kraus recalled.

An Ethiopian hobby gardener is sharing his heritage berbere peppers with Hempel. The Bay Nature map and SAGE's online California Agricultural Almanac, Kraus hopes, will show

consumers the story behind our food: "What kinds of places are Lodi and Watsonville? What's their history?" It's a step beyond terroir.

Resources

Sustainable Agriculture Education (SAGE) and California Agricultural Almanac:
www.sagecenter.org.

"Urban Gardens to Open Range: The Present and Future of Bay Area Food Landscapes,"
7:30 p.m. Wednesday, David Brower Center, 2150 Allston Way, Berkeley. \$10. (510) 528-8550,
Ext. 205. baynature.org/bnevents.

"Field Guide to California Agriculture" by Paul F. Starrs and Peter Goin. University of
California Press, 2011. \$24.95.



Muang Saechao picks strawberries at Iu-Mien Village
Farms in Sunol AgPark.

Photo: Stephen Joseph, stephenjosephpho



A look at the diverse foodshed of the Bay Area.

Photo: Cartography by Louis Jaffé/Green / Ben Pease/PeasePress.com

Super Weeds Pose Growing Threat to U.S. Crops

by Carey Gillam, September 20, 2011

PAOLA, Kansas - Farmer Mark Nelson bends down and yanks a four-foot-tall weed from his northeast Kansas soybean field. The "waterhemp" towers above his beans, sucking up the soil moisture and nutrients his beans need to grow well and reducing the ultimate yield. As he crumples the flowering end of the weed in his hand, Nelson grimaces.



"We are at a disturbing juncture," said Margaret Mellon, director of the food and environment program at the Union of Concerned Scientists. "The use of toxic chemicals in agriculture is skyrocketing. This is not the path to sustainability."

"When we harvest this field, these waterhemp seeds will spread all over kingdom come," he said.

Nelson's struggle to control crop-choking weeds is being repeated all over America's farmland. An estimated 11 million acres are infested with "super weeds," some of which grow several inches in a day and defy even multiple dousings of the world's top-selling herbicide, Roundup, whose active ingredient is glyphosate.

The problem's gradual emergence has masked its growing menace. Now, however, it is becoming too big to ignore. The super weeds boost costs and cut crop yields for U.S. farmers starting their fall harvest this month. And their use of more herbicides to fight the weeds is sparking environmental concerns.

With food prices near record highs and a growing population straining global grain supplies, the world cannot afford diminished crop production, nor added environmental problems.

"I'm convinced that this is a big problem," said Dave Mortensen, professor of weed and applied plant ecology at Penn State University, who has been helping lobby members of Congress about the implications of weed resistance.

"Most of the public doesn't know because the industry is calling the shots on how this should be spun," Mortensen said.

Last month, representatives from the U.S. Environmental Protection Agency, the Department of Agriculture and the Weed Science Society of America toured the Midwest crop belt to see for themselves the impact of rising weed resistance.

"It is only going to get worse," said Lee Van Wychen, director of science policy at the Weed Science Society of America.

MONSANTO ON THE FRONT LINE

At the heart of the matter is Monsanto Co, the world's biggest seed company and the maker of Roundup. Monsanto has made billions of dollars and revolutionized row crop agriculture through sales of Roundup and "Roundup Ready" crops genetically modified to tolerate treatment with Roundup.

The Roundup Ready system has helped farmers grow more corn, soybeans, cotton and other crops while reducing detrimental soil tillage practices, killing weeds easily and cheaply.

But the system has also encouraged farmers to alter time-honored crop rotation practices and the mix of herbicides that previously had kept weeds in check.

And now, farmers are finding that rampant weed resistance is setting them back - making it harder to keep growing corn year in and year out, even when rotating it occasionally with soybeans. Farmers also have to change their mix and volume of chemicals, making farming more costly.

For Monsanto, it spells a threat to the company's market strength as rivals smell an opportunity and are racing to introduce alternatives for Roundup and Roundup Ready seeds.

"You've kind of been in a Roundup Ready era," said Tom Wilttrout, a global strategy leader at Dow AgroSciences, which is introducing an herbicide and seed system called Enlist as an alternative to Roundup.

"This just allows us to candidly get out from the Monsanto story," he said.

Gilford Securities analyst Paul Christopherson last month reiterated a "sell" recommendation on Monsanto's shares, citing Monsanto's "overdependence" on glyphosate and Roundup Ready crops, calling glyphosate resistance by weeds a "big and growing phenomenon."

Monsanto officials say they are asking farmers to use different types of herbicides to fight weeds, but insist that Roundup remains effective for the majority of U.S. farmers.

Still, company spokesman Tom Helscher said weed resistance was a "wake-up call for all U.S. farmers."

"We have a shared responsibility and we're committed to working with farmers to take the steps necessary to insure that glyphosate continues to be an effective weed control tool for many years to come," Helscher said in a statement.

POURING ON THE PESTICIDES

To fight superweeds, farmers are using stronger dousings of glyphosate as well as other harsh chemicals that have sparked concern among environmental and public health groups.

Nelson, for example, has been a fan of Roundup since Monsanto introduced Roundup Ready soybeans and corn in the 1990s. For years he needed no other herbicides for his 2,000 acres, marveling at how easily Roundup wiped out weeds. He often did not even use the full concentration recommended.

Now Nelson uses several pesticides and sprays his fields multiple times to try to control waterhemp, which can grow eight-feet tall and can be toxic to livestock.

He uses the maximum amount of Roundup along with other herbicides including one known as 2,4-D, which some scientific organizations have deemed a cancer risk.

"Just spraying Roundup was so easy," he said. "There is no ease anymore."

In Ohio, the nightmare weed for farmer John Davis is "maretail," an annual weed that grows well in key crop-growing areas of the U.S. Midwest and which is resistant to glyphosate and other herbicides.

"I see maretail in my sleep," said Davis, president of the Ohio Corn Growers organization. "I have spent a significant amount of dollars trying to control maretail until I realized I was not going to control maretail."

Davis calls the weed resistance problem a "major economic blow" to his farming operation.

Some farmers have resorted to hiring crews to weed fields by hand, and some are returning to tilling their fields, a practice that contributes to soil erosion.

"We are at a disturbing juncture," said Margaret Mellon, director of the food and environment program at the Union of Concerned Scientists. "The use of toxic chemicals in agriculture is skyrocketing. This is not the path to sustainability."

Penn State's Mortensen said farmer efforts to control resistant weeds are estimated to cost nearly \$1 billion a year and result in a 70 percent increase in pesticide use by 2015.

Since Monsanto introduced its glyphosate-resistant crops, 21 weed species have evolved to resist the herbicide, up from none in 1995. The list is growing by one to two species per year, Mortensen said.

Farmers and crop experts say that when superweeds take root in farm fields, yield reductions of 1-2 bushels an acre are common, even with extra pesticide doses.

With soybeans at more than \$14 a bushel, a 1,000-acre farm might lose more than \$20,000 to weeds on top of the costs of the added pesticides.

ENVIRONMENTAL PROBLEMS

Then there are the environmental woes. A U.S. government study released last month gave evidence that glyphosate is also polluting the air and waterways. The chemical was found in waterways through Mississippi and Iowa, according to the report issued in August by the U.S. Geological Survey Office, a part of the U.S. Department of the Interior.

The USGS said more than 88,000 tons of glyphosate was used in 2007, up from 11,000 tons in 1992.

"This is a big problem that actually does threaten the ability of nations to feed their people. it needs a fair amount of research and studies dedicated to it," said Iowa agronomist Bob Streit.

Streit is among a group of scientists who believe glyphosate is actually harming the plants it is supposed to protect by tying up nutrients in the soil the plants need. The group has lobbied regulators to rein in use of glyphosate.

The Environmental Protection Agency has started a review of the safety and efficacy of glyphosate and is considering the arguments of critics and the findings of the USGS study.

"EPA considers all relevant information in its review," said an EPA spokesperson. "We will be evaluating it as part of the glyphosate review."

EPA plans to propose a decision in 2014 and issue a final registration review decision for glyphosate in 2015.

For Monsanto, the weed resistance problem is more significant than the recent concerns raised about possible insect resistance developing to Monsanto's corn seed, said Gabelli & Co analyst Amon Wilkes.

Wilkes remains bullish on Monsanto's prospects. While he sees competition to Roundup as a "potential problem," he noted the company has been moving to introduce new products.

"You always have to be continually innovating. Monsanto is doing that."

Monsanto insists that the Roundup Ready crops and herbicide system "has long-term value" and that any rivals will also run the risk of triggering weed resistance.

"The benefits of glyphosate-tolerant crops have been real for farmers and the environment," said Monsanto's Helscher.

UC Davis launches agricultural sustainability degree

August 23, 2011

The University of California, Davis, this fall will launch an undergraduate major focused on agricultural sustainability.

The Bachelor of Science degree in Sustainable Agriculture and Food Systems uniquely integrates several subjects to provide students with a thorough understanding of the many issues facing modern farming and food systems, including production, processing, distribution, consumption and waste management.

“This is an exciting addition to the college that reflects a change in how we think about food and agriculture,” said Neal Van Alfen, dean of the College of Agricultural and Environmental Sciences. “Students will gain a broad perspective of what it takes to put dinner on the table in an era of greater demand and fewer resources.”

Students will focus on the social, economic and environmental aspects of agriculture and food — from farm to table and beyond. The program is designed to help students obtain a diversity of knowledge and skills, both in the classroom and through personal experiences on and off campus.

Nine faculty members from eight departments are affiliated with the new degree program.

“The skills and knowledge gained through this interdisciplinary curriculum will prepare students to become 21st-century leaders in agriculture and food systems,” said Professor Thomas Tomich, the major adviser for the program and director of the Agricultural Sustainability Institute at UC Davis.

The major is new, but UC Davis has been covering the subject in field- and classroom-based interdisciplinary learning opportunities at the Student Farm for more than 35 years, said Mark Van Horn, the Student Farm director who will teach a core course in the major.

“Learning through doing and reflection adds a valuable dimension to students’ education because it helps them see the connections between theory and practice in the real world,” Van Horn said.

Continuing students have already begun transferring into the Sustainable Agriculture and Food Systems major. Applications for freshmen and transfer students to enter the major will be available in November.



Fumigation nation: Battling pesticide use in California



by Twilight Greenaway

18 Oct 2011

To drive through California's farm fields with a group of anti-pesticide advocates is to see the endless rows of strawberries, lettuce, and Brussels sprouts transform from a bucolic to an ominous sight.

This happened to me on a recent tour of Santa Cruz and Monterey -- two coastal counties known for their cool-weather crops and a wide range of corresponding chemicals used to keep pests at bay. (In 2009 alone, conventional farmers in Monterey County used over 7 million pounds of pesticide, for example). Three advocacy groups -- [Californians for Pesticide Reform](#) (CPR), [Pesticide Action Network](#) (PANNA), and [Pesticide Watch](#) -- convened a group of local politicians to illustrate not only the dangers of pesticide use in the state, but also the viable alternatives. I was lucky enough to get to tag along.

The group toured two successful organic farms along the coast -- Jacobs Farm and Swanton Berry Farm -- where we heard from farmers who grow herbs, vegetables, and strawberries (the latter being at the heart of the debate, as California grows 80 percent of the nation's strawberries), and then from students, former farmworkers, and community members.

Two fumigants lie at the center of the pesticide discussion: As California moved to phase out methyl bromide because of its ozone-depleting qualities, they've moved toward what many see as a far worse alternative. The proposed replacement, methyl iodide, is a known-carcinogen that has been [opposed by two dozen California legislators and 54 scientists -- including five Nobel laureates](#).

Despite the fact that many advocates are still [urging Gov. Jerry Brown](#) to reverse its recent approval, methyl iodide has already been applied on several fields.

At the grassroots

In the cafeteria of a small high school in the Pajaro Valley, surrounded on all side by large-scale industrial farms -- ground zero for pesticide exposure -- the tour group heard from high school teacher Jenn Laskin.



Sal Lua, of the Brown Berets, a group of youth organizing to put an end to methyl iodide.

"My students and I were horrified by methyl iodide," she told us. "We are horrified that they're going to start to filter this pesticide into communities after methyl bromide is phased out." Rather than stand idly by, she started organizing along with a group of students made up partly of the children of farmworkers.

Laskin says she went to work fully aware of the legacy of earlier opposition to pesticides in this rural area. She spoke of "teachers who have lost their jobs or were forced into early retirement" for educating their students' parents about methyl bromide.

"The first thing we did was take it to the school board," she said. There they passed a resolution against the fumigant "until proven safe" (this last part was key to getting it passed, another thing she learned from watching the methyl bromide battle). The group set their sites on the City Council in Watsonville, but mere days after passing a resolution there, methyl iodide was approved on a state level. After working so hard, Laskin said, the students were crushed.

However, in the months since the teachers have continued the fight -- this time focusing their attention on a [divestment campaign](#) against [Arysta LifeScience](#), the company that makes methyl iodide. According to the *Monterey Weekly*:

California State Teachers' Retirement System (CalSTRS) has nearly \$1 billion invested in a private equity fund called Permira, which funds Arysta. In March, the smaller of California's two teachers' unions -- the 120,000-member California Federation of Teachers -- issued a resolution at its annual meeting calling for CalSTRS to divest from Permira unless Arysta stops manufacturing MIDAS.



Not all the students have given up. Laskin was joined by a young man named Sal Lua, a member of a group called the Brown Berets who spoke about his own commitment to battling methyl iodide (Lua and his fellow students are also unable to drink the tap water at home and at school because it's too contaminated with nitrates from fertilizer use, [like we wrote about recently here on Grist](#)). "I want to do what's healthy for my community -- and this process has helped me feel connected to something bigger," he told our group before we packed back into a bus to continue on to the next stop.

The problem is much larger than methyl iodide

CPR's Tracey Breiger, one of the tour's co-hosts, doesn't think banning methyl iodide alone is the answer. Rather, she says, an opportunity exists to re-think fumigants altogether. "We'd love to see the governor appoint a panel of experts to find out how to make that happen over the next couple of years," she says.

Fumigant pesticides -- which account for around 20 percent of the total pesticide used in the states -- are among the most hazardous in the country. And although they aren't always found as residue on produce in large quantities (because they're applied before planting to sterilize the soil), they can have devastating impacts on the workers who administer them and on water tables both nearby and in "fenceline" communities.

For farmers, fumigation is a particularly vicious cycle: Years of use can lead to soil that is especially vulnerable to harsh pests -- meaning fumigation is often seen as the only answer.

The alternatives

But farming without fumigants isn't an impossibility. That's where Carol Shennan, director of UCSC's [Center for Agroecology and Sustainable Food Systems](#), comes in. Shennan has been working with a team of farmers and scientists on an alternative to fumigants for over five years.

She says she started experimenting after one of the strawberry beds at their teaching farm came down with a bad case of fungal disease called [Verticillium wilt](#). The technique she used to get rid of it -- called anaerobic soil deinfestation (ASD) -- has been used in Japan and Europe and is fairly easy to employ.

"You basically supply the microbes in your soil with a lot of carbohydrates -- some readily available source of carbon," she told the group. "We've tried things like rice bran, onion skins, crop residue -- in Florida they're using molasses. You incorporate this into the soil, cover the beds, and irrigate the beds until they're saturated."

After three weeks, [microbes in the soil have effectively smothered the disease-causing fungus](#) [PDF]. The results are promising: The beds test negative for the disease between 80-100 percent of the time. "We've done this now successfully on six different farms," says Shennan. "So it's an alternative that we're really excited about."

According to Shennan, the cost depends greatly on the carbon source, but it can be as little as 60 percent of the cost of fumigation.

Why hasn't the industry embraced ASD? Good question. As is often the case with farming solutions that don't involve chemicals, the answer may be as simple as a matter of habit.

Shennan says she presented her research last year at an international meeting designed to showcase alternatives to methyl bromide; her description of the event is especially telling. "I was one of two papers in four whole days of presentation that talked about something other than fumigants," she says.

Advocates also point to [treating the soil with high powered steam](#) as another alternative; it's still around as expensive as fumigation, but -- since it's made with nothing but water and heat -- it's also a promising clean alternative.



Jim Cochran, farmer at Swanton Berry Farm.

Less pesticide = fuel efficient cars

Sadly, the funding for large-scale trials of these alternatives has yet to materialize (the UCSC program has a one-acre trial plot for anaerobic soil deinfestation, but that's as big as they've been able to scale up so far).

"The researchers want it, even conventional growers who have no interest in ever converting to organic [want it] -- they don't want to keep using fumigants if they can get around it. It's very expensive and it's only getting more so," said Breiger.

Jim Cochran, farmer and founder of [Swanton Berry Farm](#) -- the first organic strawberry farm in the nation -- has been growing strawberries without methyl iodide for years. Doing so on a large scale, he says, "would take adjustments, but hey, that's life." Cochran relies on more labor, organic pesticides, and he rotates crops with broccoli and cauliflower every few years, which keeps the soil resistant to some pests.

As Cochran sees it, he is responding to demand. "Agriculture in California is much like Detroit in the 1970s. 'People said, we want smaller, more fuel-efficient cars and they said, 'We know what we're doing, just quiet down and buy your Ford.' And we know what happened there. Agriculture has a choice: to go nimbly into the future (more like they do in Silicon Valley, where they adapt to consumer demand) or to dig its heels in and say, 'we know what we're doing, we'll just grow the stuff and you eat it.'"

SAREP Launches Farmworker Study

Study is to identify farmworker California farmworkers' living and working condition challenges.

Compiled by staff

Nov 3, 2011

The UC Sustainable Agriculture Research and Education Program is launching a project to address California farmworkers' living and working conditions. Through one-on-one interviews with members of local organizations that serve farmworkers, the researchers intend to learn how the university can best help with research, education and outreach.

"A sustainable food system is healthy and safe for everyone, including all those who work the land," says Tom Tomich, director of SAREP. "As SAREP continues to support sustainable agriculture research, we look forward to identifying research opportunities that will improve farmworker conditions."



Tom Tomich, director of the UC Sustainable Agriculture Research and Education Program that is initiating a project to address California farmworkers' living and working conditions.

California farmworkers face many challenges at work and in their communities. Nearly a quarter of California farmworker families live in poverty, according to the U.S. Department of Labor. While farmworkers play a crucial role in feeding Californians, food insecurity is among the many challenges they face daily. Farm work is one of the most hazardous occupations in the state, but nearly 70% of California farmworkers have no health insurance, according to a California Institute for Rural Studies report.

SAREP aims to help researchers add context to these numbers by interviewing members of organizations that work with farmworkers and other stakeholders. Participants will be asked to suggest the types of research, education and communication projects they would find most helpful as they work to improve farm laborers' working and living conditions. The research agenda is scheduled to be completed by September 2012.

"Projects such as this – creating a research agenda with the participation of people who will ultimately use the information for their work – is inspired by the University of California's land grant mission to serve society," says Gail Feenstra, SAREP food systems coordinator. "SAREP was founded to help ensure all California agricultural interests, particularly the underserved voices, are supported through scientific research, education and outreach."

Research regarding California farmworker issues has been conducted, but there is more to do. SAREP aims to assist both researchers and farmworkers by identifying research that workers and community organizations would find most useful.

In addition to identifying research topics, key stakeholders and potential partners and funders, SAREP is forming an advisory committee to guide its farmworker research and outreach efforts.

SAREP provides leadership and support for scientific research and education in agricultural and food systems that are economically viable, conserve natural resources and biodiversity, and enhance the quality of life in the state's communities.

Farmers add plants to attract, nourish bees

By GOSIA WOZNIACKA, Associated Press

Friday, October 21, 2011



In this photo taken Wednesday, Oct. 19, 2011, farmer Nikiko Masumoto, right, Mace Vaughan, center, of the Xerces Society for Invertebrate Conservation, and local naturalist Steve Haze plant native California shrubs that are attractive to bees at the Masumoto farm in Del Rey, Calif. As the number of honeybees and native bees continues to decline, farmers are starting to look for ways to help bees thrive.

Photo: GosiaWozniacka / AP

Dozens of farmers in California and other states have started replacing some of their crops with flowers and shrubs that are enticing to bees, hoping to lower their pollination costs and restore a bee population devastated in the past few years.

On an October morning, peach farmer Mas Masumoto planted more than 3 acres of wild rose, aster, sage, manzanita and other shrubs and trees in a former grape field near Fresno, Calif.

To the north near Modesto, Calif., David Moreland was preparing to plant wildflower seeds and flowering shrubs in a ravine along his 400-acre almond orchard.

Their goal is to attract and sustain native bees and strengthen dwindling honeybee populations, joining in an effort organized by the Xerces Society, a Portland, Ore.-based nonprofit group.

"For bees to thrive, they need a diverse diet, so we're trying to bring more pollen diversity to farms, more plants to be part of the bees' buffet," said Mace Vaughan, the group's pollinator program director. "This isn't a panacea to pollination woes. This is part of the solution overall."

The effort comes as honeybees — maintained by beekeepers — and native, or wild, bees are perishing in great numbers. Bees are essential pollinators of about one-third of the United States' food supply, and they're especially important in California, the nation's top producer of fruits and vegetables.

The die-off is blamed on colony collapse disorder, in which all the adult honey bees in a colony suddenly die. The disorder has destroyed honeybee colonies at a rate of about 30 percent per year since it was recognized in 2006, according to the U.S. Department of Agriculture. Before that, about 15 percent of colonies died per year from a variety of pests and diseases.

Researchers aren't sure what causes the disorder, but they suspect a combination of stressors, including pesticides, mites and parasites, and lack of proper nutrition.

The problem is especially dire in California, where large farms often grow single crops that rely on pollination but don't offer bees a varied diet.

Almond orchards, which have grown dramatically in recent years, have some of the worst problems. Two-thirds of the nation's honeybees are now trucked to the state during winter for almond bloom, but the arriving bees don't have enough forage.

Beekeepers feed bees with supplements, including corn syrup, weakening bees and increasing costs. Prices for renting bee colonies have more than tripled over the last decade, from \$43 per colony in 2000 to \$150 per colony in 2010. Almond orchards require about 2 colonies per acre.

Getting farmers to plant bee habitat is key, Vaughan said, because bees with nutritionally sound diets are better able to fend off diseases and other problems.

Bee habitat can also reduce a farmer's costs and alleviate the stress on honeybees. Through research on California's watermelons, University of California, Berkeley, professor Claire Kremen found that if a farmer sets aside between 20 percent and 30 percent of a field for bee habitat, the farm can get all or most of its pollination from native bees.

That's unrealistic for most farms, but Kremen said adding hedgerows and other plantings can help sustain a beneficial combination of native and commercial bees. Research has found that native bees make commercial honeybees more efficient pollinators by getting in their way and making them take a more circuitous route from plant to plant.

"What it means is you don't have to have a huge number of native bees, but if you have some then the combination of honeybees and native bees has a huge effect," Kremen said.

Other researchers have found that setting aside bee habitat leads to better crop production on the remaining land, compensating the farmer.

The California State Beekeepers Association is also helping farmers to improve habitat. Run by Project Apis m. — which funds and directs research to improve the health of honeybees — the program has enlisted growers to dedicate acreage to bees and is identifying which seed mixtures make for best bee forage on farms and in orchards.

"We want to make sure bees don't starve to death before and after almond pollination," said Christi Heintz, executive director of Project Apis m.

The goal, Heintz said, is to make it economically viable for farmers to plant bee habitat. One option, Heintz said, is to plant a bee-friendly crop that can be used as biofuel, such as canola and camelina. Another is partnering with the cosmetics industry, growing oil seed plants such as cuphea and echium that are used in creams.

Another California-based nonprofit, Partners for Sustainable Pollination, awards a bee-friendly farming label to farmers who set aside at least 6 percent of their land for bee forage, minimize pesticide use and have nesting areas and a water source. So far, 120 farms in 29 states have received the label.

But for many farmers, such as almond growers, increasing bee habitat remains difficult.

Farmers keep orchard floors clean because they harvest almonds off the ground and because bare ground warms faster and is less prone to frost. Pesticide sprayed on trees also is harmful to bees, and mature orchards can be too shady for flowers and shrubs. And plants can be expensive, requiring irrigation for the first few years.

To get around the problem, Moreland has opted to grow flowering shrubs in a nearby ravine and has planted wildflower seeds in a young orchard that won't go into production for several years and isn't treated with pesticides. Giving bees access to more food makes a big difference, he said.

"The bees can continue to forage and get stronger, so it's one less stress on them, one less having to feed them artificial food, one more chance for the bees to survive," Moreland said.

Although bees aren't needed to pollinate Masumoto's peach orchard, studies have shown bees move pollen quickly and help produce better fruit.

But the biggest benefit, he said, is not about money.

"A real farm is not just a factory in the field, but a way to work with nature," Masumoto said. "The more nature plays a role, the more opportunities will arise to make things better."



In this photo taken Wednesday, Oct. 19, 2011, farmer Nikiko Masumoto, left, carries a box of planting soil as volunteer Feliz Muzquiz helps plant native shrubs that are attractive to bees at the Masumoto farm in Del Rey, Calif. As the number of honeybees and native bees continues to decline, farmers are starting to look for ways to help bees thrive.

Photo: GosiaWozniacka / AP

PortlandTribune

Conservation groups forge strategy for protecting bees, butterflies

Groups will network in Portland to plot future campaign

By Steve Law

The Portland Tribune, Nov 7, 2011

Conservationists will begin forging a regional strategy to improve protections for bees and other species vital to plant pollination, starting with a gathering of regulators, land managers and advocacy groups in Portland on Thursday, Nov. 10.

Though pollinators are vital for the production of blueberries, cherries, apples and other crops, their numbers have been declining due to habitat loss, pesticides, and, for honey bees, Colony Collapse Disorder.

The meeting, facilitated by the Portland-based Xerces Society for Invertebrate Conservation, will discuss local opportunities to enhance habitat for pollinators, such as wildflower plantings along local transit corridors, education initiatives to increase awareness of pollinators, and strategies for addressing pesticides and other threats to bee and butterfly populations.

“We hope to identify knowledge gaps and better understand the most significant conservation concerns facing pollinators, and to explore opportunities for collaboration on conservation initiatives and public education,” said Eric Mader, assistant pollinator conservation program director at the Xerces Society.

Participants include representatives from the U.S. Fish and Wildlife Service, the U.S.D.A. Natural Resources Conservation Service, Metro, OSU Master Gardener program, Portland Parks and the Portland Bureau of Environmental Services, local Soil and Water Conservation Districts, OMSI, Columbia Land Trust, and private environmental consultants.

The gathering will be hosted by the West Multnomah Soil & Water Conservation District. “This issue bridges the needs of farmers and backyard gardeners with wildlife habitat, pest management and pesticide use, and even clean water,” said Mary Logalbo, urban conservationist for the soil and water district.

Monarch butterflies return in surprising numbers

Mary Flaherty, Special to The Chronicle

Tuesday, November 22, 2011

Monarch butterfly naturalist Adrienne De Ponte had a surprise waiting for her this fall when she arrived in the San Leandro grove where she's been leading tours for 11 years.

After witnessing fewer and fewer butterflies appearing each autumn to overwinter in the grove, this year she found 5,000 of the orange-and-black butterflies clustered in the eucalyptus trees - up from 3,000 at their peak last year.

"It was the largest population of monarchs I've ever seen so early in the season," said De Ponte. By Nov. 14 the number had grown to at least 8,000, she said. "This is such an exciting year."

Same story at Point Pinole, where no clusters had been seen for about five years, said Park Supervisor John Hitchens.

"We had almost kind of given up," Hitchens said. Around Nov. 1, a cluster appeared and is now several hundred strong, he estimated.

It's happening all over California.

"We are getting reports of higher monarch numbers from almost everyone," said Scott Black, executive director of the Xerces Society, which monitors 80 to 90 monarch winter sites in California. But this is coming after a 90 percent drop in the Western monarch population between 1997 and 2010, he said.

Although the annual Western monarch count doesn't take place until Thanksgiving weekend, the preliminary numbers are causing, well, quite a flutter. In many locations, counters are reporting two to four times more monarchs than last year. At Albany Hill, where no one has seen more than 100 in five years, there were 1,400 Nov. 12 - and numbers everywhere aren't due to peak until early December.

Monarch butterflies are one of only two insects in the world that make a true, annual migration. The population east of the Rockies migrates by the millions to Mexico. (The Eastern population, which has also decreased, is not seeing an increase so far this year.)

The smaller Western population funnels from west of the Rockies and as far north as Canada to the California coast. The monarchs cluster in trees that provide shelter from winter storms. On sunny days they flit from their roosts with a shower of orange wings.

The monarchs start arriving in October. Those that survive winter weather scatter around late January to repopulate inland regions. Three to four generations of egg laying, caterpillar hatching and metamorphosis occur during the year, with each generation spreading farther from the coast before returning the next winter.

Fluctuations in insect populations are normal, but the enormous decrease in monarchs indicated problems somewhere in the life cycle. Theories include loss of milkweed - the only plant on which monarchs lay their eggs - development, agriculture and drought. Other reasons could be loss and deterioration of winter sites, and use of pesticides, both on farms and in gardens.

It's hard to know what changed this year, say experts. One hypothesis, Black and others say, is more rain last year. More rain means more and healthier milkweed, and therefore, more habitat.

Temperature, combined with the rain, may also be a factor, says Laurie Davies Adams, executive director of the Pollinator Partnership, in San Francisco. This summer's lower temperatures were closer to those of decades past, when monarch populations were higher, she said.

"But all these things are as speculative as the stock market," she added.

Another factor could be an increase in milkweed planting. The Xerces Society facilitated planting 11,000 acres of pollinator plants - including milkweed - in California over the past decade, Black said.

"I don't think there's evidence that we can take credit" for the monarch increase, Black said. "But we hope that's been part of it."

Also, home gardeners seem more interested in cultivating what was once seen as an eyesore, said Bobby Gendron, who has operated Butterfly Encounters, an online seed business, for 15 years.

"Last year was our best year as far as milkweed seed sales - and this year we're on track to do about the same in sales," Gendron said.

Black agrees that gardeners seem more open to milkweed, and adds, "The neat thing about protecting monarchs is anybody can do it. You can provide flowering plants, as well as pollinators, and avoid pesticides. You can do something to help."

Attracting monarchs

Experts recommend planting native varieties of milkweed. For more on that issue see www.xerces.org. To find milkweed vendors, see www.plantnative.org/nd_ca.htm. An app for finding pollinator plants in your area, BeeSmart, is available at www.pollinator.org.

Where to see the butterflies

If you go, be sure to bring along binoculars. Monarchs cluster 20 feet or more off the ground.

Monarch Bay Golf Club, San Leandro: Naturalist-led walks at 1 p.m. Sat. (\$12 adults; \$5 children) and Dec. 18 (\$12 adults only). 13800 Monarch Bay Drive. Register at www.sanleandroec.org. (510) 577-3462; for group tours, e-mail sanleandrobutterflies@earthlink.net.

Ardenwood Historic Farm, Fremont: Naturalist-led walks starting at 1:30 p.m. weekends beginning Dec. 10. Entry fee: \$2 adults; \$1 children. 34600 Ardenwood Blvd., Fremont. (510) 544-2797. www.ebparks.org/parks/ardenwood.

Point Pinole, Richmond: No tours, but the butterfly location is marked. 5551 Giant Highway, Richmond. For directions see www.ebparks.org/parks/ptpinole. (510) 237-6896.

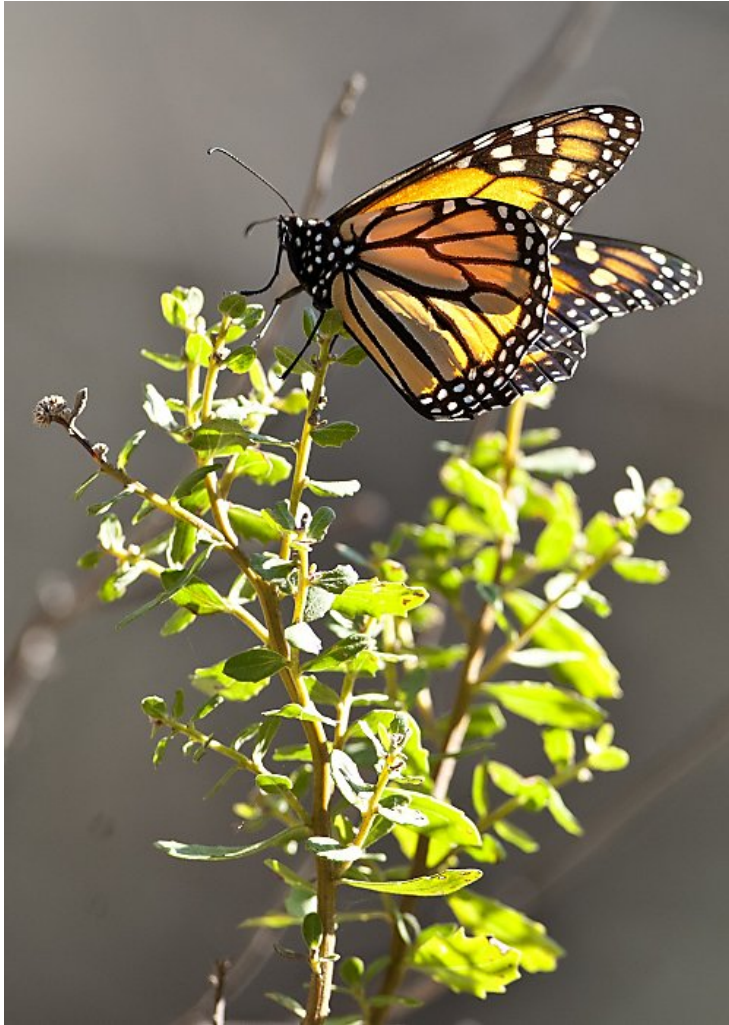
Natural Bridges State Beach, Santa Cruz. Public walks weekends. \$10 vehicle fee. 2531 West Cliff Drive. (831) 423-4609. www.thatsmypark.org/cp-parks-beaches/natural-bridges-state-park.

For more sites, see www.xerces.org/where-to-see-monarchs-in-california.



Monarch butterflies appear to be arriving in larger-than-expected numbers this year.

Photo: Doug Donaldson



Monarch butterflies had been declining.
Photo: Doug Donaldson

Gar Alperovitz

This article appeared in the June 13, 2011 edition of The Nation.

The New-Economy Movement

The idea that we need a “new economy”—that the entire economic system must be radically restructured if critical social and environmental goals are to be met—runs directly counter to the American creed that capitalism as we know it is the best, and only possible, option. Over the past few decades, however, a deepening sense of the profound ecological challenges facing the planet and growing despair at the inability of traditional politics to address economic failings have fueled an extraordinary amount of experimentation by activists, economists and socially minded business leaders. Most of the projects, ideas and research efforts have gained traction slowly and with little notice. But in the wake of the financial crisis, they have proliferated and earned a surprising amount of support—and not only among the usual suspects on the left. As the threat of a global climate crisis grows increasingly dire and the nation sinks deeper into an economic slump for which conventional wisdom offers no adequate remedies, more and more Americans are coming to realize that it is time to begin defining, demanding and organizing to build a new-economy movement.

That the term “new economy” has begun to explode into public use in diverse areas may be an indication that the movement has reached a critical stage of development—and a sign that the domination of traditional thinking may be starting to weaken. Although precisely what “changing the system” means is a matter of considerable debate, certain key points are clear: the movement seeks an economy that is increasingly green and socially responsible, and one that is based on rethinking the nature of ownership and the growth paradigm that guides conventional policies.

This, in turn, leads to an emphasis on institutions whose priorities are broader than those that typically flow from the corporate emphasis on the bottom line. At the cutting edge of experimentation are the growing number of egalitarian, and often green, worker-owned cooperatives. Hundreds of “social enterprises” that use profits for environmental, social or community-serving goals are also expanding rapidly. In many communities urban agricultural efforts have made common cause with groups concerned about healthy nonprocessed food. And all this is to say nothing of 1.6 million nonprofit corporations that often cross over into economic activity.

For-profits have developed alternatives as well. There are, for example, more than 11,000 companies owned entirely or in significant part by some 13.6 million employees. Most have

adopted Employee Stock Ownership Plans; these so-called ESOPs democratize ownership, though only some of them involve participatory management. W.L. Gore, maker of Gore-Tex and many other products, is a leading example: the company has some 9,000 employee-owners at forty-five locations worldwide and generates annual sales of \$2.5 billion. Litecontrol, which manufactures high-efficiency, high-performance architectural lighting fixtures, operates as a less typical ESOP; the Massachusetts-based company is entirely owned by roughly 200 employees and fully unionized with the International Brotherhood of Electrical Workers.

A different large-scale corporation, Seventh Generation—the nation’s leader in “green” detergents, dishwashing soap, baby wipes, tissues, paper towels and other household products—has internal policies requiring that no one be paid more than fourteen times the lowest base pay or five times higher than the average employee.

In certain states, companies that want to brandish their new-economy values can now also register as B Corporations. B Corp registration (the “B” stands for “benefit”) allows a company to subordinate profits to social and environmental goals. Without this legal authorization, a CEO could in theory be sued by stockholders if profit-making is not his sole objective. Such status ensures that specific goals are met by different companies (manufacturers have different requirements from retail stores). It also helps with social marketing and branding. Thus, King Arthur Flour, a highly successful Vermont-based, 100 percent employee-owned ESOP, can be explicit, stating that “making money in itself is not our highest priority.” Four states—Maryland, Vermont, New Jersey and Virginia—have passed legislation that permits B Corp chartering, with many others likely to follow.

Cooperatives may not be a new idea—with at least 130 million members (more than one in three Americans), co-ops have broad political and cultural support—but they are becoming increasingly important in new-economy efforts. A widely discussed strategy in Cleveland suggests a possible next stage of development: the Evergreen Cooperatives are linked through a nonprofit corporation, a revolving loan fund and the common goal of rebuilding the economically devastated Greater University Circle neighborhoods. A thoroughly green industrial-scale laundry, a solar installation company and a soon-to-be-opened large-scale commercial greenhouse (capable of producing about 5 million heads of lettuce a year) make up the first of a group of linked co-ops projected to expand in years to come. The effort is unique in that Evergreen is building on the purchasing power of the area’s large hospital, university and other anchor institutions, which buy some \$3 billion of goods and services a year—virtually none of which, until recently, had come from local business. Senator Sherrod Brown is expected to introduce national legislation aimed at developing Evergreen-style models in other cities. (Full disclosure: the Democracy Collaborative of the University of Maryland, which I co-founded, has played an important role in Evergreen’s development.)

* * *

Along with the rapid expansion of small and medium-size businesses committed to building the new economy has come a sense of community and shared mission. Staff, managers and owners at many of these companies are finding more opportunities to share ideas and pool resources with like-minded professionals. The American Sustainable Business Council, a growing alliance

of 150,000 business professionals and thirty business organizations, has emerged as a leading venue for such activity. Most members are “triple bottom line” companies and social enterprises committed to the environment and social outcomes as well as profits.

In many ways the council operates like any advocacy group attempting to lobby, educate and promote legislation and strategies. Thirty-five leaders recently met with Labor Secretary Hilda Solis, for instance, to make clear that the US Chamber of Commerce does not speak for all American business, to seek her help with specific projects and issues, and to fill her in on a range of environmentally and socially concerned economic efforts that definitely do not do business as usual. The names of some of the council’s constituent organizations offer a sense of what this means: Green America, Business for Shared Prosperity, Social Enterprise Alliance, Count Me In for Women’s Economic Independence, California Association for Microenterprise Opportunity. Although ecological concerns are at the top, the council’s agenda is highly supportive of other progressive social and economic goals. A recent blog by Jeffrey Hollender, chair of the council’s advisory board (and former CEO of Seventh Generation), attacked the US Chamber of Commerce for “fighting democracy and destroying America’s economic future.”

The Business Alliance for Local Living Economies (BALLE), made up of more than 22,000 small businesses, is another rapidly growing organization that works to strengthen new-economy networks. BALLE brings together locally owned efforts dedicated to building ecologically sustainable “living economies,” with the ambitious long-term goal of developing a global system of interconnected local communities that function in harmony with their ecosystems. The group’s Mid-Atlantic Regional Hub, the Sustainable Business Network of Greater Philadelphia, recognizes area businesses that “demonstrate a strong social and environmental impact while also making a profit.” A recent example is GreenLine Paper, a company that produces green products and works to preserve forests and prevent climate change. By participating in the network, GreenLine Paper gains brand recognition and promotion, as well as marketing, policy support, technical assistance and access to a like-minded coalition of businesses.

Sarah Stranahan, a longtime board member at the Needmor Fund, recalls having a sense in late 2009 that large numbers of Americans were beginning to understand that something is profoundly wrong with the economy. Bearing this in mind, with a small group of other activists she brought leaders of diverse organizations together in early September of that year to explore ways to build a larger movement. The New Economy Network (NEN), a loosely organized umbrella effort comprising roughly 200 to 250 new-economy leaders and organizations, was the low-budget product of their meeting. NEN acts primarily as a clearinghouse for information and research produced by member organizations. “However, our most important role,” says Stranahan, who serves as the network coordinator, “has been to help create a larger sense of shared common direction in a time of crisis—a sense that the new-economy movement is much greater than the sum of its diverse parts.”

* * *

Several initiatives have begun to deal systematically with fundamental problems of vision, theory and longer-term strategy. The New Economics Institute (NEI), which is in formation, is a joint venture that brings together the former E.F. Schumacher Society and the New Economics

Foundation, in Britain. Among the environmentalists and economists involved are Gus Speth, David Orr, Richard Norgaard, Bill McKibben, Neva Goodwin, John Fullerton and Peter Victor.

“For the most part, advocates for change have worked within the current system of political economy,” says Speth, a former adviser to Presidents Carter and Clinton, onetime administrator of the United Nations Development Programme and the recently retired dean of the Yale School of Forestry and Environmental Studies, who has emerged as one of the new-economy movement’s leading figures. “But in the end,” Speth declares, “this approach will not succeed when what is needed is transformative change in the system itself.”

NEI is teaming up with other organizations, like the progressive think tank Demos, on several projects. One shared effort is attempting to develop detailed indicators of sustainable economic activity. As many scholars have demonstrated, the gross national product indicator is profoundly misleading: for instance, both work that generates pollution and work that cleans it up are registered as positive in the GNP, although the net real-world economic gain is zero, and there is a huge waste of labor on both sides of the effort. Precisely how to develop a “dashboard” of indicators that measure genuine economic gain, environmental destruction, even human happiness is one of NEI’s high priorities. Another is a detailed econometric model of how a very large economic system can move away from growth as its central objective. Related to both are earlier and ongoing Great Transition studies by the Tellus Institute, a think tank concerned with sustainability.

* * *

A less academic effort concerned with vision and long-term institutional and policy reform is the New Economy Working Group, a joint venture of the Institute for Policy Studies (IPS) and *YES! Magazine*. Among other things, the working group (which includes people, like Speth, who are concurrently involved in other initiatives) is attempting to create detailed designs for state and local banks in support of new-economy institutional development. (The longstanding Bank of North Dakota is one important precedent.) The larger goal of the Working Group is to advance a coherent vision of an economy organized around sustainable local community economies. John Cavanagh, on leave as director of IPS, and his wife, Robin Broad, a professor of international development at American University, emphasize the importance to developing nations of communities that provide economic, social and environmental “rootedness” in an “age of vulnerability.” David Korten, board chair of *YES! Magazine* and author of *Agenda for a New Economy*, stresses a radically decentralized domestic market-based vision of “self-organizing” communities that rely almost entirely on local resources. He envisions a trajectory of cultural change that could not only reduce conventionally defined economic growth but even reverse it—in part to make up for past ecological and resource destruction, and also to deal with global warming.

It is possible, even likely, that the explosion and ongoing development of institutional forms, along with new and more aggressive advocacy, will continue to gather substantial momentum as economic and ecological conditions worsen. It is by no means obvious, however, how even a very expansive vision of such trends would lead to “systemic” or “transformative” change. Moreover, different new-economy advocates are clearly divided on matters of vision and

strategy. Speth, for instance, sees far-reaching change as essential if the massive threat posed by climate change is ever to be dealt with; he views the various experiments as one vector of development that may help lay groundwork for more profound systemic change that challenges fundamental corporate priorities. Others, like David Levine, executive director of the American Sustainable Business Council, emphasize more immediate reforms and stress the need for a progressive business voice in near-term policy battles. What to do about the power of large private or public corporations in the long term is an unresolved question facing all parties.

* * *

Obviously, any movement that urges changing the system faces major challenges. Apart from the central issue of how political power might be built over time, three in particular are clearly daunting: first, many new-economy advocates concerned about global warming and resource limits hold that conventionally defined economic growth must be slowed or even reversed. In theory an economic model that redistributes employment, consumption and investment in a zero- or reduced-growth system is feasible, but it is a very hard sell in times of unemployment, and it is a direct challenge to the central operating principle of the economic system. It is also a challenge to the priorities of most elements of the progressive coalition that has long based its economic hopes on Keynesian strategies aimed at increasing growth.

A related problem concerns the labor movement. Many new-economy advocates hold progressive views on most issues of concern to labor. In a recent letter supporting progressives in Wisconsin, for instance, the American Sustainable Business Council wrote that “eliminating collective bargaining is misguided, unsustainable and the wrong approach to solving deeper, more systemic economic issues”—hardly the standard Chamber of Commerce point of view! Still, the ultimate goal of reducing growth is incompatible with the interests of most labor leaders.

Although there have been tentative off-the-record explorations of how to narrow differences among groups, no direction for agreement has emerged. That some cooperation is possible is clear, however, from common efforts in support of “green jobs,” such as the Apollo Alliance (which aims to create 5 million “high-quality, green-collar jobs” over the coming ten years) and the BlueGreen Alliance, a partnership of major labor and environmental groups dedicated to expanding the quality and availability of green jobs. IPS director Cavanagh is working with a small group of theorists and activists on a plan for green jobs that attempts to integrate new-economy concerns with those of labor and other progressive groups, and to link the expanding local efforts with traditional national strategies.

A further line of possible long-term convergence is new interest by the United Steelworkers in alternative forms of economic enterprise—and, importantly, larger-scale efforts. The Steelworkers signed an agreement with the Mondragon Corporation in 2009 to collaborate in establishing unionized cooperatives based on the Mondragon model in manufacturing here and in Canada. (Mondragon, based in the Basque region of Spain, has nearly 100,000 workers and is one of the largest and most successful cooperative enterprises in the world.)

A third and very different challenge is presented by traditional environmental organizations. Speth, a board member of the Natural Resources Defense Council, has found very little willingness among his fellow board members to discuss system-changing strategies, even if understood as long-term developmental efforts. The traditional organizations spend most of their time trying to put out fires in Washington, he notes, and have little capacity to stand back and consider deeper strategic issues—particularly if they involve movement building and challenges to the current orthodoxy.

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For all the difficulties and despite the challenges facing progressive politics, there are reasons to think that new-economy efforts have the capacity to gather momentum as time goes on. The first is obvious: as citizen uprisings from Tunisia to Madison, Wisconsin, remind us, judgments that serious change cannot take place often miss the quiet buildup of potentially explosive underlying forces of change. Nor were the eruptions of many other powerful movements—from late-nineteenth-century populism to civil rights to feminism and gay rights—predicted by those who viewed politics only through the narrow prism of the current moment.

Many years ago, I was legislative director to Senator Gaylord Nelson, known today as the founder of Earth Day. No one in the months and years leading up to Earth Day predicted the extraordinary wave of environmental activism that would follow—especially since environmental demands are largely focused on morally informed, society-wide concerns, unlike those of the labor, civil rights and feminist movements, all of which involve specific gains important to specific people.

In my judgment, new-economy efforts will ultimately pose much more radical systemic challenges than many have contemplated. Nonetheless, new-economy advocates are beginning to tap into sources of moral concern similar to those of the early environmental movement. As the economy continues to falter, the possibility that these advocates—along with many other Americans who share their broader concerns—will help define a viable path toward long-term systemic change is not to be easily dismissed. In fact, it would be in keeping with many earlier chapters of this nation's history.

GREAT TRANSITION INITIATIVE

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Beyond Growth: Creating a Unified Progressive Politics

by James Gustave Speth

The U.S. political economy is failing across a broad front – environmental, social, economical, and political. Deep, systemic change is needed to transition to a new economy, one where the acknowledged priority is to sustain human and natural communities. Policies are available to effect this transformation and to temper economic growth and consumerism while simultaneously improving social well-being and quality of life, but a new politics involving a coalescence of progressive communities is needed to realize these policies. Yet, on the key issue of economic growth, differing positions among American liberals and environmentalists loom, a major barrier to progressive fusion. This Perspective proposes a starting point for forging a common platform and agenda around which both liberals and environmentalists can rally.



An Overarching Challenge

While progressives in the U.S. and its congress generally support both liberalism and environmentalism, separate organizations advocate one of the two causes and typically go their own separate ways.[1] In order to make headway on issues basic to a Great Transition, however, there must be a fusion of progressive causes; we must forge a common agenda and build a unified force on the ground. Why is this critical?

Consider a world in which environmentalists continue to lose on big issues such as climate change. Many observers see current trends leading to catastrophe, with environmental crises as major ingredients in a devil's brew that includes such stresses as population pressure and energy supply problems; global income disparities and economic and political instabilities; terrorism, failed states, and nuclear proliferation. A world where environmentalists fail is one of food and water shortages; sea level rise; increasing heat waves, fires, floods, storms, droughts;

deforestation, desertification, and biotic impoverishment; pollution and toxification; energy shortages; plus unpleasant surprises. The poor and powerless, even the average citizen, are unlikely to fare well in such a world.

In scenarios of the future, a continuation of “business as usual” can lead to a “fortress world” response to crisis, where the affluent live in protected enclaves in rich nations and in strongholds in poor nations.[2] In the police state outside the fortress, the majority is mired in poverty and denied basic freedoms. Military and intelligence experts also have warned that climate disruption could lead to humanitarian emergencies, refugees, and rampant conflict.[3] At a minimum one can conclude that unfolding trends threaten the liberal program. Historically, times of great stress, loss and instability lead societies to illiberal responses. Liberals must appreciate how serious environmental threats are, and that they threaten political and social systems, not just ecological ones. We all need to recognize that environmental threats are too serious to leave to environmentalists.

Questioning Growth

Another line of inquiry also points to the need for the greening of liberalism: what is required for environmental success? The basic conflict between environmental thinking and the current liberal agenda centers on economic growth, of which American liberals tend to be strong advocates.[4] Indeed, because of the unquestioning way growth is viewed in American politics, those fighting current battles in Washington have little choice in the matter.

Still, an increasing number of thinkers are urging another perspective, which reveals a world where growth has brought us to a perilous environmental state; where growth is proceeding with wildly wrong market signals and without needed constraints; and where politics has failed to correct the economy’s obliviousness to environmental needs. An expanding literature challenges the viability and desirability of endless growth in rich countries, where material wealth adds little to human well-being, and stresses the resilience of our finite planet. Tim Jackson writes: “The modern economy is structurally reliant on economic growth ... Questioning growth is deemed to be the act of lunatics, idealists and revolutionaries. But question it we must. The idea of a non-growing economy may be an anathema to an economist. But the idea of a continually growing economy is an anathema to an ecologist.”[5] Economists talk of “decoupling” economic growth from material throughputs and environmental impacts, but the staggering pace and scope required to de-materialize a rapidly growing economy is not in the offing. Indeed, we have no choice but to question growth.

Among the myriad threats growth imposes on biodiversity and resources, the existential issue posed by climate disruption is particularly worrying. Many analysts have concluded that reducing greenhouse gas emissions at required rates is likely impossible in the context of even moderate economic growth. To reduce U.S. carbon emissions by 80% between now and 2050, the carbon intensity of production must decline by 7% every year, if the U.S. economy grows at 3% a year. That entails wringing carbon out of the economy at a phenomenal rate.[6] If the United States were to do the right thing – reduce emissions by 90 percent in 35 years – the rate of carbon intensity reduction would have to be 9.5 percent. Clearly, a tradeoff between prioritizing growth and prioritizing climate protection is emerging.

Yet, we can solve this puzzle. A recent model of the Canadian economy shows “it is possible to develop scenarios over a 30 year time horizon for Canada in which full employment prevails, poverty is essentially eliminated, people enjoy more leisure, greenhouse gas emissions are drastically reduced, and the level of government indebtedness declines, all in the context of low and ultimately no economic growth.” [7]

Building the political support for the systemic changes America needs requires, first of all, a political alliance among progressives, and that fusion should start with a unified agenda. Given the current split on the growth issue, one must ask: is it possible to successfully craft a common platform among American environmentalists and liberals? Nothing ventured, nothing gained, and so let me now offer a first draft of such a platform, concentrating almost exclusively on domestic, not foreign, affairs.

A Platform for Progressives

Today’s political economy is failing in many spheres of national life. The economic crisis of the Great Recession has stripped tens of millions of middle class Americans of their jobs, homes, and retirement assets. A social crisis of extreme and growing inequality has been unraveling America’s social fabric for several decades. Social mobility has declined, the middle class is disappearing, schools are failing, prison populations are swelling, employment security is a thing of the past, all while American workers put in more hours than workers in other high income countries. An environmental crisis, driven by a ruthless drive to grow profits and expand the economy regardless of the costs, is disrupting Earth’s climate and impoverishing its biota. And a political crisis has led to governmental paralysis and a democracy that is weak, shallow and corrupted by the consuming pursuit of money and the influence of powerful lobbies.

Why is today’s system of political economy failing so broadly? Key is the insight that major features of the system work together to produce a highly destructive reality: an unquestioning commitment to economic growth at any cost; powerful corporate interests whose overriding objective is to grow by generating profit; markets that fail to recognize “externalized” social and environmental costs unless corrected by a government itself beholden to corporate interests; and rampant consumerism spurred by sophisticated advertising. All combine to deliver an ever-growing economy insensitive to the needs of people, place and planet.

For the most part, liberal-progressives and environmentalists have worked within the prevailing system of political economy, but the big environmental and social challenges will not yield to this problem-solving incrementalism. Having gone down the path of incremental reform for decades, we progressives have learned that it is not enough. We need to reinvent, not merely reform, the economy. Because the roots of our problems are systemic, they require transformational change – the shift to a new, sustaining economy based on new economic thinking and enacted by a new politics. Sustaining people, communities and nature must become the core goals of economic activity, not hoped for by-products of market success, growth for its own sake, and modest regulation. That is the paradigm shift we seek.

The reigning policy orientation holds that the path to greater well-being is to expand the economy. Productivity, profits, the stock market, and consumption must all go up. This growth

imperative trumps all else, though it undermines families, jobs, communities, the environment, a sense of place and continuity. Economic growth may be the world's secular religion, but for much of the world it is a god that is failing – underperforming for billions of the world's people and, for those in affluent societies, now creating more problems than it is solving.

It is time for America to move to a post-growth society where working life, the natural environment, our communities and families, and the public sector are no longer sacrificed for the sake of GDP growth; where the illusory promises of ever-more growth no longer provide an excuse for neglecting to deal generously with our country's compelling social needs; and where true citizen democracy is no longer held hostage to the growth imperative. The claimed necessity for growth puts American politics in a straightjacket, giving the real power to those who have the finance and technology to deliver growth.

Of course, even in a post-growth America, many things do need to grow: jobs and the incomes of poor and working Americans; availability of good health care efficiently delivered; education, research and training; security against the risks of illness, job loss, old age and disability; investment in public infrastructure and environmental protection and amenity; the deployment of climate-friendly and other green technologies; restoration of both ecosystems and local communities; non-military government spending at the expense of military; and international assistance for sustainable, people-centered development for the half of humanity in poverty. In all these areas public policy needs to ensure that growth occurs.

Jobs and meaningful work top this list because they are paramount. We must insist that government take responsibility to ensure work for those seeking it. The surest, most cost-effective way to that end is direct government spending, investments and incentives targeted at creating jobs of high social benefit. Creating new jobs in areas of democratically determined priority is not only better but also more effective than trying to create jobs by pump priming aggregate economic growth.

Of concomitant importance for the new economy are government policies to slow GDP growth, sparing the environment, while improving social and environmental well-being. Such policies exist: shorter workweeks and longer vacations, with more time for children and families; greater labor protections, job security and benefits, including generous parental leaves; guarantees to part-time workers and combining unemployment insurance with part-time work during recessions; restrictions on advertising; a new design for the twenty-first-century corporation that embraces rechartering, new ownership patterns, and stakeholder primacy rather than shareholder primacy; incentives for local and locally-owned production and consumption; social and environmental provisions in trade agreements; environmental, health and consumer protection that include full incorporation of environmental and social costs in prices through, for example, mandated caps or taxes on emissions and extractions; greater economic and social equality, with progressive taxation of the rich and greater income support for the poor; spending on neglected public services; and initiatives to address population growth at home and abroad. Taken together, such policies would slow GDP growth, yet quality of life would improve. In this policy mix, the importance of work time reduction must be stressed.[8] For example, if productivity gains are taken as shorter work weeks, personal incomes and overall economic growth can stabilize as well-being increases.

Beyond policy change, another path to a sustainable, just future is to support innovative models. A remarkable phenomenon in the United States today is the proliferation of innovative models of “local living” economies and for-benefit businesses which prioritize community and environment over profit and growth. State and federal programs can support community development and finance corporations, local banks, community land trusts, employee and consumer ownership, local currencies and time dollars, municipal enterprise, and non-profits in business.[9]

Parallel to these changes, national values must evolve so we can move beyond our runaway consumerism and hyperventilating lifestyles. The environmental and social costs of American affluence, extravagance, and wastefulness keep mounting. The good news is that people sense a great misdirection of life’s energy. We know we’re slighting the things that truly make life worthwhile. In one survey, 81% say America is too focused on shopping and spending; 88% say American society is too materialistic. Indeed, psychological studies show that materialism undermines happiness. More income and possessions do not lead to lasting gains in well-being or satisfaction. What does make us happy? Warm personal relationships, and giving rather than getting.

Toward a New Politics

Everything said thus far about the transformation of today’s economy underscores the need for strong and effective government action. Thus, the drive for transformative change leads to the political arena, where a vital democracy steered by an informed and engaged citizenry is fundamental. Yet, for Americans, to state the matter this way suggests the enormity of the challenge. The ascendancy of market fundamentalism, anti-regulation, and anti-government ideology has been disturbing, but even if these extreme ideas declined, the deeper, longerterm deficiencies would remain. Just as we need a new economy, we need a new politics to get there.

Building the strength needed for change requires, foremost, political fusion among progressives. A unified agenda would embrace an interlocking commitment to both social justice and environmental protection; a challenge to consumerism and commercialism and the lifestyles they offer; a skepticism of growth-mania and a democratic redefinition of what society should be striving to grow; a challenge to corporate dominance and a redefinition of the corporation and its goals; and a commitment to an array of pro-democracy reforms such as campaign finance and regulation of lobbying. A common agenda would also include an ambitious set of new national indicators reflecting the true quality of life in America. GDP is a terrible measure of national well-being and progress. We tend to get what we measure, so we should measure what we want.

How likely are environmentalists, liberals, and other progressive constituencies to unite around this proposed common agenda? Everyone might agree that some of it is ahead of its time, certainly in terms of U.S. politics today. Yet if some of the ideas seem politically impracticable today, just wait until tomorrow. Soon it will be clear to many more people that business-as-usual is the utopian fantasy, while creating something very new and different is the practical, pragmatic way forward.

Liberal and environmental thinkers can begin a dialogue focused on the issue of growth and on the goal of progressive fusion. That approach supports the goals liberals see growth as supporting, notably job creation, while still accepting the underlying reality, namely that GDP growth in America today is not delivering on its intended purpose – better human lives – and is, meanwhile, at the root of environmental losses and the emerging climate crisis. Our growth fetish will not be missed after it is outgrown.

In summary, then, let us imagine the following: a decline in legitimacy as the system fails to deliver social and environmental well-being, a mounting sense of crisis and loss, a new American narrative or story, the appearance around the country of new and appropriate models, and a powerful set of alternate ideas and policy proposals showing a viable path to a better world. If these factors are joined, prospects for change brighten, advanced by a powerful, inclusive social movement.

All progressive causes now face the same dark reality in a political economy that cares profoundly about profits and growth, and about society and the natural world only to the extent it is required to do so. Thus, citizens must inject values of justice, fairness and sustainability into the system, and government is the primary vehicle for accomplishing this end. With government more and more the pawn of corporations, the best hope for change lies in a fusion of those concerned about environment, social justice, and true democracy into a powerful progressive force. We are all communities of one shared fate. We will rise or fall together, so we had better get together.

References:

[1] *This Perspective focuses on politics in the United States, a major international player for good or ill in the planet's destiny. Clearly, addressing climate change requires an inclusive international approach, and deemphasizing economic growth will need international cooperation, as well. But the United States is well behind much of the industrialized world on both issues, and it's important to try to find a way to move the country forward on these fronts.*

[2] P. Raskin et al. *Great Transition: The Promise and Lure of the Times Ahead*. Boston, MA: Tellus Institute, 2002 ([http:// www.gtinitiative.org/documents/Great_Transitions.pdf](http://www.gtinitiative.org/documents/Great_Transitions.pdf)).

[3] G. Dyer. *Climate Wars: The Fight for Survival as the World Overheats*. Canada: Random House, 2010; M. Klare, *Rising Powers, Shrinking Planet*. New York: Holt, 2008.

[4] *For a recent articulation of this viewpoint, see R. Reich. Aftershock: The Next Economy and America's Future*. New York: Random House, 2010.

[5] *Prosperity Without Growth: Economics for a Finite Planet*. London: Earthscan, 2009.

[6] J. G. Speth. *The Bridge at the Edge of the World: Capitalism, the Environment, and Crossing from Crisis to Sustainability*. New Haven: Yale University Press, 2008.

[7] P. Victor. *Managing Without Growth: Slower by Design, Not Disaster*. Northampton, MA: Edward Elgar, 2008.

[8] J. Schor. *Plenitude: The New Economics of True Wealth*. New York: Penguin, 2010.

[9] A good example is the community-owned Evergreen Cooperative. Gar Alperovitz and his colleagues underscore the policy opportunities in *Making a Place for Community*. New York: Routledge, 2003.

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