# Columbia Foundation Articles and Reports

June 2010

# Arts and Culture

#### **BATTERSEA ARTS CENTRE**

\$25,000 awarded in 2008 from the Columbia Foundation Fund of the Capital Community Foundation for a collaborative theater project by writer Annie Siddons and puppetry company Blind Summit to produce an adaptation of George Orwell's 1984 addressing the reduction of civil liberties in the U.K.

# 1. The Guardian (London), December 9, 2009

1984

4-out-of-5 star review of 1984; the writer says, "Everyone's a puppet in Blind Summit's fiendishly clever version of Orwell's nightmarish novel...1984 is often described as a satire, but it's not a very funny one; here Blind Summit bring a savage comic edge to the proceedings. In the world of double-think and doublespeak, this is double theatre, a show within a show..."

# 2. The Telegraph (London), December 11, 2009

1984: BAC, review

4-out-of-5 star review of 1984; the writer says, "There's nothing conventional or tried-and-tested about Blind Summit's staging of a book which, 60 years ago, defined the dread of the Cold War era and put its author in the pantheon of 20th century greats. This must rank as the most perverse choice ever for a Christmas show but it works (just) because the whole thing is mounted in a winning spirit of experimental subversion so that, in its own theatrical way, it matches the shock and the wit of the original. What should be the most depressing evening in town proves a weird, feel-good delight."

#### 3. TimeOut London, December 21, 2009

1984

4-out-of-5 star review of 1984; the writer says, "A comic version of George Orwell's dystopian classic, with puppets? Well, it sounds like a joke. But this staging of the book which brought us the concept of Big Brother is seriously ingenious – even if it doesn't quite terrify you with the thought of who or what might be pulling your own strings."

# CALIFORNIA HISTORICAL SOCIETY

\$200,000 awarded since 2004 for the *Living New Deal Project*, including a two-year \$100,000 grant in 2008

#### 4. California Historian, Spring 2010

Excavating the New Deal works in California

[The article states that] a seed grant from Columbia Foundation helped Gray Brechin and photographer Robert Dawson begin to document the physical remains of the Works Progress Administration (WPA) in California. The project grew quickly in scope as Brechin delved deeper into the research. It now documents all New Deal projects in California. The staff has grown alongside the work, and [the article says] with another grant from Columbia Foundation, they were able to hire Lisa Ericksen as a project manager. California's *Living New Deal Project* "collects the stories of those who were present and maps the contributions they made to their future and our present. Far from being boondoggles, these innumerable projects represent the prodigality of imagination and compassion unleashed by the New Deal." They have developed a sophisticated website and database to catalogue their findings. The

Franklin Delano Roosevelt Presidential Library and Museum in Hyde Park, New York has now acquired this platform, in order to begin a national New Deal inventory in an effort to rediscover and map the lost New Deal landscape of the U.S. [written by Gray Brechin, director of the *Living New Deal Project*.]

# 5. The Guardian (London), March 10, 2010

Old glories of New Deal still chime in a time of crisis

The Living New Deal project is a social-history initiative that is mapping the legacy of the country's greatest public-works programs, charting overlooked or forgotten buildings and landmarks paid for by the New Deal – and the people who built and benefited from them. The result is "a singular insight into the vast social scope of the New Deal and how it went beyond merely creating jobs and staving off poverty – providing things such as adult literacy classes, art for public spaces, and music lessons for poor youngsters." The project resonates today given current economic conditions [quotes Gray Brechin, director of the *Living New Deal Project* and links to its website.]

# 6. The Berkeley Daily Planet, April 8, 2010

Local New Deal is Focus of History Exhibit Opening Sunday

The Berkeley Historical Society holds an exhibition in April 2010 on the local history of the Works Progress Administration (WPA). Harvey Smith of the *Living New Deal Project* curates the exhibit. Smith says, "I hope to illustrate the effectiveness of reaching Main Street with progressive and comprehensive public policy."

# 7. Merced Sun-Star, May 1, 2010, a series based on the work of the *Living New Deal Project WPA*, *Yesterday's Stimulus: The New Deal revisited*

When President Obama took office in early 2009, the economy was in dire shape, with 11 million people (and climbing) out of work, the financial system on the brink of collapse, banks failing, and the housing market in tatters. In Merced, the unemployment rate was 20% and a homeless camp was growing on the edge of town. Obama has passed a \$787 million stimulus package, much of which remains unspent. President Roosevelt's New Deal, which was meant to end the economic troubles caused by the Great Depression, was perhaps one of the most ambitious programs of the federal government in U.S. history. The current stimulus is far less ambitious and creative than the New Deal, says Brechin, director of the Living New Deal Project. He says of today's stimulus, "The main thing that I see is that the New Deal attacked the Depression in a variety of ways and with a lot of ingenuity. I don't see much ingenuity and I see they're only attacking it in one way." In the New Deal, the government directly employed millions and built a lasting body of public structures, from buildings and bridges to sculptures and murals. Now all of the stimulus money is trickling down through contracts, grants, and loans. The New Deal had "an ethic of communal action aimed at defeating an economic catastrophe that is missing today".

# WPA: Lake Yosemite

Lake Yosemite is wholly man-made. The WPA developed the site over 9 months in 1939 for \$64,748.

# WPA: Applegate Park

In the late 1930s, Applegate Park was constructed in Merced under the WPA. About \$31,000 of the \$41,000 it cost to build was provided by the federal government. Animal facilities and pens built during the era were turned into a zoo in 1961. The park remains popular today and includes the zoo, a playground for children, areas for sports, and a bike path along Bear Creek.

#### WPA: Court Adobe

The adobe building in Merced is one of the most recognizable WPA legacies in Merced County. Built in 1936 for \$30,000, the U-shaped, one-story mission revival-style structure received its name because adobe bricks were used in its construction. It was built to serve as a community theater and

office building for the city, county and state relief agencies, according to state documents. Today, the building houses county offices, including the traffic division, work release program and central accounting.

# WPA: Atwater Plunge

The Atwater Plunge was a WPA project approved for construction in May 1936. The pool in Atwater, Merced County, opened in 1939. Although it was a very popular place to go for locals, the city sold it to a private party, and it was demolished in the 1960s because city officials did not want to repair leaks.

#### WPA: Elim Elementary

Several schools, including Elim Elementary, were WPA projects built during the Great Depression. Skilled laborers were paid 52.5 cents an hour for a related WPA-funded project at the Hilmar Union High School in February 1936.

# WPA: Post office mural

Two murals capturing scenes of the Merced River, produced under the auspices of the New Deal in 1937, flank the walls of the Bell Station post office in Merced. While Works Progress Administration workers were busy with infrastructure projects in Merced and across the nation, similar job programs were created for painters, actors, musicians and writers.

# CAMDEN ARTS CENTRE

\$10,000 awarded in 2010 from the Columbia Foundation Fund of the Capital Community Foundation for *Studioworks*, a solo presentation of the studio work of German-born American artist Eva Hesse

#### 8. The Independent (London), December 28, 2009

All about Eva Hesse – A collection of the sculptor Eva Hesse's diminutive, experimental works flirts with recognisable forms. It's life, but not quite as we know it, says Tom Lubbock
Review of Eva Hesse's Studioworks; the writer says, "But it's important that Hesse's works are never pure abstractions. It's important that likeness is always hovering around though being held off. These objects are like bits of the world that never actually happened but might have done. You can imagine coming across them in a glass case in some museum of mankind. They're very plausible anthropological impostors. And this points to Hesse's creative practice as a whole, where everything is almost, but not quite. The term "Studiowork" is preferred to the previous "Test Pieces". It is coined by the exhibition's

#### **CULTURAL ODYSSEY**

curator, Briony Fer, and – rarely amongst its genre – her accompanying book is a marvelous piece of

8 small grants totaling \$12,050 awarded since 1986, including \$550 in1992 for the second annual *Medea Project*, *Women Saving Their Own Lives*. The play was created and staged by co-artistic director Rhodessa Jones, actress Ruby Dee, actress Idris Cooper, storyteller Terirrah McNair, and incarcerated and recently released women from the San Bruno County Jail. The performances were based on the inmates' personal experiences and on stories that have been handed down to them through their families.

# 9. San Francisco Chronicle, February 21, 2010

Rhodessa Jones' life a cultural odyssey

writing and thinking."

The article profiles Rhodessa Jones, co-artistic director of Cultural Odyssey. Besides a notable career as an actress and groundbreaking performance artist, Jones created and runs the *Medea Project: Theater for Incarcerated Women*. The 20-year project of workshops in the San Francisco County Jail has led to her work with inmates worldwide, from juvenile offenders in Alaska and Texas to adults in Trinidad and South Africa. In February 2010, to celebrate the 30<sup>th</sup> anniversary of Cultural Odyssey, they performed

"The Love Project," a show in which Jones talks about the deaths of her nephews by gun violence. The work represents Jones and co-artistic director Idris Ackamoor's mutual exploration of three decades of creating work together, of their years as lovers and ex-lovers, and of the need for love in violence-plagued times. They followed it with "The Breach," a dance-theater piece about reparations for slavery that they created with choreographer Joanna Haigood. The series closes with Jones' latest *Medea Project* effort, "Dancing with the Clown of Love" – this one created not with jail inmates, but with participants in the Women's HIV Program at UCSF Medical Center. Jones says, "I've made a career of telling people everything. There are no secrets. And people come forward to support you when you say out loud what they haven't been able to. It's creating a safe place, which is what theater is. I say theater saved my life, but it's also my religion, my mission. Theater's my temple. We're gonna get down with some stuff tonight. We're gonna talk. We're gonna sing. And there will be joy in just being alive in a room with other human beings."

# EAST BAY CENTER FOR THE PERFORMING ARTS

\$30,000 awarded in 2010 for the Iron Triangle Legacy Project

# 10. APINews (Community Arts Network Reading Room), February 2010

My Iron Tri-Angel: An Urban Neighborhood Seeks To Tell Its Own Story

The Iron Triangle neighborhood in Richmond, California, is one of the most statistically violent in a city that is ranked as one of the most dangerous in the country. Richmond is rich in culture and heritage, but it has suffered from "disproportionate urban blight and economic depression since its industrial heyday as a WWII shipyard, loomed over by one of the largest oil refineries on the West Coast and divided by railroad lines – hence the "iron triangle." In 2004, both the local school district and the city made national news with their near bankruptcy. More recently, during the housing bubble, the neighborhood endured the flight of blue-collar families. Unfortunately, the recession has left current residents experiencing massive foreclosures while, simultaneously, new housing and civic construction projects stall or face slow-downs. The Iron Triangle, "once a vibrant immigrant portal, is now a historical icon, marking the post-WWII migration of southern African Americans to the West Coast (many finding work in the shipyards between 1941 and 1944); a destination neighborhood for California's Mexican-American newcomers since the 1960s, and, since the 1980s, for refugees from the Southeast Asia Indo-China conflicts, especially from Laos". The Iron Triangle Legacy Project, led by East Bay Center for the Performing Arts and an advisory committee of neighborhood residents and activists, works to tell the story of the Iron Triangle, a neighborhood whose tale has been told by others in the media often enough, and "deserves to be told by its own residents". The arts play an important part in the telling of this tale, and in the crafting of the project.

# **KRONOS QUARTET**

\$50,000 awarded in 2008 for *Music without Borders*, a performance series presenting an array of diverse musical works, some commissioned by Kronos, including works from Islamic cultures throughout the world, as re-interpreted by the performers

#### 11. The New York Times, February 28, 2010

The String Quartet, Reinvented

Previews the release of Rainbow, a new CD by Kronos, and acknowledges their efforts to push the genre boundaries of string quartets; the writer says, "Credit for intuiting that the medium could be opened wider – in a sense reinventing the string quartet as a vehicle of limitless stylistic breadth – belongs to the violinist David Harrington, who founded the Kronos Quartet in 1973."

#### 12. National Public Radio Music, March 22, 2010

First Listen: Kronos Quartet's Central Asian 'Rainbow'

Review of Kronos Quartet's new CD Rainbow, which features Alim and Fragana Qasimov from Azerbaijan and Homayun Sakhi from Afghanistan; the writer says, "Kronos' latest cross-cultural exploration finds the band in collaboration with master musicians from Afghanistan and Azerbaijan. It's a part of a larger and noble initiative to highlight musical traditions in regions where they are endangered."

# LOS CENZONTLES

\$225,000 awarded since 2003, including a three-year \$150,000 grant in 2006 for *Cultures of Mexico in California* 

# 13. Voice of America, February 1, 2010

American Profiles: Classical Musician Spearheads Mexican Folk Revival in US, Mexico – Eugene Rodriguez's modest after-school program blossoms into major cultural center

Eugene Rodriguez founded Los Cenzontles Mexican Arts Center in 1989 in San Pablo, an impoverished California town northeast of San Francisco. Rodriguez's mission is to revitalize traditional Mexican musical styles by teaching them to young students and then performing them in Mexico with the Los Cenzontles touring band. Every week, hundreds of young students attend Los Cenzontles to take classes in dance, voice, guitar, as well as arts and crafts, in a safe haven away from the town's crime and violence.

# 14. The Los Angeles Arts Examiner, May 4, 2010

Mexican folk group 'Los Cenzontles' compose song in reaction to the new Arizona law
Eugene Rodriguez and Los Cenzontles have composed a corrido, a musical form developed in Mexico
during the 1800s to tell stories in poetic form using simple words and music meant to inform the listener
about actual events, in response to the new immigration law in Arizona. The song is called Estado de
Verguenza, or "State of Shame," and intimates that Arizona will become known for its racism and hatred
rather than for its beauty [includes embedded video/audio of the song with English subtitles.]

#### MAGIC THEATRE

\$213,500 awarded since 1980, including \$35,000 in 2010 for the development and production of the world premiere of *Oedipus el Rey*, with an original script by Luis Alfaro, re-envisioning Sophocles' Oedipus as a contemporary Chicano story in California

#### 15. San Francisco Chronicle, February 5, 2010

Theater review: 'Oedipus el Rey'

Review of *Oedipus el Rey*; the writer says, "The heat of the moment at the Magic Theatre is palpable. The tender eroticism is cut through with the chill of tragic inevitability. In Loretta Greco's sumptuously spare world premiere of Luis Alfaro's *Oedipus el Rey*, Romi Dias' love-rejuvenated Jocasta and Joshua Torrez's infatuated Oedipus could be the only people in the world who don't know that they are mother and son."

# 16. San Francisco Bay Guardian, February 9, 2010

Tragically hip – Two stage must-sees: Magic Theater's riveting Oedipus el Rey and Fauxnique's glorious Luxury Items

Review of *Oedipus el Rey*; the writer says, "The Oedipus of Sophocles gets transposed to the California prison system and East L.A. in Luis Alfaro's lively *Oedipus el Rey*, playing at the Magic Theatre in a world premiere slickly staged by artistic director Loretta Greco. Slipping into Alfaro's lyrical mix of the sacred and vernacular, his intuitive sense of comic timing, and his larger dramatic purposes proves relatively easy. Despite many appeals to artistic license – including a sometimes cumbersome substitution of a Christian universe for fate-bound Greek pantheism and the more intriguing revisioning of Oedipus as a barrio gangster on the make – the story remains familiar in outline..."

#### SAN FRANCISCO CAMERAWORK

\$85,000 awarded since 2007, including \$25,000 in 2010 for *Soldiers' Stories from Iraq and Afghanistan*, an exhibition of "staged narrative portraiture" by photographer Jennifer Karady of U.S. veterans suffering from war-related post-traumatic stress disorder

#### 17. The New York Times, May 5, 2010

War Zone Traumas Restaged at Home

Review of *Soldiers Stories from Iraq and Afghanistan*; the writer says, "...the result of five years' work by Ms. Karady, who interviewed dozens of veterans and asked them to talk about their most traumatic war moments. She then overlaid those memories onto their present-day lives, in the suburbs, back at school and, in one case, on the streets. Ms. Karady, 43, described a process that she called equal parts journalism and psychotherapy. The portraits are striking. Ms. Karady's pictures have a heavy emphasis on symbolism."

#### WHITECHAPEL ART GALLERY

A three-year \$120,000 grant awarded in 2009 for *Disparate Voices: A History of South Asian Photography* [later re-titled *Where Three Dreams Cross: 150 Years of Photography from India, Pakistan and Bangladesh*], a major historic and contemporary survey exhibition of work, curated by Sunil Gupta, by South Asian photographers from the Indian subcontinent, drawing together over 300 photographic works from the past 170 years

# 18. BBC World Service (BBC International Radio Station), January 22, 2010

The Strand: 150 years of photography from the Indian subcontinent

Radio interview with Sunil Gupta, curator of *Where Three Dreams Cross* [broadcast linked from report; click 'listen now' for audio; exhibition photos also linked from report page]

# 19. The Times (London), January 22, 2010

Where Three Dreams Cross at the Whitechapel Gallery, London

4-out-of-5 star review of *Where Three Dreams Cross*; the writer says, "This is a hugely ambitious show, six years in the making, covering 150 years of photography from India, Pakistan and Bangladesh, and encompassing more than 400 works by 82 native artists, who collectively represent a kind of *Who's Who* of photography in the region. This is pretty much everything from the dawn of photography to the modern day in a subcontinent with a population of more than one and a half billion. Hung in themes – the performance, the portrait, the family, the streets and the body politic – all five sections incorporate historic, modern and contemporary work in an unpredictable mix. Within those categories you find social realism and reportage photography, fine art photography, documentary photography, amateur photography and more recent digital photography that crosses over with fashion and film. It feels very much like the maelstrom that is an Indian city – and maybe that is the point."

# 20. The Evening Standard (London), January 22, 2010

Heavenly visions of 150 years of photography

5-out-of-5 star review of *Where Three Dreams Cross*; the writer says, "The immense scale of the subject means this is only a taster – but even with minimal information, the experience is as exhilarating and possibly confusing as a first visit to the sub-Continent."

# 21. The Independent (London), January 24, 2010

Where Three Dreams Cross, Whitechapel Gallery, London – A century and half of photographs from the subcontinent wrong-foots Kipling and the post-colonial blow-hards

Review of *Where Three Dreams Cross*; the writer says, "If one medium was going to lend itself to cultural imperialism, then photography is arguably it. It was, after all, a Western invention, and the rise of the camera coincided neatly with that of European colonialism. Nothing conveyed the otherness of the

East more vividly than a sepia photograph of barefoot girls in bangles, or rajahs shooting tigers from a howdah. So a show at the Whitechapel Art Gallery called *Where Three Dreams Cross* – a selection of 150 years of photographs from India, Pakistan and Bangladesh – would seem particularly prone to post-colonial interpretation. It is a mark of the exhibition's cleverness that it isn't, particularly – that the East's counter-colonial imagining of the West is only one of the many currents eddying about these images, and not the most important one at that."

# 22. The Observer (The Guardian, London), January 24, 2010

Where Three Dreams Cross: 150 Years of Photography from India, Pakistan and Bangladesh Review of Where Three Dreams Cross; the writer says, "There is much, then, to process in this extensive, intriguing and sometimes bemusing show. Here, it as if the curators' desire to subvert our perceptions of the Indian sub continent has led them to underplay the region's turbulent political history. I would urge you to set aside several hours for this sprawling, sometimes confusing show. You may emerge, as I did, thinking that almost everything you thought you knew about south Asian photography is wrong."

23. A two-part series in The Telegraph (London) by Sunil Gupta, curator of the South Asian photography exhibition, introducing three of his favorite photographs from the exhibition with the story of their origin (this links to ten other photos in the exhibition)

February 1, 2010

Sunil Gupta at Whitechapel: rewriting the history of photography

February 10, 2010

Sunil Gupta at Whitechapel: rewriting the history of photography II

# Human Rights

# CALIFORNIA INSTITUTE FOR RURAL STUDIES

\$250,000 awarded since 2004, including \$100,000 in 2008 for the development of a multimedia presentation on California farm labor, in collaboration with photographer Rick Nahmias, titled [upon completion] *Fair Food: Field to Table* 

# 24. San Francisco Bay Guardian, December 12, 2009

Out of reach – How the sustainable local food movement neglects poor workers and eaters

In the sustainable food movement, both farmworkers rights and the lack of access to sustainable foods in poor communities are two problems that are often overlooked. However, some organizations [Columbia Foundation grantees] are working for change: California Rural Legal Assistance provides low-cost legal assistance to agricultural workers and the Roots of Change Fund has developed campaign strategies for improving agricultural working conditions. Also, Swanton Berry Farms' [operated by ROC Stewardship Council member Jim Cochran] "egalitarian fields are the exception among American organic farms". [The article] credits the Fair Food: Field to Table multimedia project as the source of information for the article and the California Institute for Rural Studies for the statistical data, which is found throughout the article [quotes Michael Dimock, executive director of the ROC Fund.]

# CENTRO DE LOS DERECHOS DEL MIGRANTE

\$50,000 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.

# 25. The Washington Post, April 22, 2010

The U.S. needs to repair our guest-worker policy

In a letter to the editor, in response to an article downplaying systemic problems that migrant workers face, Rachel Micah-Jones, executive director of Centro de los Derechos Del Migrante, says that U.S. guest-worker policy lacks basic protections for migrant workers and regulation that holds employers accountable, and she advocates for humane and just policies [includes link to original article.]

#### Electoral reform

#### **CHANGE CONGRESS**

\$90,000 awarded since 2009, including \$40,000 in 2010 to end pay-to-play politics and corruption in the U.S. government by creating a grassroots online citizen movement to hold Congressional leaders accountable, and to promote public finance of Congressional campaigns

# 26. The Nation, February 3, 2010 (February 22 issue)

How to get our democracy back

Lawrence Lessig argues that until Congress stops being a "Fundraising Congress" and is reformed, critical problems that the nation faces cannot be properly addressed [cover article written by Lawrence Lessig, co-founder of Change Congress.]

# 27. The Nation, February 3, 2010

Video: How to Get Our Democracy Back

Despite support for Obama and all of his campaigns over 20 years, Lawrence Lessig is critical of Obama for not sticking to his campaign promise to challenge the status quo in Washington, where lobbyists hold sway over members of Congress through campaign contributions. He urges Obama to push for campaign-finance reform embodied in the Fair Elections Now Act [companion video to cover article in The Nation; video embedded.]

# 28. San Francisco Chronicle, February 7, 2010

How to get our democracy back

According to Lawrence Lessig, reforming Congress is not on Obama's radar, but it must be or campaign cash will continue to prevent real change [edited and abbreviated version of cover article in The Nation written by Lawrence Lessig, co-founder of Change Congress.]

# 29. The Huffington Post, April 16, 2010

DISCLOSE Act: Citizens United Response To Be Very Limited, Will More Meaningful Reforms Follow? The legislative response being crafted by the Democrats to Citizens United decision by the Supreme Court [the government may not ban political spending by corporations in candidate elections] does not go far enough, and will not hold up to legal challenge. According to Lawrence Lessig [co-founder of Change Congress], a different reform bill, the Fair Elections Now Act (co-sponsored by Senator Dick Durbin and Representative John Larson), is the only viable response that can actually limit the effect of lobbyist cash on Congress [links to the Citizens United decision as well as the Fair Elections Now Coalition, a joint project led by Public Campaign and Common Cause.]

# 30. The Huffington Post, May 12, 2010

Donor Strike: Rich Progressives Pledge To Withhold Cash

27 major donors are vowing to withhold campaign contributions from legislators that are standing in the way of a reform bill that will allow for public funding of Congressional campaigns. These donors have contributed millions of dollars in campaign cash to Democratic candidates (and occasionally Republicans and independents) over the years. The donors are lobbying other wealthy donors to sign on in hopes of passing the Fair Elections Now Act this year. The campaign is being run by Change Congress, led by Lawrence Lessig, with support from Public Campaign and Common Cause.

#### **COMMON CAUSE**

\$50,000 awarded in 2010 for its work in California to educate the public and policymakers about the negative impacts of privately financed campaigns on California governance

# 31. The Miami Herald, May 12, 2010

Citizens United v. FEC: The fear factor

The 5-4 vote of the Supreme Court in the Citizens United case, lifting the ban on corporate and union spending on elections, has turned a longstanding problem into a crisis. Big business is ready and waiting to unleash a massive deluge of money this November through independent expenditures, allowing CEOs to reward their friends and punish their enemies in Congress. Senator Charles Schumer and Representative Chris Van Hollen, have introduced the Disclose Act to create transparency for independent expenditures. However, disclosure does not solve the problem. Lobbyists leverage support through the promise of campaign cash or the denial of it to lawmakers, and with the Citizens United decision, corporations now have unprecedented leverage over lawmaker votes. Fundamental reform is needed. The Fair Elections Now Act would institute a system of public funding of campaigns, which would allow candidates to run competitive campaigns on a blend of unlimited small donations and limited public funds [Op-ed co-authored by Bob Edgar, president of Common Cause, a partner of Public Campaign in the Fair Elections Now Coalition.]

#### MAPLIGHT.ORG

\$140,000 awarded since 2008, including \$40,000 in 2010 to track and publicize private donations to legislators in California and Los Angeles and the subsequent votes by these elected officials on issues of interest to the donors

#### 32. San Francisco Chronicle, February 7, 2010

The fundraising Legislature

MAPLight.org, a nonpartisan organization that works to illuminate the connection between money and politics, studied the January 2010 vote in the California Senate on a single-payer health care bill. They uncovered that senators who voted no on the bill had received an average of \$43,633 from health insurers – 97 percent more than senators who voted yes [written by Dan Newman, executive director of MAPLight.org.]

# 33. San Francisco Chronicle, May 18, 2010

Politicians raise money outside their districts

MAPLight.org has released a study in which they analyzed the nearly \$100 million in campaign cash raised for successful Assembly and Senate runs between January 1, 2007, and March 17, 2010. It found that about 79 percent of those campaign contributions came from outside legislators' districts, while only 12 percent came from within. 25 percent of the contributions came from one Sacramento zip code where lobbyists have their headquarters [quotes Dan Newman, executive director of MAPLight.org; includes a map of contributions by zip code in San Francisco and a list of contributions to the top two state senators to collect money from outside their districts.]

#### PIPER FUND

\$125,000 awarded since 2009, including \$75,000 in 2010 for a donor collaborative that works to raise and re-grant funds on a state-by-state basis to organizations advocating public finance of campaigns at the state and local level

#### 34. San Francisco Chronicle, May 22, 2010

Ruling on Arizona law affects state Proposition 15

The Ninth U.S. Circuit Court of Appeals in San Francisco has upheld an Arizona public finance of campaigns law. A federal judge had previously struck down the 12-year-old Arizona law in January, saying one of its provisions violated the free speech of privately funded candidates whose rivals qualify for public money. But in a 3-0 ruling on May 21, 2010, the federal court in San Francisco said that the disputed provision serves the state's interest in fighting political corruption, or the appearance of corruption, and has little effect on a candidate's ability to raise money. The ruling means that a bill on the June 8 ballot, Proposition 15, which would allow for public financing in campaigns for secretary of state in California, is constitutional [quotes Bradley Phillips, an attorney who argued for the Arizona law on behalf of the Clean Elections Institute, a Piper Fund grantee.]

# 35. The Arizona Republic, May 22, 2010

Arizona's Clean Elections law upheld in court – Court finds little effect on free-speech rights

The Supreme Court may be next to hear the case regarding Arizona's public finance of campaigns law, following a unanimous ruling by the 9th U.S. Circuit Court of Appeals (overturning a ruling of the U.S. District Court in Phoenix), saying that matching funds impose a "minimal burden" on First Amendment rights. The 9th Circuit also ruled that plaintiffs had not made their case that they had been harmed by Arizona's system of campaign funding [quotes Bradley Phillips, an attorney who argued for the Arizona law on behalf of the Clean Elections Institute, a Piper Fund grantee.]

#### 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

#### 36. Contra Costa Times, March 16, 2010

Poll reveals deep suspicion of money's political influence

According to a poll conducted by the Fair Elections Now Coalition, 87 percent of voters believe big donors have significantly more influence than constituents over members of Congress [includes a link to the poll.]

# 37. The Huffington Post, April 1, 2010

One Year Later, Fair Elections Matter Now More Than Ever

A year ago, Senator Dick Durbin (D-Ill) and Representatives John Larson (D-Conn.) and Walter Jones (R-N.C.) introduced the Fair Elections Now Act. After an election cycle where fundraising was at a record high and the Citizens United decision, the need for passage of the reform bill could never be greater. So far, a bipartisan group of over 140 members of the House have co-sponsored the bill [written by Nick Nyhart, president and CEO of Public Campaign.]

# 38. The Huffington Post, May 6, 2010

Citizens United Hearing: Pass Bill to Stop BP from Buying Elections, Says Public Financing Advocate Public Campaign president Nick Nyhart told the Committee on House Administration that the Supreme Court's decision in the Citizens United case gives BP the unlimited ability to back candidates who oppose legislation increasing BP's liability for the oil spill. Currently, BP's liability to area businesses ruined by the spill is only \$75 million [includes excerpt of Nick Nyhart's remarks to the committee.]

# Elimination of prejudice and discrimination based on sexual and gender diversity

# CIVIL MARRIAGE COLLABORATIVE

\$875,000 awarded since 2004, including \$75,000 in 2010, for a funder collaborative that awards grants to marriage-equality advocates working to win marriage equality on a state-by-state basis

# 39. The New York Times, May 4, 2010

N.Y. Court Expands Rights of Nonbirth Parents in Same-Sex Relationships

The Court of Appeals in New York somewhat expanded the rights of same-sex parents on May 4, 2010, in a narrow ruling that said non-biological parents in same-sex relationships should be treated the same as biological parents [quotes Susan L. Sommer, who argued the case before the Court of Appeals and is senior counsel and director of constitutional litigation for Lambda Legal, a Civil Marriage Collaborative grantee.]

# 40. The New York Times, May 6, 2010

Marriage Law Is Challenged as Equaling Discrimination

The Defense of Marriage Act, known as DOMA, defines marriage as being between a man and a woman. A same-sex couple and 15 other plaintiffs are challenging the section that denies marriage-related benefits to same-sex couples, saying they are being denied equal protection under the law. Mary L. Bonauto, director of the civil rights project for Gay and Lesbian Advocates and Defenders [a Civil Marriage Collaborative grantee], argued on behalf of the plaintiffs, calling the case "a classic equal-protection issue". A ruling in favor of the plaintiffs would not legalize same-sex marriage in states that have not done so, but it would give same-sex couples in all states access to benefits and protections available to other married couples.

# **EQUALITY CALIFORNIA**

\$155,000 awarded since 2007, including \$55,000 in 2010 for community-based education programs throughout California designed to build connections between, and understanding and appreciation of, gays and lesbians and Californians who are undecided about marriage equality

# 41. Newsweek, April 27, 2010

Will the California Gay-Marriage Trial Ever Wrap Up?

The landmark trial to overturn Proposition 8 in California continues in federal court. U.S. District Court Judge Vaughn Walker issued a warning to Equality California and the ACLU to turn over documents requested by supporters of Proposition 8. Geoff Kors says, "We will turn over responsive, non-privileged documents so that a decision can be rendered in an expeditious manner." [The article also quotes Jennifer Pizer, senior counsel and director for the National Marriage Project at Lambda Legal, a Civil Marriage Collaborative grantee.]

# 42. The Sacramento Bee, May 16, 2010

Nephew's hopeful as state prepares to observe Harvey Milk Day

California officially honors Harvey Milk on May 22, 2010, for the first time. His nephew, Stuart Milk, has joined Equality California and Sacramento-based Equality Action Now in directing commemorations of his uncle with rallies, marches, films and fundraisers. Equality California is canvassing neighborhoods in San Francisco, Los Angeles, and San Diego to talk about same-sex marriage, in order to gear up for an effort to repeal Proposition 8 in 2012 [quotes Geoff Kors, executive director of Equality California.]

# 43. The Christian Science Monitor, June 16, 2010

Gay marriage Prop. 8 trial enters last phase before ruling

Closing arguments were made on June 16, 2010, before Chief U.S. District Judge Vaughn Walker rules on the lawsuit regarding whether California's Prop. 8 violates the constitutional rights of same-sex

couples. It is the first federal case in the nation challenging a state law that bans same-sex marriage. Geoff Kors, executive director of Equality California says, "What's at stake here is much more than whether lesbians and gays can once again marry in California. This is really the first time the federal courts are looking at whether a majority of voters can take away the rights of one specific minority while keeping them for themselves. It should be of interest to anyone who can be impacted by discrimination. If this is allowed to stand, there is nothing stopping voters from taking rights away from other minorities." [The article also quotes Kate Kendall, the executive director of the National Center for Lesbian Rights.]

#### FREEDOM TO MARRY

\$625,000 awarded since 2002, including \$50,000 in 2010 for continuing support of this national-strategy center on marriage equality

# 44. The Huffington Post, April 1, 2010

Refuting the Naysayers: First Anniversary of Marriage in Iowa and Other "Unlikely" Victories
April 3, 2010, is the first anniversary of the Iowa Supreme Court's unanimous decision deeming the
exclusion of same-sex couples from marriage to be unconstitutional. Currently, five states, Washington,
D.C., and eight countries have ended same-sex couples' exclusion from marriage. Freedom to Marry
vows to continue the fight for equality [written by Evan Wolfson, the executive director of Freedom to
Marry.]

# 45. The Associated Press, May 10, 2010

Marriage laws entangle same-sex couples – U.S. government, many states don't recognize union Marriage laws vary from state to state. Five states – Massachusetts, Connecticut, Vermont, New Hampshire, and Iowa – and the District of Columbia have legalized same-sex marriage. New York and Maryland recognize those marriages even though same-sex couples cannot wed within their borders. The federal government, however, does not recognize same-sex marriage, nor do the vast majority of states. Evan Wolfson, who leads Freedom to Marry, says that the current patchwork not only discriminates against gay families, but also causes difficulties for employers who have to consider the diverse laws as they weigh transfers of employees with same-sex partners [quotes Evan Wolfson, the executive director of Freedom to Marry.]

# GROUNDSPARK (formerly Women's Educational Media)

\$473,000 awarded since 1993, including \$50,000 in 2010 for the development of a shorter educational version(s) of the film *Straightlaced*, and the curriculum guide for use by teachers. *Straightlaced* addresses the effects of the pressure to conform to gender norms and explores the reality of teens from diverse backgrounds that self-identify as straight, LGBT, or questioning. This is the final film in the educational series *Respect for All*.

#### 46. The Huffington Post, April 8, 2010

Arresting Teenagers Doesn't Solve Gender Pressures

Recently, two teenagers committed suicide because they faced discrimination because of their sexuality. However, locking up perpetrators of bullying and instituting anti-bullying rules and policies will not solve the problem "unless the responsible adults in every community, including educators, parents, administrators, and counselors, find a way to open up real, meaningful dialogue about gender and sexuality based pressures and bias" [written by Debra Chasnoff, president of Groundspark.]

#### NATIONAL CENTER FOR LESBIAN RIGHTS

\$210,000 awarded since 2004, including \$150,000 in 2009 to advance the civil and human rights of lesbian, gay, bisexual, and transgendered people and their families through litigation, public-policy advocacy, and public education

# 47. The New York Times, May 6, 2010

An Unlikely Plaintiff. At Issue? He Dares Not Speak Its Name.

Clay Greene's 88-year-old same-sex partner of 25 years fell and was hospitalized. Sonoma County became involved, and the two men were separated into different nursing homes and prevented from seeing each other. Their belongings were sold at auction, and their cats were taken away. His partner died a few months later. He has filed a lawsuit, for their wills and wishes were not honored, and their relationship was not treated equitably because they were a same-sex couple. The lawsuit has grabbed headlines and the National Center for Lesbian Rights has added its legal resources to the case, saying it is a textbook example of discrimination against same-sex couples. If Mr. Greene is to become a poster boy for legalizing same-sex marriage, he is an unwitting one. He does not refer to himself as gay. Having come from a generation when one's homosexuality was hidden for fear of arrest or rebuke, he speaks in euphemisms.

# Food and Farming

#### CAL POLY

A three-year \$150,000 grant awarded in 2004 to develop an Institute on Sustainable Agriculture within the College of Agriculture

#### 48. The San Luis Obispo Tribune, May 2, 2010

Follow-Up File: Cal Poly tells the story of sustainability

Formerly called the Sustainable Agriculture Resource Consortium (SARC), it has a new identity as the Center for Sustainability, now a part of the College of Agriculture, Food and Environmental Sciences at Cal Poly. Hunter Francis, the director, said the change gives the center a more formal role in promoting education and research related to sustainable agriculture. Francis says, "It really legitimizes the effort. The center itself will hopefully become a resource that provides more services."

# **CENTER FOR FOOD SAFETY (CFS)**

\$415,000 awarded since 2003, including \$75,000 in 2010 for legal, policy, and educational work to halt the further commercialization of genetically engineered crops until their safety and effectiveness for sustainable agriculture can be demonstrated

# 49. USA Today, April 13, 2010

Some weeds, bugs grew resistant to genetically engineered crops

According to a report released in April 2010, at least nine weeds have become resistant to the herbicide used with genetically engineered crops, and two insect species have developed resistance to plants genetically engineered to produce their own pesticides [quotes Andrew Kimbrell, executive director for the Center for Food Safety; includes a chart concerning the percentage of major crops that were genetically engineered in 2009.]

# 50. Reuters, April 13, 2010

Special Report: Are regulators dropping the ball on biocrops?

Robert Kremer, a microbiologist with USDA's Agricultural Research Service (ARS), studies Midwestern farm soil. His lab is housed at the University of Missouri and is literally in the shadow of Monsanto

Auditorium, named after the \$11.8 billion-a-year agricultural giant Monsanto, which has accumulated vast wealth and power by creating chemicals and genetically altered seeds for farmers worldwide. But recent findings by Kremer and other agricultural scientists are raising fresh concerns about Monsanto's products and the Washington agencies that oversee them. The same seeds and chemicals spread across millions of acres of U.S. farmland could be creating unforeseen problems in the plants and soil. Kremer is among a group of scientists who are turning up potential problems with glyphosate, the key ingredient in Monsanto's Roundup and the most widely used weed-killer in the world. Concerns range from worries about how non-traditional genetic traits in crops could affect human and animal health to the spread of herbicide-resistant weeds. Agriculture Secretary Tom Vilsack, a former governor of Iowa, also said he recognizes change is needed. The USDA is in fact developing new rules for regulating genetically modified crops. The Center for Food Safety has won two lawsuits halting the planting of Monsanto's genetically engineered alfalfa and sugar beets [quotes Andrew Kimbrell, executive director for the Center for Food Safety.]

# 51. Inter Press Service, April 26, 2010

Monsanto's GM Crops Go to US High Court, Environmental Laws on the Line

The U.S. Supreme Court will hear arguments in its first-ever case involving genetically modified crops. The case, Monsanto Co. v. Geertson Seed Farms, revolves around an herbicide-resistant alfalfa, the planting of which has been banned in the U.S. since a federal court prohibited the multinational Monsanto from selling the seeds in 2007. That decision found that the USDA did not do a thorough enough study of the impacts that the GM alfalfa would have on human health and the environment, and ordered the agency to do another environmental impact statement (EIS) review. Depending on how broad the Supreme Court's decision ends up being, it could go a long way to deciding the fate of other GM crops. A case on GM sugar beets is currently ongoing. [The Center for Food Safety represents the parties opposing GM crops in both cases.]

# 52. The New York Times, May 3, 2010

Farmers Cope with Roundup-Resistant Weeds

Farmers' use of the weed-killer Roundup, developed by Monsanto, has led to the rapid growth of tenacious new superweeds. Farmers are now doing the best they can to cope with the problem. Farm experts say that such efforts could lead to higher food prices, lower crop yields, rising farm costs, and more pollution of land and water [quotes Bill Freese, a science policy analyst for the Center for Food Safety.]

# **CHEZ PANISSE FOUNDATION**

\$185,000 awarded since 2002 for the *Edible Schoolyard* and the *School Lunch Initiative*, including a two-year \$100,000 grant for the *School Lunch Initiative* to create a sustainable-food system in the Berkeley School District

# 53. Grist, January 22, 2010

Cafeteria Confidential – Tales from a D.C. school kitchen: Hold the fat and please pass the sugar The writer spent a week at H.D. Cooke Elementary School in the District of Columbia observing how food is prepared. The school food is wholly unhealthy for its students, as in many schools throughtout the nation [features Ann Cooper, former director of the *School Lunch Initiative* and Berkeley Unified School District Director of Nutrition Services, who revolutionized school lunch in Berkeley Schools.]

#### 54. The Associated Press, April 23, 2010

Food Activist Alice Waters Takes to Web, Mulls TV

California-based food activist Alice Waters [founder of the Chez Panisse Foundation] is considering starting her own television program to spread the message about the importance of fresh, local food and supporting the farmers who grow it.

# 55. East Bay Express, April 28, 2010

Reading, Writing and Replanting – Berkeley's Edible Schoolyard remains undaunted by skeptics
The Edible Schoolyard is a nationally acclaimed program that takes kids at Martin Luther King, Jr.
Middle School out of the traditional classroom setting and places them in the garden. Funded by Alice
Waters' Chez Panisse Foundation, the Edible Schoolyard has one overarching goal: to change the basic
relationship that these Berkeley children have with the food they eat.

# 56. Grist, May 10, 2010

No more nuggets: Berkeley schools serve Epic Chicken

A report on how Berkeley schools have parted ways from the typical school diet of frozen, industrially processed convenience foods [features Alice Waters and the Edible Schoolyard; links to a video tour at Martin Luther King, Jr. Middle School's Dining Commons led by former Berkeley Unified School District Director of Nutrition Services Ann Cooper.]

#### 57. Grist, May 12, 2010

FED UP TO HERE – Berkeley school food revolution's secret ingredient: parents
Berkeley's school food has been revolutionized by Ann Cooper, former Berkeley Unified School District
Director of Nutrition Services, who was hired by the Chez Panisse Foundation for this purpose [also
features Alice Waters.]

# **CONSERVATION CORPS NORTH BAY**

\$80,000 awarded since 2009, including \$50,000 in 2010 for the *Indian Valley Organic Farm and Garden* 

# 58. Marin Independent Journal, April 16, 2010

Master Gardener: Smart planting, exchanging seeds, composting will help ecosystem
The College of Marin's Indian Valley campus' 5.8-acre farm organic farm and teaching garden launched last year, and is the only teaching farm in the county. Students learn about soil health, sustainable agricultural methods, and organic gardening.

# **GRIST**

\$25,000 awarded in 2010 for a written and multimedia series managed by food editor Tom Philpott, to explore the role of California in national food production, as well as alternative ways to a sustainable food-and-farming system

#### 59. Grist, June 3, 2010

*Mean streets: Urban farms don't make money – so what?* 

Urban farms can be highly productive and "fill in the gaps" in terms of providing food for its residents, but it is unlikely that cities can become entirely self-sufficient regarding food. The writer says, "Any realistic vision of "green cities" sees them as consumption hubs in a larger regional foodshed: dense population centers surrounded not by sprawling suburbs, but rather by diversified farms of a multiplicity of scales." The most visible urban-farm projects were started and still rely upon foundation support. Once urban farms have their farming systems working well and have sufficient infrastructure in place, they may become profitable and self-sufficient in their own right, but the problem is larger than what urban farming can solve. All farms of all sizes, including those receiving massive government subsidies, are struggling to turn a profit in today's economy. Thus, expecting market forces to empower urban farms enough that they can solve inner-city food problems is shortsighted [written by Tom Philpott in response to a linked article from Earth Island Journal by Sena Christian featuring People's Grocery.]

# INSTITUTE FOR FISHERIES RESOURCES (IFR)

\$150,000 awarded since 2006, including \$50,000 in 2010 for *The Klamath Basin Project*, to implement the Final Klamath Settlement Agreement to secure both the water reforms and a positive decision by the U.S. Secretary of the Interior by March 31, 2012 (the date required in the agreement), for federal takeover of the project, culminating by 2020 in the removal of four dams

# 60. Earth Island Journal, Spring 2010

Rough Water

In January 2008, negotiators announced the first of two breakthrough Klamath pacts: the 255-page Klamath Basin Restoration Agreement. In it, most of the parties – farmers, three of the four tribes, a commercial fishermen's group [the Pacific Coast Federation of Fishermen's Associations, sister organization to IFR], seven federal and state agencies, and nine environmental groups – agreed to a basic plan. The plan, which calls for the removal of four dams on the Klamath River, will mark the largest dam-decommissioning project in history, in what was once one of the most contentious river basins in the country [includes a link to the Klamath Basin Restoration Agreement.]

# 61. The Associated Press, February 18, 2010

Oregon's Klamath Basin Deal Helps Farmers and Fish – Agreements to remove dams end battle over Oregon's Klamath Basin water; farmers and fish win

For decades, Native-American tribes, farmers, salmon fishermen, and conservation groups have fought over the scarce water in the Klamath River basin. The groups [including the Pacific Coast Federation of Fishermen's Associations, sister organization to IFR] "gathered with state and federal officials in the Oregon Capitol beneath murals of heroic Western pioneers, Indians, farmers and salmon fishermen and amid Native American prayers and songs to sign two landmark agreements" on February 18, 2010. The agreements assure farmers water and power, and lay out the removal of dams that have blocked salmon from hundreds of miles of spawning grounds. However, removal is not scheduled to start until 2020 and depends on funding, authorization from Congress, and a federal determination that it will actually help salmon and is in the public interest.

# 62. San Francisco Chronicle, February 20, 2010

A dam deal

The biggest dam-removal project ever, designed to restore salmon stocks and the river itself will start in 2020, if the \$1 billion-plus cost is guaranteed. California voters can approve an \$11 billion water bond on the November 2010 ballot that includes \$250 million for Klamath dam-demolition work [editorial advocating for approval of the bond.]

# 63. San Francisco Chronicle, April 2, 2010

We cannot allow salmon to go the way of the buffalo

State salmon runs have crashed; with the salmon populations so depleted they cannot sustain fishing. These closures have exacted a horrible economic (as well as emotional toll) on California fishing communities. Much has also been made of the difficulties Central Valley farmers have faced because of a lack of water to irrigate their crops. While some Central Valley farmers have endured hardship due to water-delivery strictures over the past couple of years, these restrictions were due to drought, not fishery protections. According to a study from the University of the Pacific, most Central Valley farmers have been completely unaffected by regulations enforced to protect salmon and the Bay-Delta ecosystem. In fact, during the past three years, many Central Valley farmers with senior water rights received 100 percent of their water allotments. Further, agricultural employment statewide is on the rise. Agriculture in this state is not on the brink of collapse, but the salmon and the salmon fishing industry are [written by Zeke Grader, executive director of IFR.]

# 64. Santa Cruz Sentinel, April 11, 2010

*Zeke Grader: Saving the salmon fishing industry* 

Zeke Grader [executive director of IFR], writes, "For two years, sport and commercial fishermen along 1,000 miles of coastline in California and Oregon have been precluded from fishing for Central Valley salmon because of the steep declines in salmon populations. The primary reason was water diversions from the state and federal pumps in the Delta that, until the recent drought, have increased over time. Many factors have contributed to the historic collapse of the California and Oregon salmon fishery. However, the operations of the State Water Project (SWP) and Central Valley Project (CVP) have played a critical and central role in the decline of salmon and the health of our rivers, streams, bays and estuary. On April 15, the Pacific Fisheries Management Council will meet in Portland to decide on a limited season for commercial salmon fishing. After two consecutive cancellations of salmon fishing off the California coast, a third year of closure is possible. However, there may be a small, perhaps token, season for commercial salmon fishermen this year. A short sport season for salmon that began last Saturday is scheduled to last only through the end of this month — a short respite for a struggling industry. It's time to stop siding with special interests who are demanding unreasonable and unsustainable amounts of water for the Central Valley."

# 65. San Francisco Chronicle, April 16, 2010

Brief salmon season likely

On April 15, 2010, the Pacific Fishery Management Council issued a recommendation for a limited commercial-fishing season after two years of bans due to the declining population of salmon. The decision was reached following a "somber" meeting in Portland, Oregon, where it considered the plight of the vanishing chinook from the Sacramento River as well as the economic impacts of a third possible year of fishing bans. The National Marine Fisheries Service will make the ultimate decision on whether to allow commercial fishing of salmon [quotes Zeke Grader, executive director of IFR.]

# ORGANIC CONSUMERS ASSOCIATION (OCA)

\$50,000 awarded in 2005

# 66. Corporate Crime Reporter, March 21, 2010

Whole Foods, United Natural Foods Muscle Suppliers to Boycott Consumer Group

The Organic Consumers Association sells ad space on its website. Organic Valley and Nature's Path have dropped their sponsorship of OCA under pressure from Whole Foods Market and United Natural Foods, companies which OCA has asked to sign a Food Sustainability Pledge. Ronnie Cummins, national director of OCA, says, that it requires them "...to stop marketing conventional chemical foods as natural, and to sell only foods in their store that are certified organic or are in transition to organics. And it requires them to recognize fair trade principles – not just overseas, but in the domestic supply line."

# ORGANIC FARMING RESEARCH FOUNDATION

\$275,000 awarded since 1991, including \$25,000 in 2010 for the *Multifunctionality Project*, to advance the concept of the multifunctionality of organic farming, the multiple public-interest benefits that organic farming systems can deliver beyond food and fiber production

# 67. San Francisco Chronicle, April 15, 2010

Organic, local farms get a boost from USDA

Obama administration officials outlined a broad array of efforts "to elevate organic and local farming to a prominence never seen before at the USDA", promising significant federal support [quotes Bob Scowcroft, executive director of the Organic Farming Research Foundation.]

# PRODUCT POLICY INSTITUTE (PPI)

A three-year \$150,000 grant awarded in 2007 for the California Product Stewardship Council

# 68. Miller-McCune, January 21, 2010

The Smoldering Trash Revolt – Recycling is leveling off, trash is piling up and cities are broke. In a throwaway society, who should pay for waste disposal?

During the past year, lawmakers in Maine, California, Minnesota and Oregon have proposed ways to start shifting the burden of waste disposal from the public to the private sector, back to the manufacturers themselves. The *California Product Stewardship Council*, a coalition of local governments, has collected 76 endorsements for product stewardship from cities, counties, and government associations looking to deal with the problem [quotes Bill Sheehan, executive director of the Product Policy Institute.]

# 69. Product Policy Institute Press Release, March 23, 2010

First State Producer Responsibility "Framework" Law Passed in Maine with Unanimous Bi-Partisan and Chamber of Commerce Support

Maine Governor John Baldacci signed the first state extended-producer responsibility framework into law. The law applies the principle of producer responsibility for managing products when consumers are done with them. This sets a precedent for other states to adopt similar framework laws to address the growing, expensive problem of managing consumer product waste. Product Policy Institute (PPI), which developed model framework producer responsibility legislation that was the starting point for Maine and other states, commends the effort.

#### 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

# 70. The New York Times, February 1, 2010

Obama Budget Doesn't Thrill School Lunch Advocates

President Obama's budget proposal includes an additional \$1 billion a year for 10 years to be divided between school-food programs and WIC, the program for low-income pregnant women, women who have recently given birth and children up to age 5. Calculations show that, at best, the president's plan might offer less than 20 cents more per school lunch. Several organizations, including the Roots of Change Fund, have launched a campaign to try to rally a million parents to contact the Department of Agriculture and Congress to ask for \$1 more per lunch.

# 71. San Francisco Examiner, February 11, 2010

City wants more food stamp usage at farmers markets

The use of food stamps at the various farmers markets in San Francisco increased by nearly 85 percent from 2008 to 2009 according to the Department of Public Health. The department is partnering with the Alemany Farmers Market and the Fillmore Farmers Market to increase the use of government subsidy at these markets. This effort, which is being paid for with money from the Roots of Change Fund, will provide education, cooking classes, and incentives to boost food stamp usage.

# 72. San Francisco Chronicle, March 23, 2010

Mayor's agriculture plan soon to bear fruit

Mayor Gavin Newsom's executive directive (announced in July 2009), which aims to reshape how San Franciscans think about food and choose what to eat, is beginning to take root. Newsom says, "Urban agriculture is about far more than growing vegetables on an empty lot, It's about revitalizing and transforming unused public spaces, connecting city residents with their neighborhoods in a new way and promoting healthier eating and living for everyone." [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 the mayor. It resulted in a series of recommendations upon which Newsom based his directives.]

# 73. Folks Gotta Eat, April 13, 2010

Declaring our food rights

The Roots of Change Fund has developed the Food Declaration, a twelve-point declaration for healthy food and agriculture – a declaration meant to represent the American people and our best interests to policymakers. The declaration comes out of years of collaboration by California-based foundations interested in putting their resources to the best possible uses in challenging the industrialized food system. Though the work of the ROC Fund is California-based, the effects are far-reaching. [The article includes the twelve-point declaration (along with the writer's comments on each point) as well as a link to the Food Declaration website.]

# 74. The Huffington Post, April 23, 2010

A New Vision for the 2012 Farm Bill?

The 2012 Farm Bill could include unprecedented support for sustainable and organic farmers. Michael Dimock, president of the ROC Fund says, "The federal food and agriculture research budget and agenda need to be more robust and diversified." Dimock also says that we need "agro-ecological and organic research that will allow us to scale up the work of Joel Salatin, Wes Jackson, and others that are showing farmers how to work with diversity [and] to break out of the industrial mindset that seeks to eliminate diversity."

#### SLOW FOOD NATION

\$50,000 awarded in 2008 for a public event in San Francisco focused on building a strong coalition for sustainable food and farming in California and the nation

# 75. San Francisco Chronicle, May 30, 2010

Anya Fernald brings sustainable food to masses

[The article] profiles sustainable food consultant Anya Fernald, former director of Slow Food Nation, the 2008 San Francisco festival that celebrated artisan food traditions and ecological farming practices. Fernald says, "At a grassroots level, I want to be about pushing people to learn new skills and techniques to help them make better food."

# XERCES SOCIETY

\$180,000 awarded since 2007, including \$50,000 in 2010 for *Restoring Biodiversity in California's*Agricultural Landscapes, to develop and deliver tools to farmers so they can protect and restore pollinator habitat and curb pesticide use

# 76. Pittsburgh Tribune-Review, March 13, 2010

Judges uphold ban on Bayer pesticide

A federal appeals court refused to delay a ban on the sale of Spirotetramat, a pesticide developed by Bayer, which (according to the Xerces Society and other environmental groups) is killing honeybees.

#### 77. San Francisco Bay Guardian, April 13, 2010

In the company of bees – GREEN ISSUE: How a strange obsession blossomed into a crucial environmental issue

Scientists estimate that bees pollinate nearly three-quarters of the world's flowering plants. These plants provide food and shelter for many species of animals. A 2008 survey by the UDA shows that 36 percent

of the 2.4 million hives in the U.S. have been lost to colony collapse disorder. Some species of bumblebees also are vanishing. Robbin Thorp, professor emeritus of entomology at UC Davis, blames their disappearance on commercially reared bumblebees that are imported to pollinate hothouse tomatoes. The Xerces Society has petitioned to stop the cross-country movement of bumblebees. Xerces has also published pocket guides to help people identify bumblebees in the field.

# Other

# TAPROOT FOUNDATION

\$92,500 awarded since 2005, including \$50,000 in 2008 for *Service Grant Sponsorship* to provide ten grants of creative services and production in web-site design, brochure design, branding and database design to Columbia Foundation grantees

# 78. Taproot Foundation press release, May 6, 2010

Taproot Foundation Awarded California Volunteers 2010 Social Innovation Spotlight Award Taproot Foundation was awarded the California Volunteers 2010 Social Innovation Spotlight Award for revolutionizing service in California both by engaging marketing, human resources, design, and strategy professionals in pro bono service to strengthen nonprofits, and by partnering with companies across the state to expand the impact of pro bono service.

# guardian.co.uk

# 1984

BAC, London





Lyn Gardner

Wednesday, 9 December 2009



Savage comic edge ... 1984. Photograph: Stephen Dobbie

Everyone's a puppet in Blind Summit's fiendishly clever version of Orwell's nightmarish novel, dancing to the tune of Big Brother in the totalitarian state of Oceania where the past is constantly rewritten to suit the ruling party. But not state workers Winston and Julia, who, in embarking on a secret love affair, attempt to defy the all-seeing state that demands total loyalty and seeks to control people's actions, thoughts and even feelings.

Blind Summit's object manipulation embraces not just puppetry in a traditional sense – playing wonderfully with perspective as a tiny teddy bear-clutching child is killed by a bomb – but also in the way it uses the human body itself.

1984 is often described as a satire, but it's not a very funny one; here Blind Summit bring a savage comic edge to the proceedings. In the world of double-think and doublespeak, this is double theatre, a show within a show, told by an unreliable chorus of Brechtian-style narrators who are acting out the story of the "thought criminal and his whore".

It's beautifully done, from the tiny moments when they play the flames under a pan of coffee, to a wittily inspired acting out of the contents of The Theory and Practice of Oligarchical Collectivism using a sheet and signs. Every member of the chorus is sharply defined, and Simon Scardifield as Winston and Julia Innocenti as Julia bring warmth and a real sense of two people clinging desperately to what it means to be human.

This is a wonderful piece of work, albeit too long and in need of some editing, and on occasion a wee bit too pleased with its own virtuosity, but nonetheless brilliantly inventive and true to Orwell's vision.

# Telegraph.co.uk

# 1984: BAC, review

# Mark Down's '1984' is a weird, feel-good delight. Rating: \* \* \* \*

By Dominic Cavendish 11 Dec 2009



Chilling: 1984 at BAC

#### 1984

# BAC, London

Laughing during George Orwell's dystopian nightmare? Is that allowed? It's certainly not usual, but then there's nothing conventional or tried-and-tested about Blind Summit's staging of a book which, 60 years ago, defined the dread of the Cold War era and put its author in the pantheon of 20th century greats. This must rank as the most perverse choice ever for a Christmas show but it works (just) because the whole thing is mounted in a winning spirit of experimental subversion so that, in its own theatrical way, it matches the shock and the wit of the original. What should be the most depressing evening in town proves a weird, feel-good delight.

It's often forgotten that Nineteen Eighty-Four is saturated in the bitter vinegar of satirical pessimism, from the monstrous invention of Newspeak, with its insane mission to reshape all thought, to such razor-sharp details as the national Lottery, whose winners are

non-existent. Stage-adaptations have to contend with the density of Orwell's totalitarian London landscape as well as the interiority of Winston Smith's journey towards betrayal, torture and rehabilitation - and can risk ending up too earnest by half. Not so here.

Director Mark Down's courageous conceit is to present the whole story as if it were an improving piece of Soviet-style agit-propaganda proudly delivered by a band of brainwashed players. In a framing-scene, the cast of seven - dressed in identically austere grey overalls - deliver their comradely thanks to 'Big Brother for our new happy life!' and explain that they will show us what happens to thought-criminals. A huge dunce's cap is placed on top of Simon Scardifield's Winston Smith. A sign saying 'whore' hangs from the neck of Julia Innocenti, playing his lover and fellow traitor Julia. All kinds of deadpan pseudo-Brechtian business follows: scenes are announced in advance, almost everything is fashioned from cardboard, including the telescreens - and there are puppets too.

The approach enlists a kind of double-think in its audience - we're not supposed to take it seriously and yet the evocation of art in harness to a deranged politics is chilling. There's some superb acting - not least from the leads - that squirrels out key moments of pathos amid the exaggerated, grotesque carnival. Gergo Danka's O'Brien should be nastier and the ending could be sharper but overall, this travesty in pursuit of a truth snatches a rare victory from the jaws of potentially deadly theatre.



# 1984





# **By Caroline McGinn** Mon Dec 21, 2009

A comic version of George Orwell's dystopian classic, with puppets? Well, it sounds like a joke. But this staging of the book which brought us the concept of Big Brother is seriously ingenious even if it doesn't quite terrify you with the thought of who or what might be pulling your own strings.

Orwell's novel tells the story of one man's desperately private rebellion against the groupthink of a tyrannical state. But theatre is a collective experience and Blind Summit's great inspiration here is to re-tell the tale of 'thought criminal' Winston and his lover Julia as a cautionary drama, performed for the party faithful by 7 blank-eyed members of Big Brother's collective (and one puppet). The mismatch between the crass jackbooted enthusiasm of the brownshirt brigade and Winston's humane yearning for truth and love makes a powerful point. It also makes energetic and engaging physical theatre. The actors limp, robo-walk and goosestep across the stage, their postures and expressions arranged like crude exclamations. They're as unsubtle as the daubed propaganda posters and the cardboard box-faced prole puppet that define the political aesthetic

here. It's 'newspeak' in action: Orwell's state destroys rebellion by abolishing the words which permit thought; here it's the dramatic language that's stunted, and every bit of crude comedy also flags up the loss of humanity that Orwell described as a 'boot stamping on a human face...forever'.

Simon Scardifield's Winston grows ever-more subtle while those around him remain puppets and caricatures. That's one reason why his dark and broken end lacks power here: it's hard to feel the impact of torture when it's expressed by flailing yelps and a cardboard lever: harder still when his torturers are a gaggle of tics and funny walks. The script loses clarity towards the end and it's increasingly awkward to imagine that something as subversive as a play would be put on by Big Brother when telescreens are so much more effective at creating hate-filled zombies. As Orwell put it, 'Who controls the past controls the future. Who controls the present controls the past.' At least the talent, political commitment and exuberant energy on display here gives you hope for our own future.

# Excavating the New Deal works in California

The magnitude and lasting impact of the New Deal public works programs were lost in the full employment demanded by a major war effort

By Gray Brechin

"What was I thinking?" I ask myself whenever I reflect on that time, five years ago, when San Francisco's Columbia Foundation notified me that it had given photographer Robert Dawson and me a seed grant to document the physical remains of the Works Progress Administration (WPA) (1935) in California. Hubris doesn't begin to describe what we had proposed to do.

The plaques and markers left by the WPA on sidewalks, public restrooms, and Berkeley's beloved Municipal Rose Garden had long intrigued me, though I did not then go out of my way to hunt them down. I knew that the WPA was a massive public works program set in motion as a part of President Franklin Roosevelt's New Deal to combat the poverty, desperation and potential revolutionary violence of the Great Depression, and I knew that another New Deal agency - the Civilian Conservation Corps (CCC) - had planted and cared for the nation's forests and built rustic structures and trails in our parks. But I knew nothing about the PWA, CWA, FERA, REA, and RA. All of those long-forgotten "alphabet soup" agencies attacked the Depression in different ways, and all left artifacts which we use every day without knowing we are doing so, or to whom we should be grateful.

We stand on the shoulders of giants, not only Franklin and Eleanor Roosevelt and the ingenious men and women whom they gathered around them, but millions of usually anonymous workers who transformed the nation in a few years of economic calamity before they turned their energies to fighting the Second World War. A contact told me early on how "Growing up in the 1930s, in retrospect, seemed like a renaissance period with so many useful and handsome public facilities and buildings being built... I am sure that there was much economic distress during the period, but to me, the many civic projects brought a feeling of well being and optimism which I have not experienced since." I have heard many such counter-intuitive testimonials since then from people who lived through those years.



The post office in Lodi at 120 South School Street was a 1935 WPA project. The plaque (below) lists Franklin Roosevelt's supervising cabinet officials and designers. Photos courtesy of San Joaquin Historical Society.



# GOVERNMENT PROJECTS STILL BENEFIT US AFTER 75 YEARS

which I have not experienced since." I have heard many such counter-intuitive testimonials since then from people who lived through those years.

I believed then that the New Deal was all about centralization in Washington, D.C., so surely I'd find the records for it neatly filed and accessible at the Library of Congress and/or the National Archives. A few trips to the

nation's capital were sufficient to convince me that I was wrong on all counts. WPA filing cards are not very informative and were "preserved" after the war on some of the worst microfilm I have ever had the misfortune to strain my retinas. Public Works Administration (PWA) reports were also microfilmed, but used a dauntingly complex filing system and are so voluminous that no one but a young doctoral student could hope to get a grip on them. If the CCC records for the work done at thousands of camps exist anywhere, they would be similarly intimidating. But many of the records - like so much of New Deal art - appear to have been lost or destroyed over the decades since the full employment demanded by a major war effort abruptly killed the New Deal public works programs.

Fortunately, the National Archives has preserved many boxes of roughly organized archival photographs of New Deal public works. I photographed and scanned hundreds of images that began to reveal the magnitude of what we'd undertaken — and the projects those photos document only

undertaken — and the projects those photos document only scratch the surface of what was done in California alone.

Yet more fortunately, Robert Leighninger, Jr. in 2007 published his indispensable book Long-Range Public Investment: The Forgotten Legacy of the New Deal. It clearly and patiently explains all the New Deal public works agencies and how they changed during the brief years of their existence in response to the whipsaw of political and budgetary pressures exerted on the Roosevelt administration. The result of twelve years of research, Leighninger's book not only names many hundreds of projects around the country but suggests how much work remains to be done to reveal the extent of the iceberg of which we see only the tip. Harold Ickes, the head of the PWA, said in 1939 as he broke ground for Friant Dam: "Even those of us in Washington who are responsible for carrying out orders sometimes lack comprehension of the mighty sweep of this program."

Among the many initiatives I discovered the WPA undertook were archaeological digs and historical restorations and recreations. The project became an analogous effort: an ever-expanding excavation that began revealing a buried and lost civilization. This was not, however, a civilization engulfed by the jungles of Guatemala or the sands of Egypt but our own. It's everywhere and only about 75 years old.

# CALIFORNIA'S LIVING NEW DEAL PROJECT — WORKS IN DAILY USE

The task of documenting all New Deal public works in one book was clearly impossible, and many of those projects



CCC Camp Tulelake at Lava Beds National Monument, 1936. Photo courtesy of National Park Service.

photographed unused and under unfavorable weather and lighting conditions would interest only hard-core New Deal freaks like I was becoming. I named it California's Living New Deal Project (CLNDP) to emphasize the fact that although they are less than eight decades old, many of the projects remain in daily use by countless people whose parents may have dismissed them as "boondoggles."

As the CLNDP grew, others with greater administrative skills than I possess came to its rescue, engineering a collaboration between the California Historical Society and UC Berkeley's Institute for Research in Labor and Employment (IRLE), and the Department of Geography (where I have an office as a Visiting Scholar). Librarians Heather Lynch and Elizabeth del Rocio Camacho built a sophisticated website that contains an ever-growing database of projects that spatially express themselves on a map of California as color-coded Google information points, each containing documentary data and, wherever possible, contemporary and archival photos.

With the help of another grant from the Columbia Foundation, CHS hired Project Manager Lisa Ericksen who has worked for the past two years as the project's ringmaster. Among many other initiatives, Lisa invited historians, archivists, and other interested parties from around the state to attend workshops in Berkeley and San Francisco. Attendees constitute a network of informants feeding information from their areas to UCB research assistants who check them for accuracy and enter them into the CLNDP data base and map. Since much of the evidence for New Deal public works is not at the National Archives but in local histories, newspapers.



General Mariano Vallejo's home at 20 East Spain Street, Sonoma State Historic Park. WPA restored the building and grounds during 1936-38. Acquisition by the State enabled Sonoma County to retain this historical property as a museum. Photo courtesy of University of California Regents.

municipal records, and scrapbooks — as well as the memories of those seniors who lived the Depression — knowledgeable informants are crucial to mapping New Deal California. They are also a means to actively involve hundreds in the fascinating detective work of assembling history from scratch.

# NEW DEAL BUILT PARKS RATHER THAN CLOSING THEM

The CLNDP only grew timelier as California's economic condition deteriorated into the what press and pundits routinely dubbed "the worst crisis since the Great Depression." I discovered that the New Deal frequently did precisely the opposite of what we are doing to kick the economy out of that depression: while Governor Schwarzenegger was closing California's State Parks in a futile effort to balance the state's budget, I found that their improvements and very existence — and those of the East Bay Regional Park District and many national parks and forests — was largely the result of the availability of CCC labor.

WPA workers improved every public park in San Francisco as well as planting thousands of street trees now in their maturity. They also built San Francisco's and Berkeley's Aquatic Parks and recreational marinas throughout the state. In addition, the urban streets and sidewalks and rural roads that are now falling apart and the bridges falling down were often constructed by laborers whose wages in turn recycled into the economy, refloating it from the bottom rather than waiting for trickle down.

New Deal agencies similarly came to the aid of public education from kindergarten to the university level. Searcely a small town in California lacks a school built by or improved by the WPA or the PWA; many of the new schools replaced ramshackle, crowded, and inadequate structures with modern fire- and earthquake-resistant facilities that boasted science labs, libraries, cafeterias and kitchens, athletic facilities.



Cabins at Arvin Farm Labor Center on Sunset Boulevard in Bakersfield. Center was built by the Resettlement Administration for migrant farm labor in 1935-36 and is still in use. Center included a library, post office, medical clinic and community center. John Steinbeck based The Grapes of Wrath on this site which he called "Weedpatch Camp." Photo courtesy of San Joaquin Historical Society and Museum.

and multi-use auditoriums that quickly became community centers. A panel of architects tasked by President Roosevelt to select the best PWA projects in the country flatly stated that "Some of the best architecturally outstanding buildings in all types may be found in California," but singled out the state's public schools for special praise.

Additional confirmation to that effect came to me when a 77-year-old man wrote me after hearing about the CLNDP to say that his 1938 Watsonville elementary school "had features we would never have enjoyed if the local taxpayers had to foot the bill." His high school, with its redwood basketball arena, "was the pride of all who attended Watsonville High School." He recalled the joy of hearing live classical music played by a WPA Symphony Orchestra in that auditorium: I sent him a photograph that I'd scanned at the National Archives of school children enjoying that concert. He responded that "I'm sure I'm somewhere in that crowd in the rear of the auditorium."

# WPA AND PWA BUILT COMMUNITY COLLEGES

In less than six years, WPA labor and PWA funding built entire campuses such as the community colleges at Santa Rosa, Long Beach, San Francisco, Pasadena, Santa Barbara, Fullerton, and Los Angeles. The PWA built a state-of-the-art orthopedic school for crippled and malnourished children in San Francisco's Mission District. Not only did the Sunshine School feature ramps and elevators now mandated by the ADA, it was richly embellished with elaborate Spanish tiles, stenciled ceilings, and Moorish light fixtures, Such aesthetic considerations were no accident; "Everything possible has been done to create the most cheerful possible atmosphere in order to encourage the children to forget as far as possible their disabilities," noted the authors of the report on the best PWA projects.

New Deal agencies employed thousands of teachers, educational aides, librarians, nutritionists, bookbinders, conservators, translators, and recreational supervisors. They built public libraries, museums, zoos, and educational visitors' centers in parks. The National Youth Administration (NYA) provided work-study jobs so that students could complete their education as well as vocational training. CCC "boys" reconstructed Mission La Purisima Concepción in Lompoc from the ruins left by an earthquake, and WPA workers restored General Vallejo's home in Sonoma, leaving no marker that they had done so.

The WPA's Federal Art Project (FAP) commissioned artists to embellish existing and new schools with murals, sculpture, and easel paintings. Some of that artwork — such as Jacques Schnier's gigantic relief of Saint George slaying the dragon of ignorance on Berkeley High School — are accessible to the public. But security concerns have rendered many New Deal works — such as a magnificent wood inlay panorama of Bakersfield at East Bakersfield High School — invisible and unknown and thus at risk of loss and destruction. California's public schools rem

and destruction. California's public schools represent a vast and largely unknown reservoir of art created during the Great Depression. The CLNDP relies upon teachers, principals, and custodians to alert and send us photos of paintings, sculpture, and even (as at San Jose's Hoover Middle School) stained glass windows hidden within their schools.

(Another federal agency — the Treasury Section of Fine Arts — was responsible for the murals and statues in post offices and other federal structures.)

# NEW DEAL AGENCIES BUILT SCHOOLS INSTEAD OF PRISONS

New Deal agencies built few prisons but many schools in the belief that it is far better and cheaper for the nation and communities to educate their young rather than to punish them. Deeply concerned with juvenile delinquency at a time when job prospects for young men were even bleaker than now — as well as foreseeing the need for leisure activities once the economy improved — the WPA built public tennis courts, ball parks, golf courses, and swimming pools still in heavy use:

In San Francisco's Golden Gate Park, it built public stables, a model yacht clubhouse, and one of the finest flycasting facilities in the country, thus making available to everyone sports activities previously available only to the well-to-do.

Near the summit of Mount Tamalpais State Park, CCC work crews moved lichen-encrusted boulders to create the open-air Mountain Theater, while in the Oakland hills, WPA



Oswald Road Bridge straddles a WPA-built farm to market road in Sutter County 10 miles west of Yuba City. Bridge gives farmers in Sutter Basin District a direct route to Yuba City and Marysville with a saving of 25 miles. Photo courtesy of University of California regents.

crews built the Woodminster amphitheater with a magnificent water cascade and fountains dedicated to California's writers.

Far from being boondoggles, these innumerable projects represent the prodigality of imagination and compassion unleashed by the New Deal. A woman involved in the Federal Theater Project told me that those few years constituted "the most creative period in American history." The CLNDP continues to collect the stories of those who were present and to map the contributions that they made to their future and our present.

And now, it is going national: the Franklin Delano Roosevelt Presidential Library and Museum in Hyde Park, NY has acquired the CLNDP platform in order to begin a national New Deal inventory that will involve thousands of Americans rediscovering and mapping the lost New Deal landscape of their own nation. As a lifelong Californian, I'm proud to say that, like so much else, it started with the Golden State.

Dr. Gray Brechin is a historical geographer and author whose chief interests are the state of California, the environmental impact of cities upon their hinterlands, and the invisible landscape of New Deal public works. He received B.A. in history and geography, an M.A. in art history and a Ph.D. in geography from the University of California, Berkeley, with which he has been closely associated for over 40 years. He was the first director of the Mano Lake Committee and worked during the 1980s as journalist and TV producer in San Francisco.

# guardian.co.uk

# Old glories of New Deal still chime in a time of crisis

California's Living New Deal project is an ambitious social history initiative that is mapping the legacy of America's greatest public works programmes



Mary O'Hara Wednesday, 10 March 2010

In 1940, Eugene A Delorenzo was just 17 years old when he boarded a train bound from New York City to rural Idaho after his father suggested he sign up with the Civilian Conservation Corps (CCC), one of the public works programmes launched by president Franklin D Roosevelt's New Deal in response to the Great Depression.

Writing of the time, Delorenzo recalls: "We built a road, including a bridge, fought forest fires, and provided for all of our own support – food, shelter, and recreation. All this from a bunch of kids who knew less than nothing about anything other than how to get along on the mean streets of New York. It saved my life, believe me. I was headed down the lonely and inevitable path to prison, and was rescued by the CCC. They did more than build roads and repair buildings!"

Delorenzo's is one of numerous touching tales catalogued by California's Living New Deal (LND) project, an ambitious social history initiative that is mapping the legacy of the country's greatest public works programmes.

The academics and researchers responsible have been charting overlooked or forgotten buildings and landmarks paid for by the New Deal – and the people who built and benefited from them. In pictures, words and audio, the project is collating an inventory of everything from libraries, schools and swimming pools to monuments constructed with the New Deal money that helped heave America out of the Depression.

The result is a singular insight into the vast social scope of the New Deal and how it went beyond merely creating jobs and staving off poverty – providing things such as adult literacy classes, art for public spaces, and music lessons for poor youngsters.

The LND project was conceived to mark the 75th anniversary of the New Deal, and the driving force behind it, academic Gray Brechin, likens it to a society-wide "archeological dig". After trawling through national and local archives, he concludes: "The amazing thing is that our own culture did this. It was only 75 years ago, and very few people knew the extent of what was happening."

On the face of it, the project might seem like an isolated academic endeavour, yet it resonates because of the latest deep recession. The evidence is everywhere of just how grim are the current difficulties facing millions of Americans.

Take government food stamps. They are a source of great stigma in a country where the concept of "welfare" is largely denegrated as dependency, but uptake is currently at record levels.

Soaring unemployment has played a part – as of January this year, around 6.3 million Americans had been out of work for six months or more – but so too has the swelling ranks of the "working poor".

Obama's economic stimulus package has more than \$100bn of "safety net" provisions, yet many people are sceptical about any enduring impact it might have. In this context, the shadow of the Great Depression looms large.

Brechin had the audience spellbound at a recent lecture when he talked about how much of the New Deal's achievements had been airbrushed out of history, and of how political opponents had been "phenomenally successful" at painting it as a failure. Yet, fact by fact, he illustrated how it had acted as a glue that kept communities strong in tough economic times and "made people feel invested" in the work they were doing.

It's easy to find people here who think the New Deal was a colossal waste of taxpayers' money – usually the same people who think Obama's stimulus package is doomed to failure. But Brechin sees LND as a small yet potentially significant challenge to such attitudes, and its reach is well beyond the borders of California. "People all around the country, and hopefully around the world, are aware of what we are doing," he says. "And, of course, they can add to it too."

Time will tell if, 75 years from now, a Eugene A Delorenzo will be writing so personally and passionately about how government action in a great economic crisis saved him.

• Mary O'Hara, a social affairs writer for the Guardian, is the Alistair Cooke Fulbright Scholar 2009/10. Her column appears monthly in Society. Details of LND at

livingnewdeal.berkelev.edu



# **Arts & Entertainment:**

# **Local New Deal is Focus of History Exhibit Opening Sunday**

By Steven Finacom Thursday April 08, 2010



A new building to house the University of California Press and UC printing operations was one of the local facilities funded by the New Deal in Berkeley. The "WPA Moderne" structure still stands at Oxford and Center Streets on the east edge of Downtown Berkeley. Now vacant it is presently slated for renovation as part of a new home for the Berkeley Art Museum / Pacific Film Archive.



Steven Finacom

Seventy-five years ago Congress was finishing up a landmark piece of legislation, a far-reaching jobs program proposed by President Franklin Roosevelt to combat the enormous unemployment caused by the Great Depression. Notable Federal programs including the Works Progress Administration (WPA) date from that time. Although Berkeley was largely still a Republican town then—locals had twice voted for Herbert Hoover for President—that didn't prove an obstacle to benefitting from Roosevelt's New Deal. Local facilities from the North Berkeley Public Library to the Berkeley Rose Garden to street improvements and street tree plantings throughout the city were funded by the New Deal, and often built by workers paid directly through New Deal programs like the WPA.

This Sunday, April 11, 2010 the Berkeley Historical Society opens a new exhibit on the local history of the WPA. A free program, with refreshments, runs from 3-5 in the afternoon.

The exhibit is curated by Harvey Smith of "California's Living New Deal Project", which endeavors to trace and document the legacy of the New Deal. Smith has assembled text and photographs—both present day, and period—showcasing the tangible effect of the WPA and other New Deal programs in Berkeley.

The New Deal made its way into many aspects of American life, but was most tangibly expressed through the buildings, parks, and other public facilities it funded across the country. From sewer systems to soaring sculptures, many New Deal-funded facilities remain in operation today.

"The underlying theme is Berkeley as an example of what was done throughout the U.S.", Smith says. "Berkeley may have a little more or a little less than other cities, but it is also typical of the infrastructure and programs done during the New Deal."

"I hope to illustrate the effectiveness of reaching Main Street with progressive and comprehensive public policy," he adds. He includes in the exhibit period photographs by Rondal

Partridge and Dorothea Lange—both of them notable locals—as well as illustrations and blueprints of art and structures built in Berkeley by the New Deal.

"All of these sites are very much alive for me", Smith says. "Being a long-time resident of Berkeley and having raised two sons here, I have memories and experiences attached to each site. We all use them but rarely do we group them together than think of them as a whole."

The exhibit opening takes place at the Berkeley History Center in the Veterans Memorial Building, 1931 Center Street, Berkeley. The building is two blocks west of the Downtown Berkeley BART station, and opposite Martin Luther King, Jr. Civic Center Park.

"Depression era" refreshments will be served, Smith will give a short talk introducing the exhibit, and the Berkeley Historical Society will also hold a brief Annual Meeting on Sunday.

The free exhibit can also be viewed on Thursdays, Fridays, and Saturdays from 1-4 pm. It's convenient to the Saturday Berkeley Farmer's Market on Center Street, and events in the park. Call BHS at 848-0181 to confirm the Center will be open on the afternoon you plan to visit. The exhibit continues through September 18.

For more information on the California Living New Deal Project, see their website at <a href="livingnewdeal.berkeley.edu">livingnewdeal.berkeley.edu</a> It includes not only period photographs but a great interactive map showing the multitude of New Deal projects in the Bay Area and throughout the state.



Saturday, May. 01, 2010

WPA, Yesterday's Stimulus: The New Deal revisited By JONAH OWEN LAMB



**Merced Sun-Star** 

SUN-STAR PHOTO BY LISA JAMES WPA stamp on sidewalk in front of John Muir School. April 30, 2010

When President Barack Obama took office in early 2009, the nation's economy was on its knees. More than 11 million Americans were without work -- and the number would only climb. The financial system was on the brink of collapse. The housing market was in turmoil. Banks were failing every week.

In Merced, a growing homeless camp on the edge of town, an unemployment rate hovering around 20 percent and soaring foreclosures were signs of the times.

Things were not looking good.

Almost 80 years earlier, another president, Franklin Delano Roosevelt, took office in early 1933 at the height of a depression far more dire than today's. Like now, the Roosevelt administration faced an uphill battle to restore a very sick economy. At the time, 14 million Americans were without work, and the nation's population was half what it is today. Banks were failing at an alarming rate. Soup kitchens and "Hoovervilles" were common sites.

Even the local similarities to today are striking.

For instance, in 1938, the Merced City Council debated whether or not to ban a homeless camp on the edge of town.

Many have compared the Great Recession of today with the Great Depression of the 1930s: a speculative and greedy Wall Street caused a financial crisis which brought the economy to the edge of collapse. Historic unemployment levels thrust millions into poverty and foreclosures, and bank failures sent an ailing economy reeling.

But the government reacted to these two crises -- then and now -- with a drastically dissimilar style, scope and philosophy.

The Obama administration's main push to staunch the economic bloodletting caused by the 2008 financial crisis was the \$787 billion stimulus project passed in 2009. The money, much of it still unspent, was meant to stimulate the troubled economy. It has already created more than 600,000 jobs -- almost all in the private sector. The funds went to loans and grants to repair roads, fix bridges and other infrastructure. The stimulus paid for increased unemployment insurance and for middle class tax cuts and incentives for businesses.

The Great Depression was attacked by the Roosevelt administration with a fervor that eclipses today's efforts.

President Roosevelt's New Deal, which was meant to end the economic troubles caused by the Depression, was perhaps one of the most ambitious programs of the federal government in U.S. history.

Through the National Recovery Act of 1933 and the 1935 creation of the Works Progress Administration, which oversaw the work of a series of agencies, more than 8.5 million people were hired through direct government employment, which sustained more than 30 million Americans. From 1933 to 1943, these workers built schools, roads, bridges and dams. They painted murals, planted forests, performed theater and played music, among other things.

From the Civilian Conservation Corps to the Public Works Administration, and similar programs, an army of civilians helped spread culture and modernize the country.

Not only were millions put to work, but the government created social security and unemployment insurance and financial and banking regulations still in use today, among other reforms.

While the reactions to the Great Recession and the Great Depression have some similarities, in many ways they are night and day, said Gray Brechin, a visiting scholar at the UC Berkeley School of Geography and the founder of the Living New Deal Project, which is cataloging the legacy of the New Deal in California.

The current stimulus is far less ambitious and creative than the New Deal, said Brechin. "The main thing that I see is that the New Deal attacked the Depression in a variety of ways and with a lot of ingenuity. I don't see much ingenuity and I see they're only attacking it in one way," he said of today's stimulus.

In the New Deal, the government directly employed millions and built a lasting body of public structures -- a civilization, said Brechin -- from buildings and bridges to sculptures and murals. Now all the stimulus money is trickling down through contracts, grants and loans, said Brechin. The New Deal had an ethic of communal action aimed at defeating an economic catastrophe that is missing today, he said.

That communal effort in Merced County meant concrete action. New Deal agencies build sidewalks, fixed roads and put in sewer lines. They improved the airport, Applegate Park and John Muir School. WPA workers built Hilmar's Merquin School, the Lander Gym and Elim Elementary School. WPA workers completed street improvements in Los Banos and Dos Palos and cleaned Merced Irrigation District canals. And those are just some of the projects of the New Deal in Merced.

At one point in 1936 WPA projects were halted for a brief time in Merced County because local farmers complained they couldn't find anyone to pick their crops. New Deal work started up again in less than a week.

While Mercedians may know about some of the projects paid for by the current stimulus -- the repaving of 16th Street and school improvements, for example -- much of the legacy of the New Deal in Merced County is still standing, yet unnoticed. From recreational facilities and the beach at Lake Yosemite, to the murals in Merced's downtown post office, much that was built during the 70-year-old New Deal is still standing strong.

#### WPA: Obama's stimulus in Merced

A list of projects funded by the current administration's stimulus plan:

Resurfaced 16th and G Street in Merced

Gave \$42 million to the county for road projects, including a new Highway 99 bridge over Black Rascal Creek

Gave the Merced County Office of Education \$2.7 million to hire 60 new teachers for Early Head Start programs

Awarded grants for the hiring of police officers through the Community Oriented Policing Services program

Paid to keep teachers in schools who would have been laid off

Awarded grants for school facility upkeep and programs

Awarded the county money that prevented some layoffs

Awarded \$2.25 billion to the California High Speed Rail Authority

### **WPA:** New Deal projects

A list of projects funded by the New Deal stimulus plan:

Paid for murals in Merced's Post Office

Performed street work in Merced

Also performed road work in Los Banos and Dos Palos

Put in sewer lines in Merced

Improved Merced municipal airport

Built Lake Yosemite beach

Improvements at Applegate Park

Built Elim Elementary School and Merquin Union Elementary School in Hilmar

Built Hilmar High School's Lander Gym

Improved John Muir School in Merced

Built The Adobe

Improved the Central Hotel in Merced

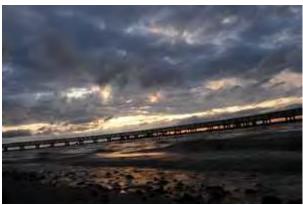
Built the Atwater Plunge

Paid for murals in the Los Banos post office

Cleaned and lined Merced Irrigation District ditches



WPA: Lake Yosemite
By DANIELLE E. GAINES



**Merced Sun-Star** 

SUN-STAR PHOTO BY BEA AHBECK Sunset at Lake Yosemite in Merced, Calif. Tuesday, April 27, 2010.

Lake Yosemite, despite its vast shores and native sands is entirely man-made, right down to the splendid beach you might call your summer home away from home.

The water, of course, rests in an artificial reservoir that once provided the city of Merced with its drinking water, but now serves as the lifeblood of this area's ag industry.

What might come as a surprise is the fact that the sand for the main beach at Lake Yosemite was hauled from the Merced River in Cressey by a team of Works Progress Administration workers.

The local WPA program also created restroom facilities, new piers, diving boards, floats, outdoor barbecue pits and "the finest horseshoe court in the state," according to the May 25, 1939 edition of the Merced Express newspaper.

The work took nine months and cost an estimated \$64,748.

In planning for the "Valley center of recreation," a commission created by the county supervisors had to consider whether houseboats should be kicked off the waters and passed rules like this one: "Concessions (should) be strictly limited to those which would further the enjoyment of the four primary purposes of the park" which were identified as picnicking, swimming, boating and fishing.

Nearly 3,000 people turned out to the grand opening of the lake on May 30, 1939. Local attorney H.K. Landram led an opening ceremony, according to the newspaper, and noted the "spiritual uplift it will provide in offering a place to rest and relax after a day of hard work."

Eugene W. Lee, 82, remembers going to Lake Yosemite for Livingston High School's 1945 Senior Skip Day. The sand at the beach meant more than a day in the sun to the Cressey native.

"By the time I was 8 or 9 years old, that sand had left a great hole in Merced River where everyone swam and drowned," Lee recalled from his Daly City home this week. "People from out of town that didn't know the area would want to swim in the river. They would wade in and then fall into a deep, big hole."

Lee said he and the other neighborhood kids knew better than to take a dip in the mighty Merced River, but he sure did enjoy that day at the beach in '45.



**WPA: Applegate Park** 

By CAROL REITER



#### Merced Sun-Star

SUN-STAR PHOTO BY LISA JAMES Children from Allyson Hall's third-grade science class at St. Paul's school draw the animals while on a field trip to Applegate Zoo in Merced Thursday. The buildings that house the animals at the zoo were buildings originally built in Applegate Park under the WPA.

In the 1930s, Mercedians who wanted to spend a day at the park drove their Fords and Dodges to Bear Creek Park, where a grandstand and bleachers were snugged up against Bear Creek, in the northern part of a town that boasted only about 15,000 people.

But in 1937, the Merced City Council applied for a Works Progress Administration project to construct a new park -- a park that would cost about \$41,000 total, with the city providing \$9,800 and the federal government \$30,800.

Included in the new park would be seven acres of lawn, more than a mile of water pipe, demolition of the grandstand and bleachers in the old park's athletic field, a new fence, pens for animals and birds, duck pond, and deer shed, along with trees, shrubs, flowers and landscaping.

At the time, there was no children's playground planned, because the money wasn't there to build one. Eventually, a children's area was built in the park, close to R Street.

The project required 590 man-months of labor, according to G.E. Winton, the city engineer at the time.

Originally, a swimming pool had been planned to be built at the Applegate Park site between M and R streets, against Bear Creek. But the proposed municipal swimming pool was never built.

In 1938, after the OK was given for the upgrades to the park, the sports field was demolished and pens and buildings for animals were built. Those animal facilities were turned into a zoo in 1961.

In 1935, Laura Fountain was moved from the Southern Pacific Depot on 16th Street to the park. Laura Fountain was donated to Merced by C. H. Huffman in his wife's honor.

Applegate Park and its zoo, at 26th and R streets, are still popular destinations for Mercedians at all times of the year, with the zoo open for children to see animals, a playground, and areas for volleyball and other sports. The city's bike path also follows Bear Creek through the park.



Saturday, May. 01, 2010

WPA: Court adobe

By VICTOR A. PATTON



Merced Sun-Star SUN-STAR PHOTO BY MARCI STENBERG WPA-ADOBE- VICTORS STORY

Located next door to the Merced County Sheriff's Department Main Jail, The adobe building at 670 W. 22nd St. is one of the most recognizable Works Progress Administration projects in Merced County.

Built in 1936, the U-shaped, one-story mission revival-style structure received its name because adobe bricks were used in its construction -- a common trend in construction during the 1930s and '40s, according to documents from the state's Department of Parks and Recreation.

Adobe stabilizers, which were oil-based liquids, were added to the bricks to harden them. Back then, commonly used adobe stabilizers included "Bitudobe" and "Caladobe." Some speculate the popularity of adobe construction may have been because of low labor costs associated with the Great Depression.

The building was constructed to serve as a community theater and office building for the city, county and state relief agencies, according to state documents. Today, the building houses county offices, including the traffic division, work release program and central accounting.

According to a July 1936 Sun-Star article, the cost of the building was \$30,000. It was designed by county surveyor William "Bill" Bedesen.

After its completion, the main structure housed an auditorium that had a stage and a box office. The auditorium was later turned into the law library, according to a column written by Sarah Lim, director of the Merced County Courthouse Museum.

In recent years, the 22nd Street view of the tan Adobe building had been blocked by trailer buildings. The trailer buildings housed departments 7 and 8 of the Merced County Superior Court system, and were placed in the courtyard in 1978 to help accommodate mushrooming caseloads.

What was meant as a temporary fix, however, remained in place for nearly 30 years, until the county finally tore down the decaying trailer buildings in 2007, after the new courthouse finally opened at M and 23rd streets.

Since then, the courtyard in front of the adobe has been restored.



**WPA: Atwater Plunge** 

By AMY STARNES



Merced Sun-Star

Sports Swimming Opening Day at Atwater Plunge May 7, 1962 Archive

ATWATER -- Carol Gray learned to swim at the Atwater Plunge. She also met her husband there. Probably. Wait a second.

She moves the phone and yells to her love of 43 years, Ken.

Probably, he yells back.

"I used to like to watch my husband swim. I didn't know him at the time," the 65-year-old says.

The Plunge, a WPA project approved for construction in early May of 1936, figured prominently in the lives of Atwater residents who grew up mid-20th century. It opened on June 11, 1938, letting adults swim for 25 cents -- children for 10 cents.

"That was in the days kids could walk by themselves and do things. If an adult was down there (at the Plunge) they would correct you. I feel it was the best time to grow up was during my era," Gray, 65, said.

The Plunge was a massive, laned swimming pool buffered by two buildings -- a changing room for girls and another for boys.

Jay Baldwin, 68, of Merced grew up in Atwater and remembers going to the pool with his brothers in the late 1940s and early '50s when he was in grade school. He didn't find his love there.

"Oh, hell, we didn't even think of them (girls) then. We just wanted to get wet and wash around in the water," he said.

He remembers the day his brother fell asleep in the sun for hours. Lifeguards approached the boy, woke him and told him not to move. They then picked him up and carried him face down across the street to Bloss Memorial Hospital where nurses could treat the two giant blisters that had formed on the backs of his knees.

"It was just a place to hang," Baldwin said fondly.

Originally operated by the city, the Plunge was turned over to a private business in 1958. It's unclear exactly when it closed. Many people remember it being bulldozed.

Manuel Bairos, 76, a 36-year city employee and former parks superintendent, said the Plunge was demolished because the pool was leaking and city officials at the time didn't care to repair it.

"Whoever made the decision to tear it out didn't really look at the whole situation.

That's what happened with our pool, it went to the dump," Bairos said.



**WPA: Elim Elementary** 

By JAMIE OPPENHEIM





Merced Sun-Star - Elim Elementary School in Hilmar

HILMAR -- Elaine Grant marveled at the architectural beauty of Elim Union Elementary School as she walked the halls.

"I've never seen any other school like it," noted Grant, a member of the Hilmar-Irwin-Stevinson Historical Society. "It's gorgeous, gorgeous."

In some ways, what Grant said was a lie, because Merquin School, also in Hilmar, was built similarly -- with floor to ceiling honey-colored wood.

These schools, and the Lander Gym, which was part of the Hilmar Union High School, were all WPA projects built during the Great Depression.

All three buildings are still in use today, although the Lander Gym now serves as the Hilmar Unified School District office.

Elim Union Elementary School was built in 1936 and opened in 1937.

Lander Gym was also built in 1936, and the Hilmar weekly newspaper, the Hilmar-Irwin Enterprise, debated which building would be completed first.

During the construction of the high school gym, students could skip school to help with the building, Grant said, which made some students happy.

In April of 1936, the high school received a \$6,626.86 check from the federal government, the first of several payments for the new gym, according to the Hilmar-Irwin Enterprise.

L. Ubels, the gym's contractor, was eventually paid \$24,488 for the work and H. Henning was paid \$42,592 for constructing of Elim Union Elementary School, said the newspaper.

Two years after the other construction projects, Merquin Union Elementary School was built as a special emergency public works project.

During the Great Depression, Hilmar was very poor and people were grateful for the jobs created, Grant said.

To give an idea of what people were paid to work on these projects, the newspaper wrote that skilled laborers were paid 52.5 cents an hour for a related WPA-funded project at the high school in February 1936.

The project provided 556 hours of labor, the newspaper added.

In Merced, John Muir Elementary School, the largest school in the city at the time, also benefitted from WPA funds.

The school received a total of \$60,000 for a new addition of an art room and cafeteria, according to the Merced Express, Merced's weekly newspaper.

Less than half of the funding -- \$26,775 -- was from the federal government and the rest of the funds came from the Merced Elementary School board.

For the ladies, the new addition had a home-making department, which had sewing and cooking rooms. The other portion was the art room and a new cafeteria.



**WPA: Post office mural** 

By JONAH OWEN LAMB



**Merced Sun-Star** 

SUN-STAR PHOTO BY BEA AHBECK The mural at the old post office in Merced, Calif. Thurs. April 29, 2010.

Walk into Merced's quiet Bell Station post office on 18th and K Street and you will be flanked by two murals from a different era.

Completed in 1937 as part of the Treasury Department's Art Program, the murals capture scenes on the Merced River and were just a small fraction of the artwork started and completed under New Deal auspices from 1933 to 1943.

While Works Progress Administration workers were busy with infrastructure projects in Merced and across the nation, similar job programs were created for painters, actors, musicians and writers.

More than 10,000 artists received government support in projects such as the Federal Writer's Program and the Federal Theater Program.

The Bell Station post office's twin murals are just a few of the many pieces of art created at the time. Over its nine-year life span, the Treasury Department's Section of Painting and Sculpture paid for 1,124 murals.

These works were permanently placed in federal buildings, such as the Merced Post Office, whose pieces illustrate scenes from the history of the Merced River.

"Vacheros," by Dorothy Wagner Puccinelli, depicts two pre-Gold Rush California cowboys watering their horses in the river.

"Jedediah Smith Crossing the Merced River," by Helen Forbes, shows Smith's party of 17 fording the river on their two-year trek from Utah to California.

Both women received their commissions after winning a contest conducted by a local committee, which included the building's architect, according to a 1936 Whitney Museum of American Art catalogue.

In a 1964 Smithsonian interview, artist Robert Howard, who also painted murals for some federal buildings, remembered the two ladies winning the contest in Merced.

"I seem to remember making some small sketches for the Merced Post Office. That was won by - it was a kind of a competition -- that was won by the two ladies, one's dead now, the other, I think it was Dorothy Puccinelli and Helen Forbes, but I'm not sure. Helen's dead now. They had a much better idea than mine," he said.

This and other arts programs at the time are described in "Art in Federal Buildings," by Forbes Watson and Edward Bruce, the two men who administered much of the Treasury Department's arts programs:

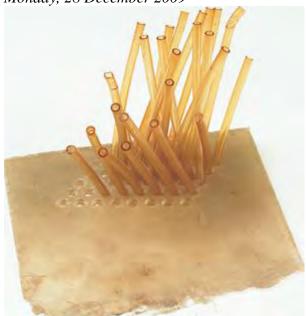
"The receipt of a check from the United States Government meant much more than the amount for which it was drawn. It brought to the artist for the first time in America the realization that he was not a solitary worker. It symbolized a people's interest in his achievement."



## All about Eva Hesse

A collection of the sculptor Eva Hesse's diminutive, experimental works flirts with recognisable forms. It's life, but not quite as we know it, says Tom Lubbock

Monday, 28 December 2009



THE ESTATE OF EVA HESSE/HAUSER & WIRTH Pipe dreams: an untitled work by Eva Hesse (1968)

It's curious to think that just as Valerie Singleton was demonstrating to the viewers of Blue Peter the possibilities of toilet rolls, squeezy bottles and sticky-back plastic, the sculptor Eva Hesse was at work on her test pieces. It's not that their creations looked at all similar. Singleton's always resembled something; that was their point. Hesse's didn't, and that was almost theirs. But there was common ground. In both cases, an awareness of the act of making, and of the stuff involved, was vital to the work.

Eva Hesse is an artist's artist. Or perhaps she's an art critic's artist. (Or a curator's or an art historian's.) She was born in 1936 in Germany, fled to America as a child, and died in 1970 from a brain tumour. Since her death, her art-world reputation has become enormous. She's like one of the prophets. She expanded the vocabulary of sculpture's materials vastly. She devised numerous new ways in which a thing could stand for a body or a body process. Her work is not only an achievement but a continuing resource. The test pieces are in effect her 3D sketch-book.

Yet for the big public, the kind of audience who might go for Louise Bourgeois, she remains a pretty obscure figure. Hesse – one syllable – is still a great unknown. And the point of my Blue Peter comparison is not to mock, but to suggest that, in a way, you already enjoy the way she works, especially in these little ones. You enjoy the visible distance between medium and outcome. You enjoy the surprise, as everyday somethings are transformed. You enjoy – at a very basic level – small objects laid out on a flat table.

This show at Camden Arts Centre mainly consists of small objects on flat tables. It's hard to know how you display experimental things that weren't made to be displayed, that existed only in the studio. Do you attempt to reconstruct the studio itself with all its attendant mess and bits and pieces? Or do you take the things out of that context, and make them into clean and isolated specimens – specimens of creativity?

Both ways seem wrong. Both presentations lack the only thing that would make sense of the objects: the artist. But the artist is dead, the things survive, you're not going to hide them away or destroy them, you're interested, you have to do something. Eva Hesse: Studiowork takes the second way, and it's certainly the less wrong.

The term "Studiowork" is preferred to the previous "Test Pieces". It is coined by the exhibition's curator, Briony Fer, and – rarely amongst its genre – her accompanying book is a marvellous piece of writing and thinking. The old name told you that they were experiments, and definitely not artworks. The new one deliberately equivocates: kind of art, kind of not. That seems fine. It's Hesse's style generally. Her full-grown sculptures are themselves always equivocating about what kind of things they are. Their inconclusive nature is only an extension of these uncertain embryos.

What are the studioworks like? You'll have noticed I haven't tried to describe anything yet. It's very hard. Giving look-alikes is easier, just as long as you understand that they're going to be misleading. So I could say that some of these objects seem to have been inspired by crammed ashtrays, and some by the spiky shells of conkers. One or two suggest a padded coat- hanger (but shaggy with threads, like a dress stitched up for alterations), or again a group of sprouting fronds, playing in an aquarium. You can find things that recall piles of blinis, or cake-trays, or a ball of rubber bands, or a well-used condom.

And there's a form that Hesse returns to often, and that was driving me mad with its elusive familiarity, until finally I realised that what it resembled is a tin can-and-string walkie-talkie. The likeness of course is remote. The can is half squashed. The tube goes the wrong way, emerging from its inside. And there's only one can involved. But the association sticks.

All these likenesses are remote. You might say that they're only a tribute to our unappeasable urge to give things names. But that urge is there, and art can't ask us to pretend that it isn't. Actually, Hesse's doesn't. It depends on it. Its effect largely involves our inclination to find resemblances, and her ability to both tempt and resist this inclination.

It's not that any particular likeness should flit across our minds before being rejected. Those are just my fairly subjective links, and some of the studioworks utterly defy real-world connections. You can only refer to some abstract physical quality: their grooves, entwinings, or slow bends.

But it's important that Hesse's works are never pure abstractions. It's important that likeness is always hovering around though being held off. These objects are like bits of the world that never actually happened but might have done. You can imagine coming across them in a glass case in some museum of mankind. They're very plausible anthropological impostors. And this points to Hesse's creative practice as a whole, where everything is almost, but not quite.

Or if you approach these objects not in terms of what they look like, but what they feel like, or how they seem to perform, again it's a matter of negatives. They're not tough and they're not tender. They're not active or passive. They're not male or female, nor alive or dead. They have nothing decisive to them, in any direction, not even towards floppiness. If they have a state, it's inert. If they have a gesture, it's awkward.

So Hesse is drawn to the least heroic materials – to rubber, to papier-mâché, to string. In the most beautiful display here, there are a dozen small pieces made of papier-mâché and stiffened cheesecloth. Their curved, hollowed shapes suggest simple boats, bowls, shells, a cupping action. They're set out widely spaced on a large table top. They sit thinly, crisply, lightly.

Are they embodiments of delicacy, of pin-point fragility? Are these boat-like, hand-like, shell-like forms emblems of care and salvation? Well, that's what they'd be in other hands. They'd be expressive, thematic. They'd be about something, and with feeling. (If Louise Bourgeois had made them, they'd be screaming with pathos.) But in Hesse's hands it's not quite like that – not quite. Their materials make them dumb. They squash and crumple. They don't have the pose or the poise. Whatever they might be, they are manqué.

Valerie Singleton, you feel, would not understand. In her creative world, things got finished. You could say with pride and good conscience: here's one I made earlier. In Eva Hesse's studio, good conscience went rather the other way. Her work, whether its being art or not, promotes an ethic of uncertainty, provisionality. And if you said there was perhaps a sentimentality in this attitude – a supersensitive reluctance to assert, define, conclude – I'd answer that there's actually a kind of shrug in the work, a what the hell, a why bother, that saves it from preciosity. It's even quite funny. Enjoy then.

Eva Hesse: Studiowork, Camden Arts Centre, London (Camdenarts centre.org; 020 7472 5500 ) to 7 March (closed Mondays) free

## SFGate.com

# Rhodessa Jones' life a cultural odyssey

Robert Hurwitt, Chronicle Theater Critic

Sunday, February 21, 2010





"Two lives cut short too soon," Rhodessa Jones said in a voice that cut through the Buriel Clay Theatre like a fierce challenge. "Who are these people? Who are these kids with guns? Where do they come from? What can you say to people like that?"

Jones sent a chill through the audience at San Francisco's African American Art & Culture Complex when she spoke of two nephews from Richmond who had been killed in drive-by shootings. One was a student at Alabama's Tuskegee University when he was slain. The other, 14, was killed close to home, a victim of standing on the sidewalk at the wrong time.

Jones knows "these kids with guns" better than most of us would want to - not the ones who shot her nephews but others who've committed similar crimes. Besides a notable career as an actress and groundbreaking performance artist, Jones created and runs the Medea Project: Theater for Incarcerated Women. The 20-year project of workshops in the San Francisco County Jail has led to her work with inmates worldwide, from juvenile offenders in Alaska and Texas to adults in Trinidad and South Africa.

"Rhodessa is an explosive dynamo of an instructor," San Francisco Sheriff Michael Hennessey says. "She just draws out of people things that they never really looked at about themselves before."

The same qualities are true of her work as a performer, says her longtime artistic partner Idris Ackamoor, founder and co-artistic director - with Jones - of the experimental performance company Cultural Odyssey. "She's one of the most formidable, courageous, daring performers I've ever met or even heard about," Ackamoor says. "Really."

"The Love Project," the show in which she talks about the deaths of her nephews, is Jones and Ackamoor's mutual exploration of three decades of creating work together, of their years as lovers and ex-lovers, and of the need for love in violence-plagued times.

They performed it earlier this month to celebrate Cultural Odyssey's 30th anniversary, and have followed it with "The Breach," a dance-theater piece about reparations for slavery that they created with choreographer Joanna Haigood. The series closes with Jones' latest Medea Project

effort, "Dancing With the Clown of Love" - this one created not with jail inmates but with participants in the Women's HIV Program at UCSF Medical Center.

The combination of theater and social activism, which imbues her performances as well as her work in institutions, comes naturally to Jones. "Theater," she says, and has said many times before, "saved my life."

Jones, 61, is the eighth of 12 children, most of whom were born in the small town of Bunnell, Fla., to migrant farmworkers. Her parents owned a small house where the family spent the winter months. For most of the rest of the year, they were on the road - "all over the Eastern seaboard," she says, "all the way up to Elizabeth, N.J." - while her father, "a crew leader" with a caravan of workers, contracted with farmers to harvest crops.

"It was a kind of gypsy life," Jones says. "Not that I want to romanticize it. It was hard. But it was romantic, living on the edge, being outsiders. And then all of a sudden, we were living year-round in the country in upstate New York with parents who insisted we go to school. My mother and father just wanted us all to finish high school because they hadn't done that."

Jones was 10 - "I remember it was around when Billie Holiday died" - when the family relocated to New York. At 16, she became the unmarried mother of a daughter, Saundra, and worried that life was closing in on her. Then she moved to Rochester, the nearest urban center, to attend college, and one of her older brothers, Azel, an aspiring playwright, introduced her to the small, communal Living Arts Theater.

Jones was soon onstage. She and some of her siblings - including younger brother and now famed choreographer Bill T. Jones and his lover Arnie Zane - became part of Rochester's interracial hippie arts scene. She worked with young white women who also had children and were fully involved in the theater, as well as "blacks who grew up in these congested urban centers and tried to make us feel bad because we were country coloreds."

She also fell in love. "I meet this Irish guy, John Patrick Riley, and bells go off. I think Donovan, 'Sunshine Superman' is playing in the background. That became our song."

Then came 1971 and the big riot at Attica State Prison. One of Jones' brothers, Richard, an inmate, was badly injured in the aftermath. "They lined up all these guys, and nobody would talk about who the ringleaders were," she says, "so they knocked out all his teeth with a rifle butt. Because they could.

"We felt our world was coming to an end," Jones adds, and she and Riley left the country for Costa Rica, where Saundra and Riley developed health problems. A year later, they moved to San Francisco. "By 1973, Azel and his wife moved out here, then my sister, my mom and dad followed, and then Bill and Arnie came out and the Jones Company was born."

The Jones Company produced Azel's play "Port Royal Sound," but didn't last long. By then, Rhodessa was dancing with the radical feminist Tumbleweed collective. Bill and Arnie returned to New York City to achieve international fame as the Bill T. Jones/Arnie Zane Dance Company

until Zane's death from AIDS in 1988. Dance didn't pay all the bills, though. By the mid-'70s, single again and needing money for Saundra's books and incidentals at Marin Academy, Jones followed the lead of other dancers she knew and took a "Live Nude Girls" job as a "peekaboo dancer" in the Tenderloin.

The experience, she says, was "liberating," instructive and grueling. Jones got involved organizing the women for better working conditions. "They stopped cleaning up the place and told us we had to do it. Men were ejaculating on the windows and we were expected to clean that and then go do our work? Hell no. We sat down for two nights."

Jones was also taking notes the whole time, jottings that became her breakthrough performance piece, "The Legend of Lily Overstreet." Starting in 1979, she began performing the autobiographical work - in story, dance and song, and sometimes naked - in various venues in the city's then-thriving multidisciplinary experimental arts scene.

That was where she met Ackamoor, an avant-garde musician from Chicago, two years her junior, when they were booked on the same bill. He'd founded Cultural Odyssey as a jazz-and-dance troupe the same year. When Jones returned from taking "Lily Overstreet" to Japan in '83, she and Ackamoor joined forces on a two-person version of the show. They've been working together ever since, sometimes on separate shows, all over the world.

## Learning her craft

"We started to go to Europe for five or six months at a time," Ackamoor says. "That's where we really learned our craft. Cultural Odyssey began to build a name for itself, nationally and abroad, with a succession of hits such as 1989's 'I Think It's Gonna Work Out Fine' - a rock fable about a couple very like Ike and Tina Turner - 'Big Butt Girls, Hard-Headed Women,' Jones' solo report on her work in the County Jail, and 'Hot Flashes, Power Surges and Private Summers,' her 50th birthday celebration and exploration of menopause.

Jones remains in constant contact with most of her large clan, including Saundra, now a schoolteacher in Atlanta, and her daughter, Chaz Nicole Robinson, a forensic psychology student at Georgia State University. Bill T. Jones came out to perform "Perfect Courage" with Rhodessa and Idris in 1990, and she has occasionally toured with his shows as well. She and Ackamoor have long been fixtures at the National Black Theatre Festival in North Carolina, which he has curated for many years.

But Jones may be best known now for her Medea Project, not only for its local public performances but for her success in getting prisoners to explore their own stories and face up to their problems.

Some of that work has taken its toll. Jones tells horror stories from her work with children, ranging from tales of rape, incest and child prostitution to the 12- and 13-year-old gang members in Houston who conduct their own vendetta against men they pick out as potential child molesters.

## Little girls in jail

"One little girl, they wouldn't tell me what her crime was, so it had to be really bad. She was in solitary. I look in the cell and there's a little blond child clutching a Raggedy Ann doll.

"I had to stop working with children," she continues. "It was too painful when you have to leave them, 12 or 13 and they're wailing like babies. And there's nothing I can do. We keep putting our children in jail."

Her work with adult inmates, the subject of Larry Andrews' 2001 documentary film, "We Just Telling Stories," seems more empowering. In a sense, she's become an international cultural migrant worker, as a performer and teacher at universities and with her Medea Project. "We were on the road nine months last year," she notes, including taking a show she'd created with women in Trinidad to Moscow. This year she'll be back in South Africa at least twice, in the Caribbean and at colleges ranging from American University to Brown.

As for her success working with inmates, Jones attributes it to the "games and exercises" she's developed over the years and to her open, up-front approach.

"I've made a career of telling people everything. There are no secrets. And people come forward to support you when you say out loud what they haven't been able to. It's creating a safe place, which is what theater is.

"I say theater saved my life, but it's also my religion, my mission. Theater's my temple. We're gonna get down with some stuff tonight. We're gonna talk. We're gonna sing. And there will be joy in just being alive in a room with other human beings."

## **Cultural Odyssey**

The company's 30th Anniversary Celebration of New Works continues with:

"The Breach," created and performed by Joanna Haigood, Rhodessa Jones and Idris Ackamoor, through Feb. 28.

"Dancing with the Clown of Love," created by Rhodessa Jones and the Medea Project with the Women's HIV Program at UCSF Medical Center, March 4-14.

-- All shows at the African American Art & Culture Complex, 762 Fulton St., San Francisco. (415) 292-1850, <a href="www.culturalodyssey.org">www.culturalodyssey.org</a>.



Rhodessa Jones' recent piece tells of her nephews' slayings. Photo: Liz Hafalia / The Chronicle



Rhodessa Jones, who started the Medea Project for women in jail, "is an explosive dynamo." Photo: Liz Hafalia / The Chronicle



## February 2010

## My Iron Tri-Angel: An Urban Neighborhood Seeks To Tell Its Own Story

By Jordan Simmons

My iron tri-angel,
You have with your damaged wings swept the white chalk from where
Syetha's body's outline lay quickly sketched on the pavement.
And whenever she laughs now, all the tears of the saints
Are close by. Still, what did she leave us?
I hit the spring-board and somersault up to the basketball net, legs wide
Open, and facing down before I dunk, I pray:
Little girls everywhere, little sisters everywhere,
Be careful when you cross the street.
Be careful when they shoot.
Be careful.

—From "My Iron Tri Angel" a new work-in-progress of th Iron Triangle Theater Company, Richmond, California

"Just because you're poor, it doesn't mean you're spiritually dead. Art comes from within. Soul: sometimes we lose touch of it in day-to-day struggle. We can help people come back to themselves. It is the easiest way to express that one is alive. When you create a piece, something that people can relate to or react to, it acknowledges that you are alive. "

— Anthony Allen, resident of Richmond's Iron Triangle Neighborhood

Here is an introduction to the Iron Triangle Legacy Project, a collective work led by East Bay Center for the Performing Arts and a ten-member advisory committee of neighborhood residents and activists. The work of the project is to tell the story of Richmond's Iron Triangle, a neighborhood whose tale has been told by others in the media often enough, and deserves to be told by its own residents. The arts play an important part in the telling of this tale, and in the crafting of the project.

The Iron Triangle is a neighborhood in Richmond, California, of about 18,000 residents. Richmond's overall population of 110,00 is rich in culture and heritage, and yet it has suffered from disproportionate urban blight and economic depression since its industrial heyday as a WWII shipyard, loomed over by one of the largest oil refineries on the West Coast and divided by railroad lines — hence the "iron triangle." In 2004, both the local school district and the city made national news with their near bankruptcy. Since then, local public schools are regularly

threatened with closure for failing to meet minimal national and/or state standards. "The Triangle," as it is commonly referred to in Richmond, once a vibrant immigrant portal, is now a historical icon, marking the post-WWII migration of southern African Americans to the West Coast (many finding work in the Kaiser shipyards between 1941 and 1944); a destination neighborhood for California's Mexican-American newcomers since the 1960s, and, since the 1980s, for refugees from the Southeast Asia Indo-China conflicts, especially from Laos.

For some time, Richmond as a whole has been ranked among the most dangerous cities in the country based on FBI crime statistics. The Iron Triangle District stands out as an epicenter of reoccurring violence. With 27 percent of the city's population, the East Bay Center's neighborhood suffers 42 percent of the city's violent crime, and most of its murders.



Headline in the San Francisco Chronicle about violence in Richmond/Iron Triangle

More recently, during the housing bubble, our neighborhood endured the flight of blue-collar families. Unfortunately, the recession has left current residents experiencing massive foreclosures while, simultaneously, new housing and civic construction projects stall or face slow-downs.

Part of the story of the Triangle has gotten widespread attention. In October/November 2009, the national news media were grimly focused on a brutal gang rape at a local high school following a homecoming dance. Floods of reporters and outsiders questioned how something like that assault could happen with a large crowd of bystanders doing nothing, even as others wrestled with the ironic image of affluent individuals and adjacent communities — and the nation — passively consuming, day after day, the repeating media story from the sidelines.

These particular kinds of intense media events have brought into focus a recognizable, historical question: Who defines the nature of a community? And — while acknowledging the realities of crime and poverty as well as legacies of systemic violence and oppression — who will envision what the neighborhood will be like in the coming years, how residents can speak for themselves, tell their own stories and interpret the trajectory of stories like the ones above in more than hit-and-run interviews?

As the years have passed, numerous dialogues among coalitions of community leaders, service providers and residents have been established, seeking answers and priorities for the Triangle. Over and over, the issues of basic safety, access to health services for children, effective pre-K-12 public schools and the resources to address those aspirations return as cornerstone themes, while sub-themes like disproportionate minority contact with the justice system (notably among youth) emerge as interwoven burning subjects of concern.

As the coalitions and service providers — themselves struggling to find resources to improve their work — try their best to improve the area, another recognizable issue, perhaps best posed as a question, runs alongside: Why do we let it be this way? Or, as neighborhood resident and community organizer Richard Boyd put it:

What is the problem that doesn't get officials down here? Are we not allowing them (to ignore us) by not asking them or fighting to get them down here? Here, to 8th Street. Are we used to it? We need to inspire them not to be afraid to come. You cannot accept not having cleaning on your street.

## **Background to the Legacy Project**

In May 2004, the Koshland Program of The San Francisco Foundation began a four-year partnership with the Iron Triangle neighborhood of Richmond. Twelve community leaders were chosen to receive an award for their previous community work and to form an advisory group that was charged with spearheading a community planning process and determining distribution of money used to fund efforts that promoted civic unity and improved the quality of life within the community. During the next four years, a directory of community services was produced, neighborhood events were sponsored, and more than 30 small grants were given out for projects in the community. These projects ranged from elder respite care to support for young expecting immigrant mothers, an environmental-themed mentorship program for young African-American youth, Guatemalan dance classes, youth organizing efforts, money-management assistance for seniors and a project aimed at reaching out and providing support to incarcerated men from the neighborhood about to be released back to the area. As successful as each of those projects were, as the Koshland project time period wore down and many of individuals in the advisory group were called to other priorities, the steering committee looked at two questions: How could the learning, relationships and continuity of the group be extended, and how might the work take on more collective focus and impact?

Ultimately, the group decided on transferring the responsibility for future grants and program development to East Bay Center for the Performing Arts. One of the Koshland fellows (myself) was the artistic director of the Center, and the Center had administered the neighborhood grants over the four years, hosted gatherings and committed to raising the resources that would be needed to continue the work. Based on the experiences to date, a revised focus was established: telling the story of the Triangle. The artistic/cultural work to be produced and presented was envisioned as embracing as wide a variety of expression as the interests of the roughly 18,000 neighborhood members might bring forth: photo exhibits, essays, short films (animation, documentary, drama) and plays, dramatic



Break-dance statue in a park in the Iron Triangle at Harbor Way and Macdonald Avenue

interpretations from interviews with residents of the neighborhood, dance works and dance theater, poetry and fiction readings, poetry slams, musical and song compositions, Web site art work, paintings, sculptures, documentation of site-specific art installations, cultural ceremonies and rituals.

In this work, the current advisory committee anticipates actively involving more than 250 community members and a dozen professional artists through hands-on workshops, self-

determined mini-grant projects, production committees, technical/artistic assistance and performances, as well as drawing 2,500 local audience members to site-specific events timed to the Center's Winters Building month-long reopening series in early 2011.

#### **About the Center**

Founded in 1968, East Bay Center for the Performing Arts (the Center) is a place where every year 2,000 youth and young adults discover their creative gifts through a rigorous artistic curriculum that is culturally relevant, supports the creation of original performance works, and fosters engagement with local issues of social justice and civic participation. Rooted in principles of the community-development movement as well as the national arts and culture field, the Center is a neutral fulcrum of support for place-based action, optimism and collaboration among diverse members of a complex community.

To fund the restoration and renovation of its home, the historically significant 1924 Winters Building, the Center created a public-private partnership whose founding partners include the City of Richmond, the Richmond Community Redevelopment Agency, the William and Flora Hewlett Foundation and the California Cultural and Historical Endowment. In 2006, the Center launched its two-phased \$15.4 million fundraising campaign. As of today, \$12.6 million has been raised. Restoration work on the facility began in July 2009 and is anticipated to be complete by early 2011.

The Winters Building Restoration Project reflects the Center's commitment to supporting the renewal and revitalization of the Iron Triangle neighborhood through the preservation of a key asset in the city of Richmond and ensuring the Bay Area region's rich cultural history. The Winters Building — a nationally recognized haven for underserved inner-city youth — will serve as an anchor for other revitalization projects in Richmond and as leverage for \$200 million of presently envisioned redevelopment projects.

While the Center's long-time home already has a foundation level of public accessibility and strong place-based meaning, this project will dramatically transform the building's physical and aesthetic openness, supporting its function as a regional performing arts center where diverse youth grow up under professional artists' mentorship and local residents gather to present their own stories through music, dance, theater and new media, and, through attending public performances, learn others' stories.

A 2,500 sq.- ft. ground-floor theater space (our current second-story theater has barely 100 seats and inadequate climate controls), a 200-300-seat second-floor proscenium theater, and ample, modern, fully accessible bathrooms, will allow audience members of all ages and physical abilities to take in everthing from rural Mexican fandangos and classical African dance to student recitals, films, banquets and feature productions by master artists. Welcoming and functional spaces on all floors will allow students, audience members and visitors to better navigate the building and make use of it as a valued community space of dignity.

### **Community Productions at East Bay Center**

Rooted in our community, and housed in the middle of the Iron Triangle since 1973, East Bay Center (founded in 1968 after the assassination of Dr. Martin Luther King, Jr.) has commissioned and regularly produced a large number of "community driven" works as part of its ongoing core work of raising young engaged artists: films, both dramas and documentaries, photo exhibits, poetry days in the park, original theater scripts, and site specific works, historical narratives, dance theater works, ceremonies of remembrance and heritage — most all in partnership with local youth and diverse families — from homeless to long-time home owners, individuals in substance-abuse rehabilitation programs, National Home Front Park workers, street merchants, pregnant teens, group-home residents, war refugees, war veterans, etc.

Almost all of these efforts, however, have been project-based, albeit sometimes stretching for up to three years, frequently linked into the curriculum and training opportunities for the teens and young adults at the Center.

What East Bay Center had not done in all these years — and what was aimed for in parallel with the momentum of its facility rebuilding — was to support the neighborhood's residents with an *ongoing structure and means* of telling the Triangle's stories in depth, initiated from their perspective.

The goal, then, of the Iron Triangle Legacy Project (ITLP) was to continue to build civic unity in the Iron Triangle neighborhood of Richmond by engaging residents of the Triangle to explore their own culture and history — and vision for the future — sharing it with each other as well as the wider community through expressive and public performance works.

Through the producing of events, the telling of stories, the building of long-term relationships and the archiving of materials in digital format, the ITLP hopes to foster neighborhood leadership and participation celebrating the legacy of the neighborhood as well as building capacity to address shared challenges.

By the end of 2008/beginning of 2009, East Bay Center had recruited and formed a new Legacy Project Advisory

Committee — supplanting the old Koshland Committee — and was on course to support them over the first 24 months of the project. The committee, in turn, was to closely advise the Center on the production of events, the allocation of local minigrants, documentation of community issues, the selection of stories to produce, and the archiving of materials — including an envisioned Web site and digital archive, (now under design as http://www.myirontriangle.org). The committee formed was diverse, culturally and ethnically, with representation from all major population groups. It included four youth/young adult



Tequila Stark and teens a in meeting from the LBGTQQ Awareness Project.

members, two members over 60, community organizers, neighborhood homeowners, and several who were born and raised and have stayed in the Triangle.

The work of the committee follows nationally documented principles of collective program direction, utilizing dinner dialogue sessions, story circles, group research and event designing sessions, participation in and help with the conducting of oral history interviews, translation and transcription, library and institutional research and artifact, photograph and document gathering. Committee members/core community participants were brought in as full creative partners — producers, creators and collaborators — and resources were reserved to train volunteers for eventual work as event docents, speakers, performers and crew for the mini-events, leading up to a month-long festival that would anchor East Bay Center's facility transformation, making sure that the Center's roots in its neighborhood were intact.

# A Trip to a National Community Arts Convening: "I Could Hear a Different Richmond in the Room"

Maryland Institute College of Art (MICA) sponsors the national Community Arts Convening & Research Project to advance the field of community arts. Funded by the Nathan Cummings Foundation, 2009's gathering was held on the campus of California State University Monterey Bay (CSUMB), Seaside, California, on April 19, 20 & 21, 2009.

At the invitation of the National Community Arts Convening & Research Project Steering Committee, the Legacy Project Advisory Committee planned in advance to attend the gathering in Monterey. A number of dialogues were held, including a sisterly visit from CSUMB's Amalia Mesa-Bains and the organization of a similar resident committee in and around Monterey.

From the Legacy Committee's perspective:

My experience in Monterey was a very calm and interesting time. I was able to bond with all of the Advisory Committee. I learned a lot about the people [in the group], that I would not have known without our traveling together. It changed my relationship with the group in a very positive way.

The concept of talking in public about the negative lifestyle we live in in the Iron Triangle was a little concerning at first. There was a feeling of being used. After arriving there and really seeing what it was about, everything changed for the better.

The Monterey experience has changed and influenced my work in the Iron Triangle. Being up on that stage, I can now see that people need to hear our story. I use this model in my work when I want to deliver a message to the community and receive their input. I'm trying to encourage other community leaders to help me think about implementing the Iron Triangle Legacy Project on a larger scale. I would like to see this project/model perfected so we can be an example throughout the city of Richmond.

— Richard Boyd, community organizer, Richmond-Contra Costa Interfaith Community Organization

The Monterey Trip was a great experience for me. It was very inspirational to see how the other communities similar to ours, fighting the same battle with different weapons. I loved the way they use art & culture learning to engage their communities.

Since the trip I feel like I take a lot more pride in my community. Not for all the violence that's displayed on the media. The real untold stories & struggles the people before us had to go through to shape & mold this beautiful and forgotten community. The Legacy Project is a chance for The Iron Triangle to be brought back to the surface & have positive impact on the residents.

— Tequela Starks, youth development coordinator,

Opportunity West

## Beauty vs. Truth?

In preparation for the convening in Monterey, a number of issues surfaced. One example was a dialogue that began between two youths, Marshall Hooper, age 15, and Monserrat Armendaris-Ibarria, age 16, and then was taken up by the entire group. The conflict arose around how to present the neighborhood: Do we tell the truth, or do we emphasize the beauty that some of the members of the community felt was hidden from the outside world? The discussion evolved toward a question of why there was general consensus that beauty and richness of personal and group culture in the neighborhood was as important to the Triangle's future as system change around power and resident self-determination, and that the expression of culture and beauty was tied somehow to the achievement of peace and a well-functioning community.

Not everyone saw eye-to-eye on the details. One member of the group lamented the rebuilding and beautification of a local park, saying that some of the men that used to hang out there had no place to go now, while another committee member was satisfied that an enormous step had been taken for families in the neighborhood.

All more or less agreed that a number of paradoxes were at work, some mirroring artists' involvement in community arts efforts: If you were from the block, you needed to get away to gain perspective, but when you came back, few might listen to you, for now you were an "outsider."

At the convening, we proudly told about our community and reflected on a few of the mysteries of how art was part of it. We discussed how art might still be wielded in strengthening justice and healing, how it might express outrage and hold accountable those responsible for the tragedies and neglects that occur, of how there was a yearning for public spaces for youth that were safe and vibrant — that were built on a culture of respect and a respect for culture.

Some of the fragments of voices from workshop notes captured remembrances and specific ideas of stories that the committee aimed to tell:

- "...how my home was tore up..."
- "...how we can get to the basketball game and wax the car, but can't protect the kids..."
- "We can't act any way and expect the police to protect us...."
- "You get what you put in."
- "...the ritual of the teddy bears by the phone poles..."
- "...cowboys/county police flying the confederate flag, cross burning..."
- "About Police: All I meet is bad people, can we get a policeman's story?"
- "...when crack was legal...till the kids from the hills came down and got caught up..."

• "...bus ride to school, church, cross for every homicide victim...need a place..."

Late in 2009, we asked members of the committee to recall their response to the arts convening, if it helped prepare them for distributing resources in the neighborhood and filtering ideas for their ongoing work.

I thought the trip to Monterey was very productive. We spent a lot of time planning out what we were going to discuss and I will admit for a while I was scared because I was unsure of what we were actually going there for. However, everyone that was there seemed very inviting and genuinely interested in where we are from and what we were trying to do. The discussion actually went very well and it flowed pretty freely just like we hoped it would. We covered the topics that we discussed in the meetings even though Rich threw us in for a loop when he pretended like he didn't know what we were talking about (hahaha)..."

— Tomy Wilkerson, Richmond High School senior

The experience gave me the inspiration to use the project to affect people as art has and always should. The arts mold human sensibilities. In communities where people are not sensitive to their environment, their neighbors, or even their own selves."

— Anthony Allen, Iron Triangle Neighborhood Council

The Monterey trip was a great experience for me because I had the chance to know a little bit more about the other people from the ITLP advisory committee and new people from different parts of the country. I was also very happy to share the stage with the people from the advisory committee because this made me feel like I am not alone in this.

— Carolina Garcia, youth organizer

Thinking back on all those meetings before we went to Monterey I remember being excited about the whole experience. At our meetings I was given a chance to talk about community and share ideas freely. I got a chance to listen to others and their ideas — however wrong they were. I could hear a different Richmond in the room. I have done a lot of work in the past and present, to bring unity in the community. It was life change for me to sit back and listen to the newcomers. To hear them talk about doing what has already been done, ....and now I just want to assist them. I feel like we bonded, and will be partners in community for life. The conference made us strong enough to continue the work we do since we got back.

— Marilyn Harrison, Iron Triangle community organizer, Gompers Continuation High School

### Status Report: The Iron Triangle Legacy Project in Motion

Since early summer 2009, following the convening, requests for proposals were fine-tuned, including translations to Spanish, technical assistance to 100 community members was provided, substantial outreach undertaken, and the first two rounds of grants were given to Iron Triangle residents for projects of their own design.

Under East Bay Center auspices, several sessions of a special workshop series have also been coordinated for families from a homeless shelter in the neighborhood. These workshops combine

a national standards-based, culturally relevant curriculum that helps strengthen the ability of several generations within families to work closely together, sometimes reconciling members that have been incarcerated or in rehabilitation programs and absent from the family. The workshops offer the arts (film, photography, sculpture, theater, poetry, bookmaking, painting, murals, etc.) and are staffed by both working artists and social-support service partners. From these workshops have emanated both confidential works of art and other works expressly made for peers and the public. After receiving a more intimate preview, a number of these will be presented alongside the first full Legacy Festival early next year.

## **Legacy Project Mini-grants**

Listed below are some of the grant-initiated projects that are underway in the Triangle at this writing: Several more rounds of mini-grants are planned over the coming year, as well as production and technical assistance from East Bay Center staff and faculty. There will be, of course, a substantial effort to gather, curate and prepare all of the community's hard work for a month-long public festival in 2011. Saints willing, there will be a similar festival on a bi-annual basis. (As if to remind us of the urgency of the work, tragically, two of the recipients of these small grants — during the time following their submission of their ideas — lost their young adult sons to violence).

**First Annual Unsung Heroes of the Iron Triangle Celebration** (George and Beverly Brown, Totally Led Ministries): The celebration focuses on the storytelling of families, diversity and residents who contribute to the changing of the neighborhood in a positive way, without necessarily seeking recognition.

Film /Video Production & Photos: Stories by residents who have had loved ones murdered (Marilyn Harrison and Kiara "Keke" Johnson): The project features Iron Triangle residents telling positive stories about their loved ones who have been murdered, with a special emphasis on children who have been lost. Still photos were also taken for a photo exhibit "to bring improvement in the quality of life in the lives of those families and others. Hoping it will bring some closure to them."

**LBGTQQ** Awareness Project (Tequela Starks): Youth and young adults who identify as LGBTQQ (Lesbian, Gay, Bisexual, Transgender, Queer and Questioning) in the Iron Triangle explore stories of the community that are hidden and kept. A team of five people is in charge of organizing and recording the bi-weekly support group. The goal is to outreach to and involve 30-50 youth and young adults.

The Chess Awareness Initiative at Peres Elementary School (T.C. Ball): This is a short film story of children from the Triangle "whose life of the mind has been ignited by that old board game."

**Gompers World History & Art History Teacher & Students** (Gompers Continuation High School): The World History Class designed and painted small paintings, to be located throughout the school, and five portable 6'x10' murals that highlight the many cultures that are present at

Gompers. "The project shows the students that even though they come from different cultures, that we are all the same."

**Assembly of Posters & Flyers for Exhibition** (Fred Franklin): Over the last 20 years Fred Franklin has produced posters and flyers for countless memorable events in the Iron Triangle. His artwork will now be mounted properly with descriptions of the events they advertised. His work will be presented at the opening of the new East Bay Center and be available to travel.

**Day in the Life: A Latino youth experiencing a weekend with an African-American family & vice versa** (Carolina Garcia): "Making a difference on how people think about others, especially the youth, to make them realize that we have a lot of things in common and we share the same struggles. Sometimes we think that because we have a different background that we don't have anything in common. We never get a chance to explore or get to know one another so we don't know why we behave the way we do towards each other."

**Development of a Rap Anthem about the Iron Triangle** (Darius Taylor): Interviews with ten youths from the Iron Triangle are the basis for a rap song about the neighborhood. East Bay Center will coordinate the recording upon approval of the lyrics.

Classes for immigrant women to make Mexican handicrafts that tell their stories (Alejandra Escobedo/Teresa Villarreal): These classes focus on handicrafts and paintings that illustrate their lives in Mexico and their arrival and lives in the Iron Triangle. The handicrafts (folk art) include hand-painted stones, appliqué wall hangings and mosaic stepping-stones.

Children Design Their Playground (Anthony Allen): The project equipped children and their adult allies with the skills to redesign an existing park in their community: new structures for play and contemplation, transforming their community as well as their lives.



Painted Stone from Alejandra Escobedo/Teresa Villarreal's classes for immigrant women telling their stories.

**Video Project:** (Past, Present & Future) Interviews with residents. Experiences with parks & play in the Triangle (Carmen Lee): This project is related to the one above: It documents and records neighborhood residents' memory of and the history of children's and youths' play in the Triangle. "Songs, hand games, made-up games, from the past, brought from where we came from, created here...."

Organizing the block with dinner meetings to plant trees in front of homes and create a community garden (Guadalupe Corral): Diverse cultures are working together to make their neighborhood better and to show other blocks and neighborhoods what can be accomplished: "That African-Americans and Latinos can work together to improve their block and have fun with each other in their garden. If we are successful, and I think we will be, we can, maybe, help other blocks do what we have done."

**B&W** photo Exhibit: "Day in the Life" in the Iron Triangle (Karina Guadalupe): This project employs "a different kind of shooting," finding the images that capture 24 hours in the neighborhood.

## **Iron Triangle Legacy Project Advisory Committee Members**

- Doris Mason, Parent Liaison / Community Outreach, Peres Elementary School
- Tequela Starks, youth development coordinator, Opportunity West
- Carolina Garcia, youth outreach coordinator
- Marilyn Harrison, Iron Triangle community organizer, Gompers Continuation High School
- Antonio Medrano, board member, West Contra Costa Unified School District
- **Richard Boyd**, community organizer, Richmond-Contra Costa Interfaith Community Organization
- Anthony Allen, Iron Triangle Neighborhood Council
- **Jordan Simmons**, artistic director, East Bay Center for the Performing Arts
- Jay Moss, community engagement director, East Bay Center for the Performing Arts
- Pinkie Young, resident, East Bay Center diploma student
- Monserrat Armendaris-Ibarria, East Bay Center diploma student
- Marshall Hooper, Richmond resident, East Bay Center diploma student

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**Jordan Simmons**, born in Richmond, and a graduate of Richmond's JFK High School, has been artistic director of East Bay Center for the Performing Arts for 25 years and an artist performer, scholar and faculty member since 1978. For the past 18 years, in line with his work at the East Bay Center, Simmons has pioneered the development of a comparative study framework based on a number of authentic performing arts training systems and a growing body of knowledge about human perceptual systems.

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## The New york Times

February 28, 2010

# The String Quartet, Reinvented



Andrea Mohin/The New York Times
The Kronos Quartet performing with dancers in 1997.

## By STEVE SMITH

CREDIT for inventing the string quartet tends to be laid at the feet of Joseph Haydn, that industrious, fecund genius whose life's work counts among the crowning achievements of the 18th-century Austrian Empire. Haydn was not the first composer to write pieces for two violins, viola and cello. But his efforts established the intimacy, flexibility and expressiveness that made the string quartet a medium capable of encompassing his own congeniality and craft, Beethoven's stormy spirit, Shostakovich's hidden turmoil and Elliott Carter's fearsome concatenations.

That's an impressive range, especially when Webern's evanescent flickers and Morton Feldman's vast tapestries are also taken into account. But that repertory, expansive and diverse as it is, still reflects a single musical lineage: that of European classical music as it has been handed down since Haydn. Credit for intuiting that the medium could be opened wider — in a sense reinventing the string quartet as a vehicle of limitless stylistic breadth — belongs to the violinist David Harrington, who founded the Kronos Quartet in 1973.

Today the quartet — currently Mr. Harrington, the violinist John Sherba, the violist Hank Dutt and the cellist Jeffrey Zeigler — spends some five months a year on the road, playing in concert halls, nightclubs and at festivals. It has sold more than 2.5 million recordings from a discography of nearly 50 albums, most of them on the Nonesuch label. The latest Kronos disc, "Rainbow," a collaboration with the Afghan rubab player Homayun Sakhi and the Azerbaijian singers Alim and Fargana Qasimov, comes out in March on the Smithsonian Folkways label as part of a superb Central Asian series sponsored by the Aga Khan Trust for Culture.

Mr. Sakhi and the Qasimovs will be among a plethora of guests joining Kronos in four concerts at Carnegie Hall in March, the continuation of the Perspectives series, which began in November with a program presented during Carnegie's Ancient Paths, Modern Voices festival. The March events offer a tour through the far-flung terrain Mr. Harrington and his colleagues have mapped: a celebration of the group's 30-year relationship with the composer Terry Riley on March 11, a concert featuring electronics and toys on March 12, an Arctic-theme program March 13 and a collaboration with Central Asian and Korean artists on March 14.

The seeds for Mr. Harrington's innovations were planted at an early age — literally, as he would have it. "As a kid I got my grandmother's stamp collection," he said during a recent telephone conversation from the office Kronos maintains in San Francisco. "She used to grow lilies from seeds, which is very difficult to do apparently. Most people have bulbs. She collected lily seeds from around the world. And at a certain point I started to realize, maybe 30 years ago, that I was doing the same thing, only in music."

Mr. Harrington was spurred to form Kronos by a radio broadcast of "Black Angels," a searing musical response to the Vietnam War by the American composer George Crumb. Encountering, in 1973, Mr. Crumb's sophisticated, phantasmagorical mix of insectoid scrabbling, bowed crystal glasses, electronics and strains borrowed from Schubert inspired Mr. Harrington — who had avoided the draft by joining a Canadian orchestra — to conceive of a group that would play new quartet music with similar presence and urgency. The first Kronos commission went to Mr. Harrington's high-school composition teacher, Ken Benshoof, whose "Traveling Music" famously cost Mr. Harrington a bag of doughnuts.

"I think the reason you and I are talking today is because that piece was so good, and because that relationship, which started when I was about 15, was so enjoyable and so thrilling," Mr. Harrington said. "When we got out there to play his Piano Quintet when I was 15, it felt like this music belonged to me and belonged to those of us who were performing it, and nobody else had ever heard it, and it was so fun."

The Kronos Quartet went on to commission more than 650 new compositions and arrangements at the latest tally, including major works by Mr. Riley, Steve Reich, Philip Glass, John Adams, Sofia Gubaidulina, Henryk Gorecki, Tan Dun and Osvaldo Golijov. Had Kronos achieved nothing more, that body of work would assure it an honored place in the chamber-music annals.

When the Kronos Quartet hit its stride during the late '80s, its concerts were powerful, absorbing affairs, not despite their extra-musical trappings but in part because of them. On its Nonesuch albums the group promoted a hip, new take on contemporary music: much of it melodic and

rhythmically driving, nearly all of it fresh and vital. In concert, hearing Kronos play the latest pieces by composers like Mr. Riley, John Zorn and István Martá — amplified and accompanied with suitably moody lighting — was an intense, heady experience that could move a listener to the core.

Mr. Harrington's vision extended further still: raised on the sounds of Jimi Hendrix, he brought a horsehair-ripping version of "Purple Haze" into the Kronos repertory. From that point onward the group spent an increasing amount of its time playing arrangements of music from idioms not primarily dependent on scored composition, be it Indian raga, Portuguese fado, California surf rock or Mexican techno. Admirers said Kronos was making the string quartet medium palatable, even cool, for a rock-weaned generation. Detractors insisted that the flamboyant trappings were meant to mask technical shortcomings and distract from a shallow, kitschy repertory.

From either vantage point, the word "crossover" was hard to avoid. A loaded concept in classical music, the term is tossed like a tatty blanket over pop-oriented projects by Plácido Domingo and James Galway, quasi-operatic crooners like the tenor Andrea Bocelli and the English boy band Il Divo, and high-flown efforts by rock stars like Sting and Elvis Costello.

But crossover, by its very definition, implies a destination: a classical performer looking for a wider audience (and, perhaps, a bigger paycheck) among pop fans, a rock star eager to be taken seriously by a cultural elite. Mr. Harrington's vision, on the other hand, had nothing to do with a destination; it was all about the voyage and the discoveries made along the way. The Kronos philosophy has always been too broad to define in terms of market share and too earnest to characterize as pandering.

"I believe in notes, and I believe in allowing myself to be magnetized by the way someone makes notes — another performer, a singer or a composer — the way that person assembles notes," Mr. Harrington said. "Every once in a while you hear something that you just can't live without. And that's how these 650-plus pieces were assembled, because something has magnetized me personally."

Surprisingly, Kronos has spawned relatively few imitators. Two English groups, the Balanescu Quartet and the Brodsky Quartet, adopted some aspects of the Kronos ethos. More recently the New York quartet Ethel has emerged as a true heir in its omnivorous appetites, collaborative breadth and creative use of multimedia.

But in a larger sense the Kronos influence is everywhere. Iconoclastic artists of all musical persuasions mingle and collaborate in clubs like Le Poisson Rouge and performance spaces like the Issue Project Room. No one blinks when alternative-rock acts like Sufjan Stevens and Dirty Projectors work with chamber ensembles and orchestras in a manner that extends beyond luxurious window dressing for one, down-market slumming for the other. Composers who cut their teeth on rock, hip-hop and electronica apply those influences in their concert works, then run out to play in their own bands.

Those developments may have been inevitable, but Kronos got there first and showed just what could be done. In intuiting the shape of things to come with his reimagined string quartet, Mr. Harrington had a hand in inventing the future.



Hiroyuki Ito for The New York Times

The group, led by Philip Glass, in "Dracula: The Music and Film."



The quartet in 1979.



Photo credit: Jeppe Gudmundsen-Holmgreen
John Sherba, Jeffrey Zeigler, David Harrington and Hank Dutt.



## First Listen: Kronos Quartet's Central Asian 'Rainbow'

by Tom Huizenga

The album was released on Mar. 30, 2010.



Jay Blakesberg.

The Kronos Quartet's latest cross-cultural exploration finds the band collaborating with master musicians from Afghanistan and Azerbaijan.

March 22, 2010

The sharing of ideas and art is a centuries-old practice for the people of Central Asia. And it's a more than 30-year-old practice for members of the Kronos Quartet, whose music-making knows no international boundaries. They routinely team up with musicians from Mongolia to Mexico, Armenia to Argentina, and have long-running partnerships with many of today's leading classical composers.

Kronos' latest cross-cultural exploration finds the band in collaboration with master musicians from Afghanistan and Azerbaijan. This new CD, released March 29, is officially titled *Music of Central Asia Vol. 8: Kronos Quartet with Alim & Fragana Qasimov and Homayun Sakhi*. It's a part of a larger, and noble initiative to highlight musical traditions in regions where they are endangered.

The music here represents both the new and the old. The title track, "Rangin Kaman" — "Rainbow" in Persian — was written by Homayun Sakhi especially for this project. Think of it as a half-hour concerto for Sakhi's own instrument, the Afghan lute, plus string quartet and percussion. Sakhi said color was important to him in this composition.

"I piece together different colors," he said, "as a way of expressing hope for peace and harmony among different peoples and nations."

The remaining five tunes are arrangements of mid 20th-century popular Azerbaijani songs, sung by the amazing father-daughter duo of Alim and Fragana Qasimov, along with their ensemble of folk musicians

The Azerbaijani art of improvisation is very much alive in these songs, from the galloping rhythms of "Kohlen Atim" ("My Spirited Horse") to the unbridled ululations of the lovesick lament, "Getme Getme" ("Don't Go Away").

Be forewarned, this new disc does not always make for restful listening. In fact, I'd advise against operating any type of heavy machinery while the Qasimov's are singing. The intensity of their voices reaches such a fevered pitch that it saps every ounce of concentration. But it's a hazard I think you will end up welcoming, wholeheartedly.

#### **Performers**

#### **Kronos Quartet:**

David Harrington, John Sherba, violins Hank Dutt, viola Jeffrey Zeigler, cello

#### Homayun Sakhi Trio:

Homayun Sakhi, *rubab* (Afghan lute) Abbos Kosimov, *doyra* (frame drum); *qayraq* (clappers) Salar Nader, *tabla* 

#### Alim Oasimov Ensemble:

Alim and Fragana Qasimov, vocals; *daf* (frame drum) Rafael Asgarov, *balaban* (oboe) Rauf Islamov, *kamancha* (fiddle) Ali Asgar Mammadov, *tar* (lute) Vugar Sharifzadeh, *naghara* (frame drum)



# American Profiles: Classical Musician Spearheads Mexican Folk Revival in US, Mexico

Eugene Rodriguez's modest after-school program blossoms into major cultural center

JoAnn Mar | San Pablo, California 01 February 2010



**Photo: Courtesy Los Cenzontles** 

Los Cenzontles students traveled to Mexico to better understand the roots of the folk traditions

Leading a Mexican folk music revival was the furthest thing from Eugene Rodriguez's mind while growing up in a white middle class suburb of Los Angeles. The third generation Mexican-American earned a master's degree in classical guitar at the San Francisco Conservatory. But, just as Rodriguez was about to embark on his career in classical music performance, an unexpected family crisis made him rethink his plans.

"Our baby was born but he ended up having a heart defect and died in surgery. It required a lot of soul-searching. It's a sign that life is very short and you need to do what is most important to you." Rodriguez enjoyed playing classical guitar, but admits it felt isolating. "It was a lot of practice and little opportunity to be on stage connecting with people."

#### Connecting with young people



**JoAnn Mar**The Los Cenzontles Mexican Arts Center sits in the middle of a strip mall.

So, in 1989, with a grant from the California Arts Council, Rodriguez started what became the Los Cenzontles Mexican Arts Center in San Pablo, an impoverished town northeast of San Francisco plagued by poverty, drug dealing and gangs. It soon became a safe place for local kids to hang out, do their homework and learn about Mexican culture. Los Cenzontles means "the mockingbirds" in Nahuatl, the ancient Aztec language of Mexico.

"I have seen many, many young people fall through the cracks," Rodriguez says. He and the center's teachers have tried to intervene in many cases but are not always successful. "You see people dropping out and there's really nothing you can do about it. It's sad and it's heartbreaking. But you work with the ones who stay and you try to create more and more success to create a stronger magnet for others, for the up-and-coming kids."

Every week, hundreds of young students attend Los Cenzontles classes in dance, voice, guitar and arts and crafts, in a safe haven away from the town's crime and violence.

Over the past 20 years, that effort has cultivated dozens of young musicians and music teachers. "Many of our musicians have been here for a great deal of time. We have a 15-year-old girl who's performing with us now who started when she was four. We have 30-year-old teachers who started with us when they were eight years old," says Rodriguez.



Courtesy Los Cenzontles
Hugo Arroyo began studying at Los
Cenzontles when he was 8 and now teaches there.

#### A new musical mission

Students from Los Cenzontles have visited parts of Mexico where the music they're learning originated. Rodriguez says they learned that many of the indigenous folk traditions - corridos, rancheras, and old-style mariachi music - were dying out and are no longer being played by Mexicans themselves.

So Rodriguez's mission now includes revitalizing old musical styles by teaching them to young students and then performing them in Mexico with the Los Cenzontles touring band.



Courtesy Los Cenzontles
Rodriguez plays with a member of the indigenous Mexican band Mirando al Lago

"It was something extraordinary. The older folks remembered and were so emotional to see something that they had not seen in decades. The young people were just absolutely curious as to what this was because they didn't know what it was. They didn't know it was their heritage," Rodriguez recalls. "It is really a testament to how important it is for people to cultivate their own

local culture and not just give it up when popular culture is everywhere and kind of consumes the local culture."

#### Bringing traditional music to a new generation

Every year, the band performs in different venues around the United States and in Mexico. The ensemble is made up of the center's current and former students. In class, they learn to play instruments, read and write music, and work in a professional recording studio.



**Courtesy Los Cenzontles** Students have recorded CDs with well-known bands like Taj Mahal

Rodriguez says Los Cenzontles opens a door. "It provides a way for children to learn about their strength and the beauty that's inside of them. And the obligation that they have to themselves and their families and to society to contribute. It provides what I think this society should provide. And the sad thing is there aren't enough places like this."

The Los Cenzontles band has now produced nearly 30 recordings, attracting widespread attention in the music industry. Now, Rodriguez wants to replicate the Los Cenzontles model in other communities around the country, to foster similar arts and culture programs for the next generation.



### Mexican folk group 'Los Cenzontles' compose song in reaction to the new Arizona law

May 4, 9:58 PM • LA Arts Examiner • Dena Burroughs

<u>Los Cenzontles</u>, a Mexican folk music group based in the city of San Pablo, in the San Francisco area, composed a <u>corrido</u> in response to the new Arizona law. <u>Corridos</u> are a musical form developed in Mexico during the 1800s which told stories in poetic form using simple words and music. Traditionally they were meant to inform the listener about actual events, even breaking news.

The song entitled *Estado de Verguenza*, which translates into "State of Shame," accuses Arizona of becoming known, rather than for its beauty, for its racism and hatred. The song was composed last week by *Los Cenzontles's* founder Eugene Rodriguez Along with the other members of the group (in English "The Mockingbirds"), Rodriguez runs a non-profit cultural arts center in San Pablo. The center is dedicated to promote the culture of Mexico by training about 200 students weekly in the country's traditional music, dance, arts and crafts.

A YouTube video of the song is posted below and it includes its English translation.

#### SFGate.com

## Theater review: 'Oedipus el Rey'

Robert Hurwitt, Chronicle Theater Critic Friday, February 5, 2010



Joshua Torrez is a tattooed inmate from the barrio who falls in love with his mother in Luis Alfaro's "Oedipus el Rey," based on the Sophocles play.

Photo: Jennifer Reiley

"All the empty spaces inside of me, it's as if they were always yours," the woman says to her new lover. "The touch of your skin, your smile, the way you look at me. They complete me."

The heat of the moment at the Magic Theatre is palpable. The tender eroticism is cut through with the chill of tragic inevitability. In Loretta Greco's sumptuously spare world premiere of Luis Alfaro's "Oedipus el Rey," Romi Dias' love-rejuvenated Jocasta and Joshua Torrez's infatuated Oedipus could be the only people in the world who don't know that they are mother and son.

Playwrights have been rewriting the ancient Greeks ever since the Rome of 2,000 years ago. Contemporary retellings are legion. Alfaro's Chicano prison-and-barrio treatment isn't the first to set Sophocles' "Oedipus" in an urban gangland, as England's Steven Berkoff did in his grittier, more transgressive "Greek."

But Alfaro may be the first, Sophocles included, to place the love of Oedipus and Jocasta squarely at the play's tragic center. More than that, he makes it resonate with a passion fully enhanced not only by the spare poetry of his text but also by Greco's intense staging and the naked vulnerability of two fully committed actors in the show that opened Wednesday.

Set in the California prison system and a Los Angeles barrio, Alfaro's "Oedipus" replicates much of Sophocles' tragic tone in the terse, direct or evasive lines of the principals and a four-man chorus (the Coro) of prisoners, barrio residents or comically sinister, oracular owls. Greco underscores the spartan intensity with Sarah Sidman's stark lighting effects on Erik Flatmo's near-naked set and her rigorous choreography of the choral passages. Alex Jaeger's orange uniforms and Jacquelyn Scott's profuse tattoos create the prison atmosphere.

Each member of the Coro is always an individual representation of the play's tragic-flaw fatalism and machismo - from the hard-won dignity of the elders of Marc David Pinate (as the blind seer Tiresias, here also Oedipus' putative father) and Carlos Aguirre to the combativeness of Eric Avilés' ill-fated Laius and boyish bravado of Armando Rodriguez's Creon.

The tragic impact is lessened some by Alfaro's departure from Sophocles' terrifying, mounting accumulation of revelations, and by making Oedipus not a civic hero but a shakedown artist. Some muddled religious content also diffuses the tension, but that should get clarified as the show moves through its next two scheduled productions in the National New Play Network program.

Where Alfaro's "Oedipus" succeeds unequivocally is in the strange, sweet but frightening innocence of its title character as a man raised within the correctional system, while the riveting Torrez and Dias make the central love affair as inevitably natural as disturbing. It's the tragedy not of an individual but of a society, and one we can't help but recognize as our own.



Romi Dias and Joshua Torrez are the mother and son unwittingly drawn to each other with a tender eroticism in the tragic and tense "Oedipus el Rey."

Photo: Jennifer Reiley



# Tragically hip

Two stage must-sees: Magic Theater's riveting *Oedipus el Rey* and Fauxnique's glorious *Luxury Items* 

02.09.10 - 8:25 pm | Robert Avila |



PHOTO BY JENNIFER REILEY

Joshua Torrez stars as the conflicted hero of Luis Alfaro's *Oedipus el Rev*.

**THEATER** The Oedipus of Sophocles gets transposed to the California prison system and East L.A. in Luis Alfaro's lively *Oedipus el Rey*, playing at the Magic Theatre in a world premiere slickly staged by artistic director Loretta Greco. Neither the classic nor contemporary terrain is new turf for Alfaro, whose *Electricidad* similarly reset the Electra myth. But San Francisco is another story, this being the acclaimed L.A.-based Latino playwright's first professional Bay Area production.

Slipping into Alfaro's lyrical mix of the sacred and vernacular, his intuitive sense of comic timing, and his larger dramatic purposes proves relatively easy. Despite many appeals to artistic license — including a sometimes cumbersome substitution of a Christian universe for fate-bound Greek pantheism and the more intriguing revisioning of Oedipus as a barrio gangster on the make — the story remains familiar in outline, not least the beloved plot points "kills father, marries mother." And decades into the work of playwrights like Luis Valdez, José Rivera, and Octavio Solis, there's something already familiar as well about the setting's wry, poetical, classically bound barrio.

But Alfaro is a knowing and competent progenitor of the style. The use of a four-cholo chorus, or Coro, is particularly deft, with the actors in orange prison smocks occupying the extreme corners of a mystically bare stage and calling on us to consider "this man" — played with a jagged, bounding innocence by Joshua Torrez — in a tough, sardonic but elegant litany that pounds open the themes of the play from the outset like a piñata idol.

But the less abstract scenes are among the most effective, especially the riveting relationship between Oedipus and his lover and unrecognized mother Jocasta (a winningly strong yet vulnerable Romi Dias), which unfolds as an incestuous but tender and strangely compelling meeting of damaged souls. If the play doesn't cohere with quite the authority or intensity it aims for, what remains is a set of images and moments that set the prophetic and profane in vital relation to one another.

## KEEPING IT REAL, OR PRÊT-À-PORTER

Drag performance artist and dancer Monique Jenkinson, a.k.a. Fauxnique, recently saw the weekend run of her new solo show *Luxury Items* at ODC Theater sell out in the bat of an eyelash. So the current remounting at CounterPULSE comes highly anticipated. It doesn't disappoint, and given the charisma and talent of its writer-choreographer-performer, not to mention the love lavished on her by adoring audiences, it's hard to imagine how an intimate evening like this could. And considering its general execution and not least its ambition and scope — at once surprising and altogether apt — it's well worth seeing at any stage in its ongoing development. At the same time, in the uneven arc of its dramatic line and somewhat choppy melding of themes, it remains a work-in-progress.

But what a work! Beginning in glorious repose across a deluxe chaise longue, *Luxury Items* revels in haute couture fantasy. But it soon acknowledges essential truths about our obsession with opulence in general and haute couture in particular. One: it's built around an ersatz encounter with luxury that comes courtesy of media and advertising ("obsession," in other words, is first of all a perfume ad). And two: it's tacitly premised on a political economy whose principal characteristic is the ruthless class-based exploitation of laboring bodies.

If this makes drag sound like a drag, all the more reason to laud what Jenkinson is crafting here. It retains all requisite insouciance and wit even while deconstructing, in compellingly personal and historical terms, the "real" material bargain being made in every rarified, Chanel-clouded embrace of precious materialism.

## The New york Times

May 5, 2010

# War Zone Traumas Restaged at Home

By JESSE McKINLEY

SAN FRANCISCO — During her yearlong tour of duty in Iraq Maj. Elizabeth A. Condon saw all manner of horror and heartbreak, from dead bodies in the street and memorials for fallen friends to "little babies with holes in their backs."

But it was a moment of tenderness, she said, that stuck with her most. It happened when she was helping to care for a young Iraqi woman, whose belly had been left ripped open and infected from an amateur cesarean.

"The eldest women in the room took my hand, and started kissing my cheek and then all the other adult women each came over and kissed my cheek too," said Major Condon, now 43 and living in Loudonville, N.Y. "It was a very warm, wonderful, wonderful feeling. I don't know if I saved the woman or whatever. But it was very, very emotional."

Major Condon's experience is one of 10 such moments — each drawn from an instance of high drama in a war zone — that have been given a surreal twist by the photographer Jennifer Karady for "In Country: Soldiers Stories From Iraq and Afghanistan," an exhibition opening on Thursday at SF Camerawork, a downtown gallery here.

"In Country" is the result of five years' work by Ms. Karady, who interviewed dozens of veterans and asked them to talk about their most traumatic war moments. She then overlaid those memories onto their present-day lives, in the suburbs, back at school and, in one case, on the streets.

Ms. Karady, 43, described a process that she called equal parts journalism and psychotherapy. "This thing is replaying visually in the person's head, and we really have no idea what is going on," she said. "But the idea, conceptually, of taking that moment and recontextualizing and placing it in the civilian world, is based on a therapeutic model."

The portraits are striking. In one of the large-format color prints, which measure four feet square, a soldier ascends a dark flight of stairs, armed with nothing more than a pair of textbooks held like a rifle. In another, a smiling ranger sits on the edge of a placid lake, camping, as two buddies — each wearing googly-eyed glasses and bloody fatigues — smile back. In a third, a sergeant sits bolt upright in a burned-out house with no other company other than a giant pink bunny.

Adding to the photos' emotional impact for the subjects is the fact that many of the models used to create the images — a little boy holding a gun, a young woman holding an IV, a mother holding a bouquet of lilies — are their friends or family members.

For Andy Davis, 29, a former Army staff sergeant who served two tours in Afghanistan and one in Iraq, that meant enlisting two other Iraq War veterans and his wife. The moment he chose involved a 13-day firefight, in which a fellow soldier was hit in the eyes by shrapnel from an artillery shell.

Mr. Davis said it was his reaction to the shooting — laughter and gallows humor — that haunted him. "How quickly we were dealing with it with humor made me feel sick," said Mr. Davis, who now works as an outreach and training coordinator for the New York State Division of Veterans' Affairs. "It made me feel like we were laughing at a car accident."

Ms. Karady, who has done freelance photography for The New York Times, approached Mr. Davis last year when she was at Yaddo, the artist colony in Saratoga Springs, N.Y., and began general conversations about his experiences. Slowly, Mr. Davis recalled, those chats "started getting more specific." They talked, he said, "about things you still think about daily, very specifically: the smells, the sights, the thoughts and the feelings."

In the photograph, shot last fall at Saratoga Lake, Mr. Davis sits, bloodied with an awkward smile, while his buddies sit nearby, also washing off blood and wearing those novelty glasses with their eyes bulging out. In the distance, it seems, is Mr. Davis's more serene current reality, with his wife, Jodie, sitting next to a small pup tent.

Mr. Davis said the photograph — and the process leading to its creation — was remarkably therapeutic. "It helped me slow the whole scene down," he said. "And think about why things happened the way they did and why I'm still dealing with this."

Major Condon echoed that sentiment, saying her photograph — which includes her mother and 3-year-old daughter, seemingly praying — helped bridge a distance she felt from her family. When she hung a copy in her home, "something just clicked," she said. "I don't know how, but I really enjoy being with my daughter now. It was very painful, but very healing."

Dr. Jonathan Sherin, the chief of mental health for the West Los Angeles V.A. Medical Center and an informal advisor to Ms. Karady, likened the photos to "exposure therapy," in which veterans are asked to revisit painful experiences.

"Working with her, going through the staging, spending a lot of time reliving and remembering has been, for them, very helpful," Dr. Sherin said.

Ms. Karady's pictures have a heavy emphasis on symbolism. In a 2006 portrait of Steve Pyle, a former sergeant who was badly injured in a mortar attack, she put two of his children on a trampoline, to suggest the feeling of flying he felt when the mortar exploded. Likewise two other children are shown kicking a ball, a nod to a violent beating Mr. Pyle received after the attack.

A more recent picture — depicting Jason Lemieux, a former Marine — required her to buy dozens of bags of cheese puffs, which were relabeled with Arabic script to match a memory of Mr. Lemieux in which an unarmed civilian was killed coming out of a storeroom.

Ms. Karady says she is conscious about not pushing her subjects too far. She consults with them on what details they want to include. "I always ask: 'Do you think you're going to be O.K.?' and 'Is this going to bring anything up for you?' " she said.

She also emphasizes that many of her subjects are adjusting well to life after war, with or without the photos. One of those is Starlyn Lara, a 33-year-old Army veteran who now works at Swords to Plowshares, a nonprofit group in San Francisco that offers assistance to veterans. The group helped Ms. Karady get in touch with some of the veterans she photographed.

Ms. Lara's photograph, taken on Treasure Island in San Francisco Bay in February, shows her sitting up in bed in a charred room, with a pink bunny gazing at her. The image comes from a recurring dream she began having after a bomb exploded under her Humvee in Iraq.

"I'm laughing in the dream, going, 'I can't believe this pink bunny!" "she says in an interview published in the exhibit catalog. "And I stop, and the pink bunny gets hit by my Humvee. I see myself in the vehicle, and I realize that the pink bunny is the bomb."

In an interview Ms. Lara, whose bubbly demeanor belies her past life in the First Infantry, said she was initially skeptical of the process — "I thought it might come off as weird" — but actually found it cathartic.

"At first I thought, 'Who wants to talk about this stuff?' But this really was an opportunity for me to blossom," she said. She now keeps a copy at her office.

"People ask, 'What's with the bunny?' " she said. "It really created a great reason for dialogue."

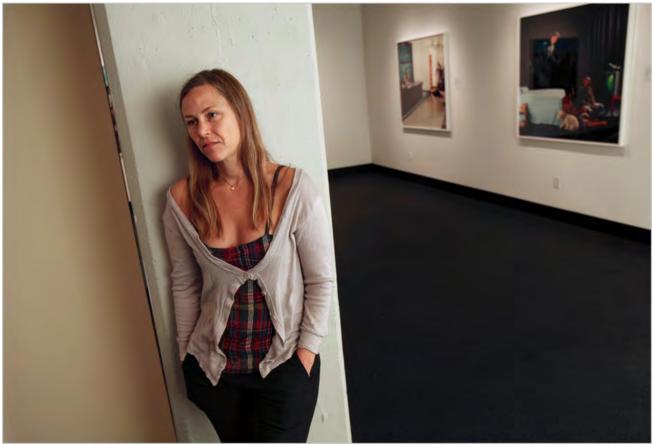
This article has been revised to reflect the following correction:

#### Correction: May 10, 2010

An article on Thursday about an exhibition in San Francisco by the photographer Jennifer Karady, "In Country: Soldiers' Stories From Iraq and Afghanistan," referred incorrectly at two points to a 33-year-old Army veteran who is the subject of a picture in the exhibition. As the article noted elsewhere, the veteran is Starlyn Lara, and thus Ms. Lara, not "Ms. Starlyn." It also referred incorrectly to an incident that was the basis for a photo of Andy Davis, a former Army staff sergeant. A fellow soldier was hit in the eyes by shrapnel from an artillery shell, not shot in the eye by a sniper.



Jennifer Karady/SF Camerawork A photograph by Jennifer Karady shows Jason Lemieux, left, a former Marine, in a staged scene taken from his war experiences.



The photographer Jennifer Karady at her exhibition of portraits, "In Country: Soldiers Stories from Iraq and Afghanistan," at SF Camerawork in San Francisco.



John Holman, a former Army sergeant and Iraq war veteran, with friends at Palo Alto University in California in a photograph from the exhibition.

Credit: Jennifer Karady/SF Camerawork

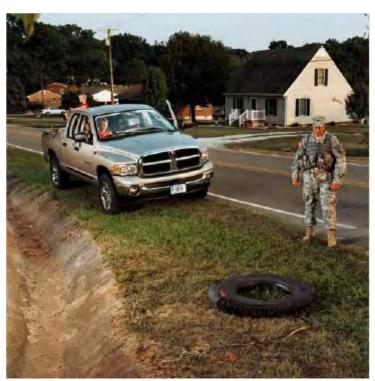


Mr. Holman in front of his photograph at SF Camerawork. More photographs from the exhibition follow.

Credit: Chris Hardy for The New York Times



Jose Adames, a former Marine and Iraq war veteran, in Brooklyn. Credit: Jennifer Karady/SF Camerawork



Mike Sprouse, a sergeant in the Virginia Army National Guard and Afghan war veteran, with his wife and children, in Madison Heights, Va. Credit: Jennifer Karady/SF Camerawork



Aaron McCollum, a former petty officer in the U.S. Coast Guard and veteran of the war in Afghanistan, in Marina del Rey, Calif. Credit: Jennifer Karady/SF Camerawork



Elizabeth A. Condon, a member of the New York Army National Guard who did a yearlong tour in Iraq, with her mother and daughter in Troy, N.Y. Credit: Jennifer Karady/SF Camerawork



Aaron Grehan, a former Army communications specialist in Iraq, with his girlfriend and mother in Peterborough, N.H. Credit: Jennifer Karady/SF Camerawork



Steve Pyle, a former Army sergeant and Iraq war veteran, with his wife and children in Deland, Fla. Credit: Jennifer Karady/SF Camerawork



Starlyn Lara, a former Army staff sergeant and Iraq war veteran, in San Francisco. Credit: Jennifer Karady/SF Camerawork



Ms. Lara and Ms. Karady's photograph of her at SF Camerawork. Credit: Chris Hardy for The New York Times





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#### PHOTO GALLERY

See photos from Where Three Dreams Cross: 150 Years of Photography from India, Pakistan
 & Bangladesh

150 YEARS OF PHOTOGRAPHY FROM THE INDIAN SUBCONTINENT



A new major exhibition, which opens in London this week, gives an inside view of how modern India, Pakistan and Bangladesh have been shaped through the lens of their photographers. 400 works have been brought together for the first time from over 80 artists, encompassing social

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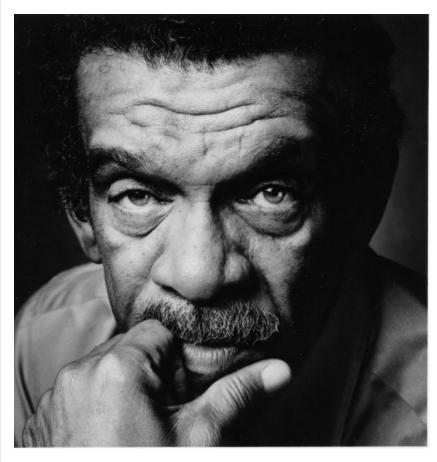
realism and reportage of key political moments, family life and street photography. Harriet takes a look round with the curator Sunil Gupta and author Sunny Singh.

http://www.whitechapelgallery.org/

#### SANTIAGO THEATRE FESTIVAL

It's a landmark year for many Latin American countries - Argentina, Chile, Columbia and Mexico are all celebrating 200 years of independence from Spanish rule. In Chile, its also election year and they have just voted in a conservative government for the first time since General Pinochet stood down. Its all added an extra thrill to Santiago's annual theatre festival with writers updating their plays with references to history and politics. Gideon Long reports from the Chilean capital.

#### DEREK WALCOTT CELEBRATES HIS 80TH BIRTHDAY



We speak to the Nobel prize-winning poet and playwright Derek Walcott who is 80. He discusses his life and work and assesses the Presidency of Barak Obama a year on from the leader's historic inauguration to the White House.

#### SANTIAGO THEATRE FESTIVAL

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# TIMESONLINE

January 22, 2010

### Where Three Dreams Cross at the Whitechapel Gallery, London



Trichur, Kerala, by Raghubir Singh

Joanna Pitman



Anyone who has been to Delhi will know the feeling of bewilderment when you confront the chaos of that city. Greeted by a throng of humanity, your eyes leap from the fluid mass of people to the bicycles, wagons and vendors, to the meandering cattle, the shops on all sides and the colour.

Everything swims together into a fantastic vision of movement and frenzy and it becomes exhausting. Your eyes cannot absorb it all and they yearn for a rest. I felt a little like this as I neared the end of the Whitechapel Gallery's new exhibition, *Where Three Dreams Cross*.

This is a hugely ambitious show, six years in the making, covering 150 years of photography from India, Pakistan and Bangladesh, and encompassing more than 400 works by 82 native artists, who collectively represent a kind of *Who's Who* of

photography in the region. This is pretty much everything from the dawn of photography to the modern day in a subcontinent with a population of more than one and a half billion.

Hung in themes — the performance, the portrait, the family, the streets and the body politic — all five sections incorporate historic, modern and contemporary work in an unpredictable mix.

Within those categories you find social realism and reportage photography, fine art photography, documentary photography, amateur photography and more recent digital photography that crosses over with fashion and film. It feels very much like the maelstrom that is an Indian city — and maybe that is the point.

Bollywood portraits jostle with early, hand-coloured photographs, street photographs, 19th-century studio portraits, social documentary, political photojournalism, eco-politics, sexual politics, investigations of communities and race, photographs by children and some remarkable 19th-century photographs of hijras, the eunuchs.

Although the images soon swim before your eyes, plenty of gems shine through. Raghubir Singh, for example, who died in 1999, photographed everyday life in lyrical colour essays. The best, included here, are from his final book, *A Way into India*, in which he used the voluptuous contours of a red Ambassador car as a moving picture frame to relay stories about urban and pastoral India.

There is a striking portrait from the White Star agency of the founder of Pakistan, Mohammed Ali Jinnah, in a suit patting two dogs outside a house in Hampstead, North London. There are some lovely Salgado-like photographs of agricultural workers by the Bangladeshi photojournalist Munem Wasif portraying gestures brilliantly; the way people plant their feet and cock their hips.

The exhibition avoids the clichés of the subcontinent (there's only one elephant), yet manages to portray both the spectacular and the ordinary. It's fascinating and intense, but get some caffeine flowing in your veins before you attempt it.

Where Three Dreams Cross, at Whitechapel Gallery, London E1 (020-7522 7896) to April 11



Jawaharlal Nehru, 1950



Courtesan, 1890



## Heavenly visions of 150 years of photography

By Sue Steward, Evening Standard 22.01.10



\*\*\*\*\*Sue Steward's rating
\*\*\*\*\*Reader rating



Sweet dreams: Rainy days image of Lahore, 2008, taken by Mohammad Arif Ali

The borders between India, Pakistan and Bangladesh have been dissolved in this ambitious exhibition, which demonstrates that since Partition in 1947, the countries' shared cultures remain connected.

The reality may be different, but here the three rise and meet in harmony, as dreams do.

The collection is divided into four sections — Performance, Family, Portrait, Street, and Body-Politic — within each, chronology, geography and cultures intermingle, and intersperse with windows onto ordinary life.

Opening with large studio portraits from 1996 (a boy with a paper emu, a girl in her party dress) revealing Western influences, the collection weaves through 150 years of history, and reveals inspiration from local traditions (Khubi Ram Gopilal's exquisitely overpainted portraits in the style of Mughal miniatures), as well as modern art forms, such as cinema.

Gorgeous 100-year-old images show how lushly decorated sets made for Victorian Pictorialist portraits were reinterpreted locally; they contrast beautifully with those in the colour-drenched Bollywood stills.

It's tempting, too, to compare Western elements in Homai Vyarawalla's 1950 portrait of Prime Minister Nehru with his sons Rajiv and Sanjay in public school uniforms, and Sheba Chhachi's (2001) lyrical essay on women mendicants.

Raghi Rai's penetrating depiction of Mother Theresa and her shrouded Sisters, reflects his Magnum influence.

The immense scale of the subject means this is only a taster — but even with minimal information, the experience is as exhilarating and possibly confusing as a first visit to the sub-Continent.

Until 11 April. Information: 020 7522 7888; whitechapelgallery.org.



## Where Three Dreams Cross, Whitechapel Gallery, London

A century and half of photographs from the subcontinent wrong-foots Kipling and the post-colonial blow-hards

Reviewed by Charles Darwent

Sunday, 24 January 2010



RAGHUBIR SINGH

Dream machines: Buses in Trichur, in the southern Indian state of Kerala, 1985

Thirty years ago, the critic Edward Said set the cat among the pigeons by publishing Orientalism, a work which put forward the alarming suggestion that the East is a figment of the West's imagination.

Only by seeing a culture as other, can you control it: Kipling, Delacroix and Flaubert, Orientalists all, helped to create an idea of the East which in turn allowed it to be overrun by the West.

That Said's thinking still gives us gyp is shown by the dominance today of what is known, annoyingly, as "post-colonial discourse", a category that includes the shows I'll be reviewing both this week and next.

If one medium was going to lend itself to cultural imperialism, then photography is arguably it. It was, after all, a Western invention, and the rise of the camera coincided neatly with that of European colonialism. Nothing conveyed the otherness of the East more vividly than a sepia photograph of barefoot girls in bangles, or rajahs shooting tigers from a howdah. So a show at the Whitechapel Art Gallery called Where Three Dreams Cross – a selection of 150 years of photographs from India, Pakistan and Bangladesh – would seem particularly prone to post-colonial interpretation. It is a mark

of the exhibition's cleverness that it isn't, particularly – that the East's counter-colonial imagining of the West is only one of the many currents eddying about these images, and not the most important one at that.

In part, this is down to the show's thematic structure. Images are divided into Portrait, Performance, Family, Streets and Body Politic. Had Three Dreams' curators hung the work chronologically and country-by-country, it would have felt like a display in an ethnographic museum. Like Mrs Moore in EM Forster's Marabar Caves, the show would also have imposed a Western rationale on something better seen dharmically, with a taste for happy connection.

In the great boum of Performance, for example, are Bollywood images of the 1940s and 1950s that show a clear eye to Western movie magazines. But the most American of these turn out not to be Bollywood at all. The Bette Davis lookalike who smokes broodily to camera is the contemporary Bangalore-based artist, Pushpamala N, and her self-portraits, made a couple of years ago, play a quiet game of history.

This has to do with the artist's anticipation of who her images will be seen by, and whether local and Western audiences – her work has been bought by Charles Saatchi – will bring the same cultural expectations to them.

Across the way are other photographs taken, I would think, in the 1890s and featuring fakhirs standing in what looks like a bedroom at the Ritz: one, naked but for a loincloth and sporting a titanic white beard, poses in front of a belle époque fireplace. It would be easy to imagine that this image was made by a member of the British Raj with a taste for the exotic, although all the photographs in this show were actually taken by natives of the three countries involved.

At the heart of Where Three Dreams Cross, in other words, lies the unsettling question of who, culturally speaking, is looking at whom. That Kipling was wrong about East being East and West West is amply proven by a suite of six contemporary portraits of Eurasians, the mixed-race relics of a one-time British Empire. One, a woman in late middle-age, wears the navy suit and fake-Hermès scarf you might see in Weston-super-Mare. Even her door looks north-Somerset. What can an Indian photographer have made of it, and of her? What do we? Around the White-chapel Gallery live 70,000 Bangladeshis who are likewise part of the untidiness of Britain's colonial history. How (or whether) they will see the work in this show is a question that hangs in the air.

As I said, though, the real triumph of Where Three Dreams Cross is that it manages to avoid the grimmer backwaters of post-colonial discourse. What prevails is the image – photojournalistic, social-realist, studio-made, hand-tinted, and at times just plain bonkers. Unfortunately, the Saatchi Gallery's matching show of contemporary Indian art, The Empire Strikes Back, wasn't hung in time for me to review this week, although a browse through the catalogue suggests that it, too, is more of a celebration than a historical diatribe. You'll see Pushpamala N's photographs there, too, which is reason enough to go.

### guardian.co.uk TheObserver

# Where Three Dreams Cross: 150 Years of Photography from India, Pakistan and Bangladesh

Whitechapel Gallery, London Sean O'Hagan The Observer, Sunday 24 January 2010



Matinee Show, Sreerampore (Best Friend), 2001, by Saibal Das. Photograph: Courtesy Abhishek Poddar Collection, Bangalore

Where Three Dreams Cross is an exhibition that sets out to challenge our received notion of India, Pakistan and Bangladesh as mediated through the eyes of the west. Here the view is exclusively from within and the show surprises not just in the quirkiness of its vision but in the prevailing sense of quiet attentiveness that characterises many of the photographic approaches.

This is not the place to come for yet more images of India as a teeming, chaotic and overwhelming country, or for a glimpse of Pakistan's fundamentalist ferment or Bangladesh's troubled and often tragic post-partition history. Instead we are given a kind of impressionistic overview of the region's culture and history through the lenses of photographers who lived and worked there. The show is divided thematically, rather then chronologically or geographically, into five sections: The Portrait, The Performance, The Family, The Street and The Body Politic. The curatorial strategy just about works though it can be confusing at times, not least because there is of course some overlap between each section.

What is immediately apparent is that photography is not embedded in the artistic culture of South Asia in the way it is in Europe or America. As the programme notes testify, the Indian art market is flourishing but "photography as an academic discipline is still in its infancy"— and it is Bangladesh that leads the way with an already established photography festival, a school and an important archive.

The show's starting point is the historical moment when the power of the camera shifted and it became a means of self-representation rather than a way of presenting colonial power and wealth. The rise of the portrait in India is still linked to the popularity of local studios where people come to have their image not just captured but remade for posterity. The early portraiture on show here is often extraordinary in its pre-Photoshop manipulation and, as the curators point out, "stretches back and dovetails into the style of Indian miniature painting". Sometimes the results are kitsch or surreal but more often than not they are ornate to the point of baroque: turbans are often enlarged and over-painted in brighter colours, whole backdrops meticulously created and hand-coloured.

The aim of this kind of portraiture is often to express the wealth and entitlement of its subjects, and that aim remains unchanged in the 60-odd years that separate an unknown photographer's idealised rendering of Maharaja Jai Singh of Alwar (c1930s) and Prashant Panjiar's contemporary portrait of an Indian-born peer sitting, in turban and tweeds, on the lawn of his baronial pile in Scotland in 1996.

Only recently has the portrait embraced the notion of informality, though that, confusingly, is most evident in the section devoted to The Family. In Anay Mann's utterly contemporary image the easy informality of the family portrait is often staged. His image of a successful modern family at rest in their expansive bedroom – the young mother reading a magazine, the father browsing on his laptop, the son asleep – is as choreographed in its way as a Renaissance portrait.

In this section, too, Nony Singh's work intrigues in its pioneering and often playful informality. Born in Lahore in 1936, she began photographing her family at the age of 10. Often the images reference western ideas of beauty. One is titled, My sister, Guddi, posing as Scarlett O'Hara from Gone With the Wind. Sometimes she has gentle fun with her sitters - My cousin, Gogi, who was very fond of dogs and has many dog bites. The way in which South Asian photography has adapted or subverted the practices of western photography is perhaps most evident in the section devoted to Performance. Saibal Das's images of Indian circus performers reminded me in their composition of Susan Meiselas's work, specifically the Carnival Strippers series, but the content is all his own. In one, Matinee Show, Sreerampore, mischievously subtitled "Best Friend", a young female performer lies prone beneath a couching tiger, the torso of the animal trainer in the background flanked by two more prowling big cats. In another, a circus marksman proudly holds his rifle which, in Das's deft composition, appears to be pointing directly at the head of the infant child his wife is holding in the background. These images often seem like stills from an old black-and-white film, and I was surprised to discover they were shot in 2001. In contrast, Pushpamala N.'s work is wilfully postmodern. She photographs herself in various filmic roles, echoing archetypal female characters from both Hollywood films and Indian myths.

There is much, then, to process in this extensive, intriguing and sometimes bemusing show. Surprisingly the Body Politic section is the least engaging. Here, it as if the curators' desire to subvert our perceptions of the Indian sub continent has led them to underplay the region's turbulent political history. I would urge you to set aside several hours for this sprawling, sometimes confusing show. You may emerge, as I did, thinking that almost everything you thought you knew about south Asian photography is wrong.

## Telegraph.co.uk

Where Three Dreams Cross: 150 Years of Photography from India, Pakistan and Bangladesh A major new exhibition explores the impact of photography on India, Pakistan and Bangladesh over the past 150 years.



Kulwant Roy: Mahatma Gandhi at the Railway station, early 1940s, Digital Pigment Print on Hanemuhle German Etching Paper, Picture: Courtesy Aditya Arya Archive



Homai Vyarawalla: Jawaharlal Nehru during an informal botany lcass with his grandsons, Rajiv and Sanjay Ghandi, 1950
Silver gelatine print



**TS Satyan: Boys cooling off on a summer day in Bombay, 1970**, *Photograph* Picture: Courtesy Poddar Collection, Bangalore



Raghubir Singh: Trichur, Kerala, 1985, Type C print, Picture: Succession Raghubir Singh



Saibal Das: Last Night Show, Jaipur [Heera with Lalitha], 2001, Silver print Picture: Courtesy Poddar Collection, Bangalore



Bijoy Chowdhury: Boy with a mask [imitated by a Bohurupi (polymorphic) artist], 2004 Digital print on inkjet archival paper, Picture: Bijoy Chowdhury



Mohammad Arif Ali: Rainy days image of Lahore, 2008, Digital print on photographic paper Picture: Courtesy the artist and White Star, Karachi



Bani Abadi: The Ghost of Mohammad Bin Qasim, 2006, Archival inkjet print Picture: Bani Abadi and Green Cardamom, London



Anil Singh (Children of sex workers who live in Sonagahi): Anil's friend takes a picture of him taking a dive from the railing

Picture: Anil Singh



Ayesha Vellani: Planting Padi (detail), 2009, Digital print, Picture: Ayesha Vellani

### Telegraph.co.uk

# Sunil Gupta at Whitechapel: rewriting the history of photography

Artist and curator Sunil Gupta has distilled the history of photography in India, Pakistan and Bangladesh into a landmark exhibition at London's Whitechapel Gallery. In a series of articles for the Telegraph.co.uk he picks his favourite images from a collection spanning 150 years.

By Sunil Gupta, Curator Where Three Dreams Cross: 150 Years of Photography from India, Pakistan and Bangladesh 01 Feb 2010



Manoj Kumar Jain's Muria Tribal Boys at the Benur Village weekly market, 2002 Photo: MANOJ KUMAR JAIN

Manoj was one of the first photographers I encountered in Delhi when we started the research process for this exhibition back in 2005. He came to a portfolio review session with a body of work that he was developing on the tribal region in the eastern part of India.

Several things struck me simultaneously; his presentation style was unusually polished, and limited to this "story" that he was pursuing in his own time. He had a quiet but determined air about him and the way he talked about his pictures. I was very struck by their grace and style. Indigenous people the world over have historically been the subject of a colonising and anthropological gaze that one's heart usually sinks when someone says that they are photographing "tribals". I felt that here was someone who had

overcome this by investing a lot of time and effort, together with an eye for detail and camera position, coming as he does from a background of art school and the commercial photography world of fashion and advertising.

His choice of subject matter is very timely as well. India's indigenous people live in a wide swathe of forested hills across the central and eastern part of the country. They are currently at the heart of an economic and political struggle to retain control of their land.

Neglected and underdeveloped, yet living on top of natural resources very much in demand, they are facing a huge crisis. Those on the periphery and in more in touch with local governance, which has apparently turned a deaf ear to their needs, have turned to Christianity or "Maoism" and an armed struggle.

In 2008, after six years of photographing Bastar, one such area and a former princely state founded by the Kaktiyas in the 14th century, Manoj Jain feels he has concluded his photographic project. What we see is not the conflict as depicted by the media, but a fierce and proud people trying to hold on to their traditions in the face of development. Manoj makes his portraits in the marketplace as outsiders are not welcome in the villages. The boys in the picture are carrying their cocks as each market day ends with a ritual cock fight. It is part of the boys initiation into tribal society.

## Telegraph.co.uk

### Sunil Gupta at Whitechapel: rewriting the history of photography II

Artist and curator Sunil Gupta has distilled the history of photography in India, Pakistan and Bangladesh into a landmark exhibition at London's Whitechapel Gallery. In a series of articles for the Telegraph.co.uk he picks his favourite images from a collection spanning 150 years.

By Sunil Gupta, Curator Where Three Dreams Cross: 150 Years of Photography from India, Pakistan and Bangladesh 10 Feb 2010



Photo: Sheba Chhachhi
Initiation Chronicle (from "Ga

Initiation Chronicle (from "Ganga's Daughters" Initiation 7 by Sheba Chhachhi)



"Ganga's Daughters is a chronicle of Sheba Chhachhi's decade-long association with the women ascetics of the Juna Akhada in Allahabad. Part of Ganga's Daughters is a set of black-and-white photographs called Initiations. It documents the three-day initiation process dating back to 4th century B.C., which involves shedding all layers of identity one by one, including clothes, hair, ornaments, name, family lineage, caste and even gender. In search of the metaphysical, these women reinvent themselves, and are no longer wives, daughters, mothers or even females. Their new identities are given a new name, usually related to the sacred river Ganga, in which they take a ritual bath marking the end of their transformation. Hence, Ganga's daughters are reborn after performing the death rites of their old identities. Although these photographs document events that are completely real, their de-emphasis on background and context makes these images seem timeless, as if they could have existed thousands of years earlier as well." — Extract by Vartikka Kaul from documentation of the exhibition: "Where in the World", curated from the Lekha and Anupam Poddar collection of contemporary Indian art, Delhi 2008.

On a curatorial research trip to Delhi in the late 1980s, it was suggested that I meet a young woman called Sheba Chhachhi even though strictly speaking her work was not "photography" in the local sense, meaning she was not a magazine or commercial photographer. But she had a passion — feminism. She showed me hundreds of pictures of demonstrations that she had recorded and portraits of women she had met through the movement. She herself was an activist primarily. The photography was there to record their activities. It didn't matter that the pictures were not "decisive moments." They were extraordinary records of events shot from within.

By now Sheba has become an established artist/photographer in her own right with several exhibitions and publications. Since we had to limit our choice to only one body of work in this exhibition, we decided to represent "Ganga's Daughters." It encapsulates her interests at the intersection of several areas of being. The politics of women and their representation as well as Indian asceticism. We don't normally think of women ascetics in India as mostly we get images of male ascetics, especially when they gather in large numbers at events like the Kumbh Mela. Therefore these images are very striking as once again they are about difference as seen and experienced from within.



## Out of reach

How the sustainable local food movement neglects poor workers and eaters

12.02.09 | Caitlin Donohue



On a sunny afternoon in Civic Center Plaza, a remarkable bounty covered a buffet table: coconut quinoa, organic mushroom tabouli, homemade vegan desserts, and an assortment of other yummy treats. The food and event were meant to raise awareness about public school lunches, although it was hard to imagine these dishes, brought by well-heeled food advocates, sitting under the fluorescent lights of a San Francisco public school cafeteria.

The spread was for the Slow Food USA Labor Day "eat-in," a public potluck meant to publicize the proposed reauthorization of the Child Nutrition Act, national legislation that regulates the food in public schools. The crowd was in a festive, light-hearted mood. There was a full program of speeches by sustainability experts and a plant-your-own-vegetable-seeds table set up in one corner of the plaza.

A bedraggled couple who appeared homeless made their way through the jovial crowd and started scooping up the food in a way that suggested it had been a long time since their last roasted local lamb shish kebob. Their presence shouldn't have been a surprise; most events involving free trips down a food table are geared toward a different demographic in this park, which borders the Tenderloin.

In a flash, an event volunteer was on the case, nervous in an endearingly liberal manner. "Sir," she began. "This food is for the Child Nutrition Act." And then she paused, searching for what to say next. I imagined her thinking: "Sir, this food is to raise awareness about the availability of sustainable food to the lower classes, not to be eaten by them," or, "Sir, this good, healthy, local food is not for you."

But there was no good way to say what she meant to convey. She knew it, and delivered her final line hurriedly before walking away. "If you could just, well, just don't take like 25 things, okay?" Indifferent to the volunteer's unspoken reprimand, the couple continued to eat, ignoring the whispers and stares of the social crusaders around them, who all seemed to take issue with their participation in this carefully planned political action.

It was a telling scene from a movement that has yet to really confront its class issues. Though organic grocery stores and farmers markets have sprung up on San Francisco's street corners, it remains to be seen whether our current mania for sustainable, local food will positively affect the lower classes, be they farm workers or poor families.

Even iconic food writer Michael Pollan acknowledges the challenge the sustainability movement faces in widening its relevance for the poor, citing the high cost of local and organic food as just one of the issues that Slow Foodies and their allies must tackle before they can count the "good food" movement a success.

#### LOCAL ORGANIC LABOR

For the average heirloom tomato eater, the words "organic farm" often conjure up an idyllic agrarian picture: happy communes of earnest farmers growing veggies straight from the goodness of their hearts. In reality, a lot of the people who plant, tend, and harvest produce are poorly paid Latino immigrants. And it might come as a surprise that those who work on small or organic farms often face the same exploitative working conditions as those in conventional agriculture.

To learn how organic farm workers should be treated, consider Swanton Berry Farm, whose fields stretch out along the coastal highway just north of Santa Cruz. Swanton was the first organic farm in California to sign a contract with the United Farm Workers, a move that highlights the owners' conviction that farm workers be viewed as skilled professionals. Employees are offered ownership shares in the farm and are provided health insurance, retirement plans, comfortable housing, and unlimited time off to attend to pressing family matters.

"Organic is a lot cleaner. Working with pesticides, you have to worry about wearing gloves and covering your skin. Here, you can pick that strawberry right off the plant and eat it," Adelfo Antonio told the Guardian. He has worked these fields for 20 years, the last five as a supervisor. His high regard for his job and employers is apparent. As we talked, he kept at least one eye fixed on his coworkers, who stretched plastic sheets across the dirt of the field to protect their rows of seed from the coming autumn winds.

Antonio said he appreciates the culture of mutual respect on this farm. "People like how they are treated here. When conflicts come up, our management is open to working through them," he said. A few minutes later, a break was called, illustrating his point. There had been some disruptive behavior in the company housing and a discussion

ensued between the crew and one of the farm's owners about house rules. The group formulated a plan to avoid trouble in the future.

But Swanton's egalitarian fields are the exception among American organic farms. The average salary of the estimated 900,000 farm workers in California — the birthplace of the organic and farm labor movements in the U.S. — is around \$8,500, more than \$2,000 below the federal poverty line.

In 2006, the California Institute for Rural Studies put out a rare study of working conditions on the state's 2,176 organic farms that suggested that in some respects, workers are better off on conventional farms. Although the average wage was higher on organic fields — \$8.20 for entry-level work, compared with \$7.91 on conventional farms — traditional agriculture outstripped organic on certain employee benefits. A mere 36 percent of organic businesses were found to provide health insurance to their employees, as opposed to 46 percent on conventional farms.

Unable to rely on chemicals for pest control, organic farms often face higher labor costs in the fields. "Wages and benefits should always be viewed in the wider context of sustainability, and that includes a farm's ability to stay in business from one year to the next, i.e. its profitability," said Jane Baker, a spokesperson for California Certified Organic Farmers, the state's major organic certification agency.

The inequity faced by farm workers belies the fact that the organic movement began as an alternative to the industrialized food system. "Back then, we never would have imagined that you'd be buying an organic product that was built on the backs of workers. For us, social justice was every bit as important as the environmental part," said Marty Mesh, an organic farmer since 1973 and executive director of Florida Certified Organic Growers & Consumers.

Mesh was involved in the debates over the U.S. Department of Agriculture's first codification of the National Organic Program. He said that although many farmers advocated for regulations surrounding working conditions, the federal government found it hard to stomach labor stipulations. Many involved felt their inclusion would hurt the growth of the organic industry. So the social movement aspect of organic farming was left on the cutting room floor.

That has not been the case overseas. The International Federation of Organic Agriculture Movements, whose organic label is recognized worldwide, adopted explicit social justice language in its basic standards in 2003, stating in their "Principles of Organic Agriculture" document that "organic agriculture should provide everyone involved with a good quality of life and contribute to ... reduction of poverty."

CCOF now offers a dual track certification process wherein California farms can forgo specific IFOAM requirements. The lack of guidelines of worker treatment has led to some problems. "We've seen many of the same issues on organic farms that we do in conventional agriculture, on small and big farms alike," Michael Marsh, directing

attorney of California Rural Legal Assistance, told us. CRLA is an organization that regularly provides low cost legal assistance to agricultural workers, whom Marsh has seen bring charges against organic farmers for cases of sexual harassment, underpayment, and job safety concerns.

Sometimes the organic label is even used to justify vioutf8g workers rights. In 2003, the California Legislature considered a bill that would ban "stoop labor," activities like handweeding which require working in bent positions that can cause musculoskeletal degeneration. Organic farmers' associations lobbied against the bill, claiming that pesticide-free agriculture would suffer under such restrictions. Also, although chemical pest-killers are banned from organic farming, some popular natural pesticides like copper and sulfur have been known to cause irritation of the throat, eyes, and respiratory system.

"This is one of the hardest nuts to crack in the sustainable food world," said Michael Dimock, executive director of Roots of Change, a San Francisco-based foundation that has developed campaign strategies for improving agricultural working conditions. Three years ago, Dimock left his post as chairman at Slow Food USA, at a time when farm labor conditions "were generally not at the top of the list. Slow Food as an organization is just beginning to figure out what it can do in a meaningful way on this issue."

Roots of Change has found some success in identifying farm labor challenges and possible solutions through a series of worker-grower forums. It has pinpointed immigration reform as one key to progress. Anywhere from 50 to 90 percent of farm workers in California are undocumented, which puts even fair bosses at risk of being prosecuted for employing illegal immigrants.

Many farm owners turn to labor contractors — essentially agricultural temp agencies — to supply field hands. Use of these middle men largely shields the owner from legal responsibility for illegal hiring, but "the bad farm labor contractors cheat workers, take their pay, and risk their health and safety," Dimock said.

Some Californian farm labor contractors have become notorious for their disregard of minimum wage and other labor standards, taking advantage of workers who are discouraged to seek help for fear of deportation. The role played by irresponsible contractors is one of many issues that can remain unseen by the buyers of food from farms that rely on the inadequate public information available on agricultural working conditions.

#### WHEN BUSINESS AND LABOR COLLABORATE

[My bosses at Bon Appetit] would say, 'Why'd you buy that?'"

Food management company Bon Appetit in Palo Alto has built a good reputation as a sustainable company, buying its produce and other foodstuffs as locally and organically as possible. "I've learned a lot working here," said Jon Hall, head chef of Bon Appetit's University of San Francisco cafeteria. "In other kitchens, if you can get something for five cents a pound cheaper, that's what you buy. If I did that here, people would notice.

But when Bon Appetit executives decided to take on the issue of worker treatment on the farms that supplied their food, they found it difficult to find reliable information on the subject. "We always felt like there was something there that needed to be done and change that needed to take place," said vice president Maisie Greenwalt. "But we didn't know who to talk to."

Her cue to act came from the Coalition of Immokalee Workers, a group from Immokalee County, Fla. The farm workers' organization brought nationwide publicity to the slavery-like conditions in the area's tomato fields. Greenwalt accompanied the group on an information-gathering trip to Immokalee and saw firsthand the places where recent immigrants were held to work against their will, living in squalor and being paid little as \$20 a week.

Greenwalt saw the travesty as a wake-up call. Collaborating with the Immokalee activists, Bon Appetit developed a workers' rights contract that all their tomato suppliers must now sign. "After Bon Appetit sent me the contract, I sort of at first didn't see the point. But then I spoke with the [Coalition of Immokalee Workers] and it made sense. Worker abuse has been around for centuries," said Tom Wilson of Alderman Farms, one of the company's tomato growers. Greenwalt says Bon Appetit cafeterias were prepared to eliminate tomatoes from their menus. "Every chef and manager I talked to said they would rather not serve tomatoes than serve the tomatoes that were coming from these conditions." But every one of their suppliers signed, agreeing to conditions such as a mandatory worker-controlled safety committee and a "minimum fair wage."

The success convinced Bon Appetit that this style of food buyer participation is crucial to making positive progress on farm worker treatment. The company is now conducting a nationwide survey of working conditions on organic farms. "Labor's not a new issue," said Carolina Fojo, one of the company's researchers. "But for some reason, people are just now talking about it. We've found it can be a sensitive topic for a lot of farmers."

Visually, Hall's USF food court is similar to traditional college eateries. But plate-side, Bon Appetit's commitment to sustainability is clear; specials vary seasonally and food is sourced locally whenever possible. The price for a semester's meal plan is \$3,810, more than twice that of San Francisco State University. Hall's customers, college students who may eat three meals a day here, often approach him with questions about their food. Queries range from where to how the food was grown, but in no instances that Hall has been aware of, about the workers who grew it.

Labor issues are not the popular cause these days, at least in the sustainable food movement. Unlike the "eat local" and organic food movements, equitable treatment of farm workers has yet to spawn trendy slogans for tote bags or a book on the best-seller list.

One UC Santa Cruz study found that, when asked to rank their concern about food system related topics, Central Coast grocery shoppers assigned higher concern levels to animal treatment on farms than that of humans. But Hall is confident this will change as

Bon Appetit and others continue to bring attention to the economically disadvantaged on the front lines of our local and organic food systems.

"This is the next frontier," he said. "I can see it brewing."

#### SERVING THE CHILDREN

In school cafeterias across the city, a different low-income group has its own challenges fitting into the sustainable food movement. San Francisco Unified School District manages one of the city's most important food sources.

Every school day, Student Nutrition Services dishes out 31,000 cafeteria meals; of those, 84 percent go to students who qualify for free lunch or for the reduced price of \$2 for elementary school students. It is not a stretch to say that for many of these kids, this is their one chance at healthy food for the day — certainly their only chance to learn about local and organic food. But the school district faces one of the major issues the sustainability movement has yet to resolve. Local and organic food costs a lot to produce, which makes it more expensive. If pricing was more socially equitable and accounted for living wages for farm workers, costs might rise even more. This is a problem. Federal funds supply about \$2.49 for each free student lunch in San Francisco and less for the meals of students who do not qualify for reduced prices. After logistical costs like labor and transportation are accounted for, 90 cents per meal is left over for the food itself.

This is not enough to fund a menu like Hall's. Given the numbers, it should come as no surprise that examining an average SFUSD school lunch — as San Francisco Chronicle food critic Michael Bauer did in his Oct. 29 "Between Meals" online column — turns up a lot of recently thawed, bland food matter. But this is not to say that cafeteria meals have not seen progress. Student Nutrition Services eliminated junk food in 2003, signaling a new attention to nutrition on a menu previously dominated by pizza and french fries.

Unlike working conditions for farm workers, school lunches have the benefit of visibility to middle class consumers and activists. Demonstrable efforts are being made to send some of that 90-cent budget toward local food. But with such a limited budget, institutions like SFUSD can only address a small slice of what is important about sustainable food. Yes, efforts are being put toward buying kids local, pesticide-free food that doesn't further jeopardize their future by using excessive fossil fuel on transportation. But these limited efforts do nothing to affect the social aspect of sustainability — those who produce the food are again left invisible.

The school salad bar program, started in 2007, uses organic and local vegetables in its buffet line as much as possible. The majority of the bars are strategically located in schools where more than half the student body qualifies for free and reduced-price lunches, a response to a Community Healthy Kids survey that put the number of ninth-graders who had eaten a single vegetable in the last week at 29 percent. Student reaction to the bars has been encouraging. Many poor families credit them with increasing the amount of produce in their kids' diets.

"This program is an anomaly," said Paula Jones, director of San Francisco Food Systems. "Other schools around the country just don't see things like this."

But a generation's worth of antitax sentiment has limited the variety of the salad bars and other attempts at getting fresh food onto kids' lunch trays. Due to high labor costs, the school district buys pre-chopped vegetables, severely limiting sourcing options. In the meantime, another generation of low-income kids is growing up on processed, packaged foods. Jones said making sustainable food available to all children is an issue the community must help take on. "The bottom line is, it's going to take a lot of people talking about this to realize this is not just the school district's problem."

Jones' organization works on getting healthy food to the city's underserved populations. Nutritionally, this is the salient mission of our age. Despite its current vogue, only 10 percent of Americans buy organic, and shoppers who consistently choose healthy foods usually find themselves spending 20 percent more. Several California studies have indicated that socioeconomically depressed neighborhoods have disturbingly high rates of food insecurity and obesity.

Despite the enormity of the challenge, Jones remains positive. "We lead in this issue. San Francisco is ready, and we have the will." She counts among the city's biggest successes in this area the fact that all farmers markets, typically more expensive than average supermarkets, now accept food stamps.

#### THE FRESHEST FOR THE POOREST

On a bright autumn Wednesday, market assistant manager John Fernandez stands outside his "office," a white van with the Heart of the City logo. The Heart of the City Farmers Market takes place in a plaza just between City Hall and the Tenderloin twice a week, year-round. Fernandez said it has the highest food stamp sales — second only to that of the Hollywood market — in California and has played a role in allowing low income families and individuals in the area to fit local and organic food into their budget.

Fernandez has worked here for 13 years, and said that the use of food stamps has doubled since last summer. Most of his food stamp customers are families and individuals coming back week after week. They pass by the van to have Fernandez swipe their food stamp cards through a machine and hand them the yellow plastic coins used to buy everything from persimmons to what is far and away the market's most popular item: the live chickens that squawk from cages at one end of the line of stalls.

Efreh Ghanen was one of the shoppers we talked to who felt that being able to use her food stamps at the farmers market had improved the health of her family. Ghanen, who shops with her mother and sister, likened Heart of the City to the Yemeni markets where they bought their food growing up. "The honey, fruit, and vegetables here are fresher," she said. "They just taste better."

"I definitely wouldn't be able to shop here if it weren't for the food stamp program," echoed Shana Lancaster. She teaches at Paul Revere Elementary School in Bernal Heights, a position funded through AmeriCorps whose low pay automatically qualifies her for the food stamp program. She selects an armful of organic Gala apples while noting the value of shopping local for working people like herself. "I like supporting the farmers. Everyone here at the market has a story. These days, everyone is struggling."

But both Lancaster and Ghanen tell us that when they can't afford to shop at the farmers markets, they head straight for corporate retailers like Safeway and Walgreens, buying whatever they need to get by.

Programs like these are essential if the sustainability movement is to remain relevant and widen its reach. Just as the environment will degrade if industrial agriculture continues unabated, so too will local and organic food sources falter if the majority of our society cannot afford to buy their wares.

In the end, the obstacles are about class. Low-income groups, be they the people who grow the organic food or the schoolchildren who benefit from eating it, need to become more of a focus of the "good food" movement. What Slow Foodies and other activists must keep in mind is that over-accessorizing a cause (as with esoteric artisan products and exclusive dining experiences) makes it less a vehicle for change and more like reshuffling of the same old injustices. Social change, by definition, has to be for everyone. Because elitism tastes as bad as it always has.

For more information, check out "Fair Food: Field to Table," a multimedia project recently released by the California Institute for Rural Studies. CIRS is one of the leading researchers of working standards on Californian farms and its data is found throughout this article. Watch the Fair Food documentary for free at <a href="http://www.fairfoodproject.org">http://www.fairfoodproject.org</a>.

# The Washington Post

LETTERS TO THE EDITOR

## The U.S. needs to repair our guest-worker policy

Thursday, April 22, 2010; A18

In his April 17 op-ed column, "Good night and good luck, migrant workers," Edward Schumacher-Matos whitewashed U.S. guest-worker policy. "The problem is not the work," he said, "it's the potential for abuse." This distinction sounds good but overlooks what "moralists," as the author calls us, have confronted on the ground and in court: Abuse of guest workers is systemic, occurring from recruitment onward.

Mr. Schumacher-Matos dismissed the ubiquity of these unlawful practices, which range from wage theft and passport confiscation to debt bondage and sexual assault. The idea that such problems "can be rectified, and largely have been in small programs today" belies a well-documented truth: Today's guest-worker policy lacks basic protections for migrant workers, let alone regulation that keeps U.S. employers accountable. Mr. Schumacher-Matos suggests that Congress expand a thoroughly broken scheme simply because it is good for business, but the current scheme hurts workers, both migrants and U.S.-born.

"Moralists" are not calling for the demise of labor migration; we want a humane and accountable policy.

Rachel Micah-Jones, Baltimore

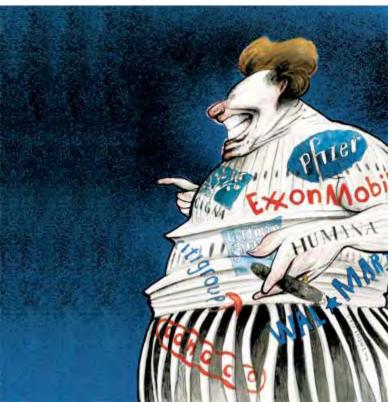
*The writer is executive director of Centro de los Derechos del Migrante.* 



## **How to Get Our Democracy Back**

Lawrence Lessig

February 3, 2010 | This article appeared in the February 22, 2010 edition of The Nation.



STEVE BRODNER

We should remember what it felt like one year ago, as the ability to recall it emotionally will pass and it is an emotional memory as much as anything else. It was a moment rare in a democracy's history. The feeling was palpable--to supporters and opponents alike--that something important had happened. America had elected, the young candidate promised, a transformational president. And wrapped in a campaign that had produced the biggest influx of new voters and small-dollar contributions in a generation, the claim seemed credible, almost intoxicating, and just in time.

Yet a year into the presidency of Barack Obama, it is already clear that this administration is an opportunity missed. Not because it is too conservative. Not because it is too liberal. But because it is too conventional. Obama has given up the rhetoric of his early campaign--a campaign that promised to "challenge the broken system in Washington" and to "fundamentally change the way Washington works." Indeed, "fundamental change" is no longer even a hint.

Instead, we are now seeing the consequences of a decision made at the most vulnerable point of Obama's campaign--just when it seemed that he might really have beaten the party's presumed nominee. For at that moment, Obama handed the architecture of his new administration over to a team that thought what America needed most was another Bill Clinton. A team chosen by the brother of one of DC's most powerful lobbyists, and a White House headed by the quintessential DC politician. A team that could envision nothing more than the ordinary politics of Washington--the kind of politics Obama had called "small." A team whose imagination-politically--is tiny.

These tiny minds--brilliant though they may be in the conventional game of DC--have given up what distinguished Obama's extraordinary campaign. Not the promise of healthcare reform or global warming legislation--Hillary Clinton had embraced both of those ideas, and every other substantive proposal that Obama advanced. Instead, the passion that Obama inspired grew from the recognition that something fundamental had gone wrong in the way our government functions, and his commitment to reform it.

For Obama once spoke for the anger that has now boiled over in even the blue state Massachusetts--that our government is corrupt; that fundamental change is needed. As he told us, both parties had allowed "lobbyists and campaign contributions to rig the system." And "unless we're willing to challenge [that] broken system...nothing else is going to change." "The reason" Obama said he was "running for president [was] to challenge that system." For "if we're not willing to take up that fight, then real change--change that will make a lasting difference in the lives of ordinary Americans--will keep getting blocked by the defenders of the status quo."

This administration has not "taken up that fight." Instead, it has stepped down from the high ground the president occupied on January 20, 2009, and played a political game no different from the one George W. Bush played, or Bill Clinton before him. Obama has accepted the power of the "defenders of the status quo" and simply negotiated with them. "Audacity" fits nothing on the list of last year's activity, save the suggestion that this is the administration the candidate had promised.

Maybe this was his plan all along. It was not what he said. And by ignoring what he promised, and by doing what he attacked ("too many times, after the election is over, and the confetti is swept away, all those promises fade from memory, and the lobbyists and the special interests move in"), Obama will leave the presidency, whether in 2013 or 2017, with Washington essentially intact and the movement he inspired betrayed.

That movement needs new leadership. On the right (the tea party) and the left (MoveOn and Bold Progressives), there is an unstoppable recognition that our government has failed. But both sides need to understand the source of its failure if either or, better, both together, are to respond.

At the center of our government lies a bankrupt institution: Congress. Not financially bankrupt, at least not yet, but politically bankrupt. *Bush v. Gore* notwithstanding, Americans' faith in the Supreme Court remains extraordinarily high--76 percent have a fair or great deal of "trust and confidence" in the Court. Their faith in the presidency is also high--61 percent.

But consistently and increasingly over the past decade, faith in Congress has collapsed--slowly, and then all at once. Today it is at a record low. Just 45 percent of Americans have "trust and confidence" in Congress; just 25 percent approve of how Congress is handling its job. A higher percentage of Americans likely supported the British Crown at the time of the Revolution than support our Congress today.

The source of America's cynicism is not hard to find. Americans despise the inauthentic. Gregory House, of the eponymous TV medical drama, is a hero not because he is nice (he isn't) but because he is true. Tiger Woods is a disappointment not because he is evil (he isn't) but because he proved false. We may want peace and prosperity, but most would settle for simple integrity. Yet the single attribute least attributed to Congress, at least in the minds of the vast majority of Americans, is just that: integrity. And this is because most believe our Congress is a simple pretense. That rather than being, as our framers promised, an institution "dependent on the People," the institution has developed a pathological dependence on campaign cash. The US Congress has become the Fundraising Congress. And it answers--as Republican and Democratic presidents alike have discovered--not to the People, and not even to the president, but increasingly to the relatively small mix of interests that fund the key races that determine which party will be in power.

This is corruption. Not the corruption of bribes, or of any other crime known to Title 18 of the US Code. Instead, it is a corruption of the faith Americans have in this core institution of our democracy. The vast majority of Americans believe money buys results in Congress (88 percent in a recent California poll). And whether that belief is true or not, the damage is the same. The democracy is feigned. A feigned democracy breeds cynicism. Cynicism leads to disengagement. Disengagement leaves the fox guarding the henhouse.

This corruption is not hidden. On the contrary, it is in plain sight, with its practices simply more and more brazen. Consider, for example, the story Robert Kaiser tells in his fantastic book *So Damn Much Money*, about Senator John Stennis, who served for forty-one years until his retirement in 1989. Stennis, no choirboy himself, was asked by a colleague to host a fundraiser for military contractors while he was chair of the Armed Services Committee. "Would that be proper?" Stennis asked. "I hold life and death over those companies. I don't think it would be proper for me to take money from them."

Is such a norm even imaginable in DC today? Compare Stennis with Max Baucus, who has gladly opened his campaign chest to \$3.3 million in contributions from the healthcare and insurance industries since 2005, a time when he has controlled healthcare in the Senate. Or Senators Lieberman, Bayh and Nelson, who took millions from insurance and healthcare interests and then opposed the (in their states) popular public option for healthcare. Or any number of Blue Dog Democrats in the House who did the same, including, most prominently, Arkansas's Mike Ross. Or Republican John Campbell, a California landlord who in 2008

received (as ethics reports indicate) between \$600,000 and \$6 million in rent from used car dealers, who successfully inserted an amendment into the Consumer Financial Protection Agency Act to exempt car dealers from financing rules to protect consumers. Or Democrats Melissa Bean and Walter Minnick, who took top-dollar contributions from the financial services sector and then opposed stronger oversight of financial regulations.

The list is endless; the practice open and notorious. Since the time of Rome, historians have taught that while corruption is a part of every society, the only truly dangerous corruption comes when the society has lost any sense of shame. Washington has lost its sense of shame.

As fundraising becomes the focus of Congress--as the parties force members to raise money for other members, as they reward the best fundraisers with lucrative committee assignments and leadership positions--the focus of Congressional "work" shifts. Like addicts constantly on the lookout for their next fix, members grow impatient with anything that doesn't promise the kick of a campaign contribution. The first job is meeting the fundraising target. Everything else seems cheap. Talk about policy becomes, as one Silicon Valley executive described it to me, "transactional." The perception, at least among industry staffers dealing with the Hill, is that one makes policy progress only if one can promise fundraising progress as well.

This dance has in turn changed the character of Washington. As Kaiser explains, Joe Rothstein, an aide to former Senator Mike Gravel, said there was never a "period of pristine American politics untainted by money.... Money has been part of American politics forever, on occasionin the Gilded Age or the Harding administration, for example--much more blatantly than recently." But "in recent decades 'the scale of it has just gotten way out of hand.' The money may have come in brown paper bags in earlier eras, but the politicians needed, and took, much less of it than they take through more formal channels today."

And not surprisingly, as powerful interests from across the nation increasingly invest in purchasing public policy rather than inventing a better mousetrap, wealth, and a certain class of people, shift to Washington. According to the 2000 Census, fourteen of the hundred richest counties were in the Washington area. In 2007, nine of the richest twenty were in the area. Again, Kaiser: "In earlier generations enterprising young men came to Washington looking for power and political adventure, often with ambitions to save or reform the country or the world. In the last fourth of the twentieth century such aspirations were supplanted by another familiar American yearning: to get rich."

Rich, indeed, they are, with the godfather of the lobbyist class, Gerald Cassidy, amassing more than \$100 million from his lobbying business.

Members of Congress are insulted by charges like these. They insist that money has no such effect. Perhaps, they concede, it buys access. (As former Representative Romano Mazzoli put it, "People who contribute get the ear of the member and the ear of the staff. They have the access-and access is it.") But, the cash-seekers insist, it doesn't change anyone's mind. The souls of members are not corrupted by private funding. It is simply the way Americans go about raising the money necessary to elect our government.

But there are two independent and adequate responses to this weak rationalization for the corruption of the Fundraising Congress. First: whether or not this money has corrupted anyone's soul--that is, whether it has changed any vote or led any politician to bend one way or the other-there is no doubt that it leads the vast majority of Americans to believe that money buys results in Congress. Even if it doesn't, that's what Americans believe. Even if, that is, the money doesn't corrupt the soul of a single member of Congress, it corrupts the institution--by weakening faith in it, and hence weakening the willingness of citizens to participate in their government. Why waste your time engaging politically when it is ultimately money that buys results, at least if you're not one of those few souls with vast sums of it?

"But maybe," the apologist insists, "the problem is in what Americans believe. Maybe we should work hard to convince Americans that they're wrong. It's understandable that they believe money is corrupting Washington. But it isn't. The money is benign. It supports the positions members have already taken. It is simply how those positions find voice and support. It is just the American way."

Here a second and completely damning response walks onto the field: if money really doesn't affect results in Washington, then what could possibly explain the fundamental policy failures-relative to every comparable democracy across the world, whether liberal or conservative--of our government over the past decades? The choice (made by Democrats and Republicans alike) to leave unchecked a huge and crucially vulnerable segment of our economy, which threw the economy over a cliff when it tanked (as independent analysts again and again predicted it would). Or the choice to leave unchecked the spread of greenhouse gases. Or to leave unregulated the exploding use of antibiotics in our food supply--producing deadly strains of *E. coli*. Or the inability of the twenty years of "small government" Republican presidents in the past twenty-nine to reduce the size of government at all. Or... you fill in the blank. From the perspective of what the People want, or even the perspective of what the political parties say they want, the Fundraising Congress is misfiring in every dimension. That is either because Congress is filled with idiots or because Congress has a dependency on something other than principle or public policy sense. In my view, Congress is not filled with idiots.

The point is simple, if extraordinarily difficult for those of us proud of our traditions to accept: this democracy no longer works. Its central player has been captured. Corrupted. Controlled by an economy of influence disconnected from the democracy. Congress has developed a dependency foreign to the framers' design. Corporate campaign spending, now liberated by the Supreme Court, will only make that dependency worse. "A dependence" not, as the Federalist Papers celebrated it, "on the People" but a dependency upon interests that have conspired to produce a world in which policy gets sold.

No one, Republican or Democratic, who doesn't currently depend upon this system should accept it. No president, Republican or Democratic, who doesn't change this system could possibly hope for any substantive reform. For small-government Republicans, the existing system will always block progress. There will be no end to extensive and complicated taxation and regulation until this system changes (for the struggle over endless and complicated taxation and regulation is just a revenue opportunity for the Fundraising Congress). For reform-focused Democrats, the existing system will always block progress. There will be no change in fundamental aspects of

the existing economy, however inefficient, from healthcare to energy to food production, until this political economy is changed (for the reward from the status quo to stop reform is always irresistible to the Fundraising Congress). In a single line: there will be no change until we change Congress.

That Congress is the core of the problem with American democracy today is a point increasingly agreed upon by a wide range of the commentators. But almost universally, these commentators obscure the source of the problem.

Some see our troubles as tied to the arcane rules of the institution, particularly the Senate. Ezra Klein of the *Washington Post*, for example, has tied the failings of Congress to the filibuster and argues that the first step of fundamental reform has got to be to fix that. Tom Geoghegan made a related argument in these pages in August, and the argument appears again in this issue. (Of course, these pages were less eager to abolish the filibuster when the idea was floated by the Republicans in 2005, but put that aside.)

These arguments, however, miss a basic point. Filibuster rules simply set the price that interests must pay to dislodge reform. If the rules were different, the price would no doubt be higher. But a higher price wouldn't change the economy of influence. Indeed, as political scientists have long puzzled, special interests underinvest in Washington relative to the potential return. These interests could just as well afford to assure that fifty-one senators block reform as forty.

Others see the problem as tied to lobbyists--as if removing lobbyists from the mix of legislating (as if that constitutionally could be done) would be reform enough to assure that legislation was not corrupted.

But the problem in Washington is not lobbying. The problem is the role that lobbyists have come to play. As John Edwards used to say (when we used to quote what Edwards said), there's all the difference in the world between a lawyer making an argument to a jury and a lawyer handing out \$100 bills to the jurors. That line is lost on the profession today. The profession would earn enormous credibility if it worked to restore it.

Finally, some believe the problem of Congress is tied to excessive partisanship. Members from an earlier era routinely point to the loss of a certain civility and common purpose. The game as played by both parties seems more about the parties than about the common good.

But it is this part of the current crisis that the dark soul in me admires most. There is a brilliance to how the current fraud is sustained. Everyone inside this game recognizes that if the public saw too clearly that the driving force in Washington is campaign cash, the public might actually do something to change that. So every issue gets reframed as if it were really a question touching some deep (or not so deep) ideological question. Drug companies fund members, for example, to stop reforms that might actually test whether "me too" drugs are worth the money they cost. But the reforms get stopped by being framed as debates about "death panels" or "denying doctor choice" rather than the simple argument of cost-effectiveness that motivates the original reform. A very effective campaign succeeds in obscuring the source of conflict over major issues of reform with the pretense that it is ideology rather than campaign cash that divides us.

Each of these causes is a symptom of a more fundamental disease. That disease is improper dependency. Remove the dependency, and these symptoms become--if not perfectly then at least much more--benign.

As someone who has known Obama vaguely for almost twenty years--he was my colleague at the University of Chicago, and I supported and contributed to every one of his campaigns--I would have bet my career that he understood this. That's what he told us again and again in his campaign, not as colorfully as Edwards, but ultimately more convincingly. That's what distinguished him from Hillary Clinton. That's what Clinton, defender of the lobbyists, didn't get. It was "fundamentally chang[ing] the way Washington works" that was the essential change that would make change believable.

So if you had told me in 2008 that Obama expected to come to power and radically remake the American economy--as his plans to enact healthcare and a response to global warming alone obviously would--without first radically changing this corrupted machinery of government, I would not have believed it. Who could believe such a change possible, given the economy of influence that defines Washington now?

Yet a year into this administration, it is impossible to believe this kind of change is anywhere on the administration's radar, at least anymore. The need to reform Congress has left Obama's rhetoric. The race to dicker with Congress in the same way Congress always deals is now the plan. Symbolic limits on lobbyists within the administration and calls for new disclosure limits for Congress are the sole tickets of "reform." (Even its revolving-door policy left a Mack truckwide gap at its core: members of the administration can't leave the government and lobby for the industries they regulated during the term of the administration. But the day after Obama leaves office? All bets are off.) Save a vague promise in his State of the Union about overturning the Court's decision in *Citizens United v. Federal Election Commission* (as if that were reform enough), there is nothing in the current framework of the White House's plans that is anything more than the strategy of a kinder and gentler, albeit certainly more articulate, George W. Bush: buying reform at whatever price the Fundraising Congress demands. No doubt Obama will try to buy more reform than Bush did. But the terms will continue to be set by a Congress driven by a dependency that betrays democracy, and at a price that is not clear we can even afford.

Healthcare reform is a perfect example. The bill the Fundraising Congress has produced is miles from the reform that Obama promised ("Any plan I sign must include an insurance exchange...including a public option," July 19, 2009). Like the stimulus package, like the bank bailouts, it is larded with gifts to the most powerful fundraising interests--including a promise to drug companies to pay retail prices for wholesale purchases and a promise to the insurance companies to leave their effectively collusive (since exempt from anti-trust limitations) and extraordinarily inefficient system of insurance intact--and provides (relative to the promises) little to the supposed intended beneficiaries of the law: the uninsured. In this, it is the perfect complement to the only significant social legislation enacted by Bush, the prescription drug benefit: a small benefit to those who can't afford drugs, a big gift to those who make drugs and an astonishingly expensive price tag for the nation.

So how did Obama get to this sorry bill? The first step, we are told, was to sit down with representatives from the insurance and pharmaceutical industries to work out a deal. But why, the student of Obama's campaign might ask, were they the entities with whom to strike a deal? How many of the 69,498,516 votes received by Obama did they actually cast? "We have to change our politics," Obama said. Where is the change in this?

"People...watch," Obama told us in the campaign, "as every year, candidates offer up detailed healthcare plans with great fanfare and promise, only to see them crushed under the weight of Washington politics and drug and insurance industry lobbying once the campaign is over."

"This cannot," he said, "be one of those years."

It has been one of those years. And it will continue to be so long as presidents continue to give a free pass to the underlying corruption of our democracy: Congress.

There was a way Obama might have had this differently. It would have been risky, some might say audacious. And it would have required an imagination far beyond the conventional politics that now controls his administration.

No doubt, 2009 was going to be an extraordinarily difficult year. Our nation was a cancer patient hit by a bus on her way to begin chemotherapy. The first stages of reform thus had to be trauma care, at least to stabilize the patient until more fundamental treatment could begin.

But even then, there was an obvious way that Obama could have reserved the recognition of the need for this more fundamental reform by setting up the expectations of the nation forcefully and clearly. Building on the rhetoric at the core of his campaign, on January 20, 2009, Obama could have said:

America has spoken. It has demanded a fundamental change in how Washington works, and in the government America delivers. I commit to America to work with Congress to produce that change. But if we fail, if Congress blocks the change that America has demanded--or more precisely, if Congress allows the special interests that control it to block the change that America has demanded--then it will be time to remake Congress. Not by throwing out the Democrats, or by throwing out the Republicans. But by throwing out both, to the extent that both continue to want to work in the old way. If this Congress fails to deliver change, then we will change Congress.

Had he framed his administration in these terms, then when what has happened happened, Obama would be holding the means to bring about the obvious and critical transformation that our government requires: an end to the Fundraising Congress. The failure to deliver on the promises of the campaign would not be the failure of Obama to woo Republicans (the unwooable Victorians of our age). The failure would have been what America was already primed to believe: a failure of this corrupted institution to do its job. Once that failure was marked with a frame that Obama set, he would have been in the position to begin the extraordinarily difficult campaign to effect the real change that Congress needs.

I am not saying this would have been easy. It wouldn't have. It would have been the most important constitutional struggle since the New Deal or the Civil War. It would have involved a fundamental remaking of the way Congress works. No one should minimize how hard that would have been. But if there was a president who could have done this, it was, in my view, Obama. No politician in almost a century has had the demonstrated capacity to inspire the imagination of a nation. He had us, all of us, and could have kept us had he kept the focus high.

Nor can one exaggerate the need for precisely this reform. We can't just putter along anymore. Our government is, as Paul Krugman put it, "ominously dysfunctional" just at a time when the world desperately needs at least competence. Global warming, pandemic disease, a crashing world economy: these are not problems we can leave to a litter of distracted souls. We are at one of those rare but critical moments when a nation must remake itself, to restore its government to its high ideals and to the potential of its people. Think of the brilliance of almost any bit of the private sector--from Hollywood, to Silicon Valley, to MIT, to the arts in New York or Nashville-and imagine a government that reflected just a fraction of that excellence. We cannot afford any less anymore.

What would the reform the Congress needs be? At its core, a change that restores institutional integrity. A change that rekindles a reason for America to believe in the central institution of its democracy by removing the dependency that now defines the Fundraising Congress. Two changes would make that removal complete. Achieving just one would have made Obama the most important president in a hundred years.

That one--and first--would be to enact an idea proposed by a Republican (Teddy Roosevelt) a century ago: citizen-funded elections. America won't believe in Congress, and Congress won't deliver on reform, whether from the right or the left, until Congress is no longer dependent upon conservative-with-a-small-c interests--meaning those in the hire of the status quo, keen to protect the status quo against change. So long as the norms support a system in which members sell out for the purpose of raising funds to get re-elected, citizens will continue to believe that money buys results in Congress. So long as citizens believe that, it will.

Citizen-funded elections could come in a number of forms. The most likely is the current bill sponsored in the House by Democrat John Larson and Republican Walter Jones, in the Senate by Democrats Dick Durbin and Arlen Specter. That bill is a hybrid between traditional public funding and small-dollar donations. Under this Fair Elections Now Act (which, by the way, is just about the dumbest moniker for the statute possible, at least if the sponsors hope to avoid Supreme Court invalidation), candidates could opt in to a system that would give them, after clearing certain hurdles, substantial resources to run a campaign. Candidates would also be free to raise as much money as they want in contributions maxed at \$100 per citizen.

The only certain effect of this first change would be to make it difficult to believe that money buys any results in Congress. A second change would make that belief impossible: banning any member of Congress from working in any lobbying or consulting capacity in Washington for seven years after his or her term. Part of the economy of influence that corrupts our government today is that Capitol Hill has become, as Representative Jim Cooper put it, a "farm league for K Street." But K Street will lose interest after seven years, and fewer in Congress would think of

their career the way my law students think about life after law school--six to eight years making around \$180,000, and then doubling or tripling that as a partner, where "partnership" for members of Congress means a comfortable position on K Street.

Before the Supreme Court's decision in *Citizens United v. FEC*, I thought these changes alone would be enough at least to get reform started. But the clear signal of the Roberts Court is that any reform designed to muck about with whatever wealth wants is constitutionally suspect. And while it would take an enormous leap to rewrite constitutional law to make the Fair Elections Now Act unconstitutional, *Citizens United* demonstrates that the Court is in a jumping mood. And more ominously, the market for influence that that decision will produce may well overwhelm any positive effect that Fair Elections produces.

This fact has led some, including now me, to believe that reform needs people who can walk and chew gum at the same time. Without doubt, we need to push the Fair Elections Now Act. But we also need to begin the process to change the Constitution to assure that reform can survive the Roberts Court. That constitutional change should focus on the core underlying problem: institutional independence. The economy of influence that grips Washington has destroyed Congress's independence. Congress needs the power to restore it, by both funding elections to secure independence and protecting the context within which elections occur so that the public sees that integrity.

No amendment would come from this Congress, of course. But the framers left open a path to amendment that doesn't require the approval of Congress--a convention, which must be convened if two-thirds of the states apply for it. Interestingly (politically) those applications need not agree on the purpose of the convention. Some might see the overturning of *Citizens United*. Others might want a balanced budget amendment. The only requirement is that two-thirds apply, and then begins the drama of an unscripted national convention to debate questions of fundamental law.

Many fear a convention, worrying that our democracy can't process constitutional innovation well. I don't share that fear, but in any case, any proposed amendment still needs thirty-eight states to ratify it. There are easily twelve solid blue states in America and twelve solid red states. No one should fear that change would be too easy.

No doubt constitutional amendments are politically impossible--just as wresting a republic from the grip of a monarchy, or abolishing slavery or segregation, or electing Ronald Reagan or Barack Obama was "politically impossible." But conventional minds are always wrong about pivot moments in a nation's history. Obama promised this was such a moment. The past year may prove that he let it slip from his hand.

For this, democracy pivots. It will either spin to restore integrity or it will spin further out of control. Whether it will is no longer a choice. Our only choice is how.

Imagine an alcoholic. He may be losing his family, his job and his liver. These are all serious problems. Indeed, they are among the worst problems anyone could face. But what we all

understand about the dependency of alcoholism is that however awful these problems, the alcoholic cannot begin to solve them until he solves his first problem--alcoholism.

So too is it with our democracy. Whether on the left or the right, there is an endless list of critical problems that each side believes important. The Reagan right wants less government and a simpler tax system. The progressive left wants better healthcare and a stop to global warming. Each side views these issues as critical, either to the nation (the right) or to the globe (the left). But what both sides must come to see is that the reform of neither is possible until we solve our first problem first--the dependency of the Fundraising Congress.

This dependency will perpetually block reform of any kind, since reform is always a change in the status quo, and it is defense of the status quo that the current corruption has perfected. For again, as Obama said:

If we're not willing to take up that fight, then real change--change that will make a lasting difference in the lives of ordinary Americans--will keep getting blocked by the defenders of the status quo.

"Defenders of the status quo"--now including the souls that hijacked the movement Obama helped inspire.

Editors' Note: We encourage readers moved by this essay to <u>sign the Change Congress petition</u> [1], a drive to enact solutions proposed in this article. <u>Click here to sign</u> [1].

#### Links:

[1] http://nitn.thenation.com/2010/02/03/sign-the-petition-to-change-congress-now/

## Video: How to Get Our Democracy Back | The Nation

VideoNation February 3, 2010

Professor Lawrence Lessig has known Barack Obama for 20 years, and supported all his campaigns. In this video produced for *The Nation* and <u>FixCongressFirst.org</u>, Lessig outlines his concern over President Obama's limited approach to truly "changing Washington," and his view that Congress is a deeply broken institution in need of need reform. Learn about Professor Lessig's ideas and read about his proposed solutions in this video companion to his cover story for the February 22, 2010 issue of *The Nation* magazine, "How To Get Our Democracy Back."

#### SFGate.com

## How to get our democracy back

Lawrence Lessig

Sunday, February 7, 2010



We are now one year into the Obama presidency, and it is already clear that this administration is an opportunity missed: not because it is too conservative or too liberal but because it is too conventional. The president has given up the rhetoric of his early campaign, which promised to "fundamentally change the way Washington works."

Obama once decried allowing "lobbyists and campaign contributions to rig the system." The reason he was running, he said, was "to challenge that system." Without a fight, he said, fundamental change "will keep getting blocked by the defenders of the status quo."

But this administration has not taken up that fight. Instead, it has played a political game no different from the one George W. Bush or Bill Clinton played. And as it stands now, Obama will leave the presidency with Washington intact and the movement he inspired betrayed.

The movement for change needs new leadership. On the right and the left, there is an unstoppable recognition that our government has failed. But both sides need to understand the source of its failure.

At the center of our government lies a bankrupt institution: Congress. Not financially bankrupt, at least not yet, but politically bankrupt. Increasingly, faith in Congress has collapsed. Just 21 percent of Americans approve of how Congress does its job. Why? Because Congress has a pathological dependence upon campaign cash. The U.S. Congress has become the Fundraising Congress.

This corruption is not hidden. Consider the story Robert Kaiser tells in his fantastic book, "So Damn Much Money," about former Sen. John Stennis. No choirboy himself, Stennis was urged to solicit campaign funds from military contractors for his 1982 re-election bid while he was chairman of the Armed Services Committee. "Would that be proper?" Stennis asked. "I hold life and death over those companies. I don't think it would be proper for me to take money from them."

Is such a concept even imaginable today? Compare Stennis with Max Baucus, who when controlling health care in the Senate gladly opened his campaign chest to more than \$4

million in contributions from the health care and insurance industries. Or Sens. Joe Lieberman, independent-Conn., Evan Bayh, D-Ind., Bill Nelson, D-Fla., and Mary Landrieu, D-La., who took millions from insurance interests and then opposed (in their states) the wildly popular public option for health care. The list is endless, the practice open and notorious.

Members of Congress insist that this money has no effect. But if money doesn't affect results, what could possibly explain the failures of our government? From the perspective of what the people want, the Fundraising Congress is misfiring in every direction. That is either because Congress is filled with idiots or because Congress depends on something other than policy sense. In my view, Congress is not filled with idiots.

As someone who has known Barack Obama for almost 20 years, I would have bet my career that he understood this. If you had told me in 2008 that Obama expected to radically remake the American economy without first radically changing this corrupted machinery of government, I would not have believed it. Yet a year into this administration, reforming Congress is nowhere on the administration's radar.

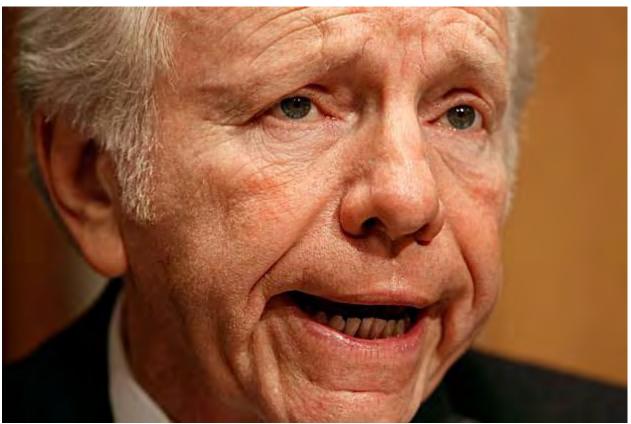
There was a way Obama might have governed differently. It would have been risky, but in his first speech to the nation, he could have built on the rhetoric at the core of his campaign. On Jan. 20, 2009, Obama could have said: America has spoken. It has demanded fundamental change. I commit to work with Congress to produce it. But if we fail, or more precisely, if Congress allows the special interests that control it to block change, it will be time to remake Congress. Not by throwing out the Democrats or the Republicans, but by throwing out both. If this Congress fails to deliver change, then we will change Congress.

Had he framed his administration in these terms, the failure to implement his agenda would not be the failure of Obama to woo Republicans. It would have been what America was already primed to believe: a failure of this corrupted institution.

We can hope that Obama recognizes these missteps. But as we've seen, hope will only get us so far. What's needed now is a citizens' movement to stop the Fundraising Congress. We need to demand change, including publicly funded elections, a seven-year ban on lobbying for any former member of Congress and amendments to the Constitution to assure that reform can survive the Roberts Supreme Court.

Nor can one exaggerate the need for this reform. Our government is, as New York Times columnist Paul Krugman put it, "ominously dysfunctional" at a time when the world desperately needs at least competence. Global warming, pandemic disease, a crashing economy - these are not problems we can leave to distracted souls. We are at one of those rare moments when a nation must remake itself to restore its government to its high ideals and the potential of its people.

Copyright © 2010 the Nation Lawrence Lessig, a professor of law at Harvard Law School, and is co-founder of the nonprofit Change Congress. Send your feedback to us through our online form at SFGate.com/chronicle/submissions/#1.



Sen. Joe Lieberman, independent-Conn., was one of several senators who took millions from insurance interests and then opposed the public health care option.

Photo: Chip Somodevilla / Getty Images

# THE HUFFINGTON POST



Stuart Whatley

# **DISCLOSE Act: Citizens United Response To Be Very Limited, Will More Meaningful Reforms Follow?**

04-16-10



When the United States Supreme Court handed down its <u>Citizens United v. FEC</u> ruling in January, it did more to sound the alarm on special interest money in politics than any campaign finance reformer could have dreamed. The first instinct among legislators in responding is to not make the perfect the enemy of the good. But the question still circulating is: how far will that response go? There is some worry that a quick political gesture could very well supplant meaningful, further-reaching policies to address the role money plays in American elections.

The legislative response to *Citizens United* will be limited, yet it could lay the groundwork for ushering in a novel approach to campaign finance going forward: one that bypasses the Roberts Court's favoritism for the wealthy few by activating the lower-and middle-income many. Of course, this will all depend on the Democratic leadership's endurance on the issue.

Immediately following the Court's ruling in January, the White House and Democrats in Congress vowed to soften the blow from the decision through whatever means possible. In his weekly radio address, after <u>criticizing the decision</u> during his State of the Union, Barack Obama promised a "<u>forceful response</u>" from his administration. And in a <u>conference call to reporters</u>, Senator Charles Schumer dismally warned that, "if we don't act quickly, this decision will have an immediate and devastating impact on the 2010

elections." Now, just three months later, Schumer and Congressman Chris Van Hollen intend to follow through on the promises with the formal introduction of a *Citizens United* fix bill in the coming days.

Back in February, the two high-ranking Democrats (Schumer is a former DSCC Chairman and the third ranking Democrat in the Senate; and Van Hollen is the current DCCC Chairman) put forward a preliminary itemized plan to address the effects of *Citizens United* that would withstand judicial reversal by operating within the legal framework established by the Court in its decision. According to Van Hollen spokeswoman Bridgett Frey, the bill was released early on so as to allow ample time "to incorporate feedback and craft strong legislation that responds to the court's decision."

The February proposal, which Van Hollen described as a "right-to-know bill" -- had six major provisions, which included: banning election expenditures from foreign interests and pay-to-play entities, namely government contractors and TARP recipients; enhancing disclaimers to identify the sponsors of ads; enhancing transparency and the public disclosure of political spending; setting clear and affordable rates for political advertising for candidates, especially TV airtime; and prohibiting corporations from coordinating electioneering activities with a candidate or party.

The final bill is said to be pretty close to that original framework, minus a provision that would require that corporations increase disclosure of political spending to their shareholders (this is to be included in a separate Financial Services bill instead). Congressional spokespeople tell me that the salient concern is having it withstand further Supreme Court challenges. And while it has yet to garner support from across the aisle, polling suggests that it could be a prime candidate for the long lost art of bipartisanship.

The question of whether each element of the bill is susceptible to judicial reversal is a prudent one -- and the answer is very much up in the air for some provisions. According to Richard Briffault, Columbia Law School's Joseph P. Chamberlain Professor of Legislation and a noted authority on the Court's history of campaign finance rulings, "the bill seems to go to the limit of what *Citizens United* left open -- foreign corps, pay-to-play, disclaimers and disclosure, coordinated expenditures -- without crossing the line...[But] the extension of pay-to-play to independent expenditures probably pushes hardest."

Briffault has concerns that certain elements could be difficult to hash out in practice, such as determining whether a firm qualifies as "foreign" enough (the bill sets this at 20% foreign owned, but the controlling interest in a public company isn't always static), or whether it is legal to impose a new TARP restriction on bailout recipients after they've already accepted funds under the original conditions. Moreover, extending the pay-to-play ban on contractors and TARP recipients to independent expenditures could prove problematic, since it is precisely this distinction that *Citizens United* did away with in the first place. Beyond these possible trip-ups, Briffault sees the Schumer-Van Hollen proposal as instituting only very mild extensions of already existing laws.

Other Court followers are even less confident in the proposed bill's judicial resiliency. For his part, Harvard Law professor Lawrence Lessig, a leading progressive voice in campaign finance matters, sees almost every provision in the proposed legislation as either ineffective window dressing, or as a prime target for the Court to strike down. He tells me, "I think one could not be too strong about this: It is absurd to suggest this is a 'fix' to Citizens United. The bans are plain targets for new lawsuits... All and all -- [this bill is] a complete zero. And a strong signal of the failure of the Democrats to deliver on the reform promise of this administration."

Lessig is a staunch proponent of the Durbin-Larson Fair Elections Now Act, and for amending the Constitution to give Congress sole power over campaign finance laws. The Fair Elections Act is essentially the "public option" for electoral fundraising. It was introduced in March 2009 by Democratic Party Whip Richard Durbin and then-Republican Senator Arlen Specter and would provide voluntary public campaign financing to candidates who reach a certain dollar amount through small contributions of \$100 or less. Once one opts in, he or she receives funding both for the primary and general elections, as well as a few other perks, such as broadcast advertising subsidies.

In an <u>essay</u> shortly following the *Citizens United* ruling, Lessig praised the Fair Elections proposal as a means for providing "an immediate balance to the deluge of corporate funding that this next election will now see. More importantly, it will give candidates a way to fight that deluge without themselves becoming even more dependent upon private, special interest funding. No other reform -- including reforms that try effectively to reverse *Citizens United* -- could be as important just now. No other reform should distract us from pushing strongly to get Congress to pass this statute now."

Those crafting the Schumer-Van Hollen bill will tell you that the Fair Elections Act has no chance of making it to the president's desk at this juncture. Nevertheless, <a href="Congressman John Larson">Congressman John Larson</a>, its House-side sponsor and Chairman of the House Democratic caucus, may propose it as an amendment. With 141 co-sponsors in the House, it's hardly a pipe dream. The problem is in the Senate, where it has but 10 co-sponsors (a list that is noteably lacking Schumer's name).

It's not politically unreasonable that the Democratic leadership is proceeding cautiously and in narrow terms. No system is overhauled in a single stroke, and they're legislating within the parameters of what is admittedly a difficult political environment. The result is that the Schumer-Van Hollen bill will likely be exceedingly limited in its effect on political spending; and most with whom I spoke regard it more as an obligatory political gesture than anything else.

Aside from the necessary need to do *something*, the Democrats' bill cannot be expected to make a "radical difference in the mix of resources and politics," Michael Malbin tells me. Malbin, the Executive Director of the nonpartisan <a href="Campaign Finance Institute">Campaign Finance Institute</a> in Washington, DC, sees the Schumer-Van Hollen bill as good in spirit and worth pushing through to the president's desk, but, ultimately, as a political necessity with only a few very mild, superficial policy benefits.

At best, the new regulations may theoretically lend slightly more transparency to the paper trail of campaign monies through more disclosure and the Stand By Your Ad provision for CEOs. But even this is seen as wishful thinking by some. In response to stricter disclosure rules, Lessig points to Marcos Chaman and Ethan Kaplan's *Iceberg Theory of Campaign Contributions* [pdf], which demonstrates that special interests don't actually need to run election ads when the mere threat of doing so will suffice. As Lessig notes, "those threats are not disclosed."

This is also an area where Briffault agrees, telling me, "I suppose that some people think that the disclosure and disclaimer requirements ... will reduce corporate spending. I doubt that it will. I think the law does as much as the Supreme Court will allow, but for those who think that corporate spending is the problem, this bill won't and can't stop that."

Most other provisions in the bill are said to fall similarly short. According to Lessig, the campaign-corporation coordination ban looks good on paper, but is more or less meaningless in the Internet age. The same can be said for the ban on foreign influence. As Loyola Law School professor and author of the <u>Election Law Blog</u> Rick Hasen tells me, there is a trade off between having the bill withstand judicial challenge, on the one hand, and having it provide truly effective regulation on the other. According to Hasen, "if 'foreign' corporation is defined broadly, it will be unconstitutional; if defined narrowly, it won't do much."

# THE HUFFINGTON POST



Ryan Grim

# Donor Strike: Rich Progressives Pledge To Withhold Cash





A group of 27 major donors is vowing to withhold campaign cash from lawmakers who stand in the way of legislation that would allow for public funding of congressional campaigns. Over their careers, the donors have contributed millions to Democratic candidates -- and, on limited occasions, Republicans or independents -- but they say they've had it. And they don't mind if it means a lack of access.

Steve Kirsch kicked in roughly \$10 million to try to elect Al Gore in 2000. "It is a trade off, because there are a lot of good things you can talk to them about, but most of the time they don't do anything about it anyway. Given the choice, I'd rather have campaign finance reform than access," said Kirsch, a Silicon Valley entrepreneur and founder of Infoseek, among other companies.

The millions that the donors have given is just the beginning, and doesn't include the millions more they've funneled by organizing fundraisers or otherwise corralling contributions.

The 27 donors plan to lobby other rich folks to sign on, with a plan of passing the <u>Fair Elections Now Act</u>, which has 149 cosponsors, this year. The campaign's being run by Change Congress, co-founded by Lawrence Lessig and Joe Trippi, along with Common Cause and the Public Campaign Action Fund.

ChangeCongress, now that the effort is public, will be encouraging donors to pledge. Read the letter here.

It was kicked off by donors Alan Hassenfeld, the former chairman of Hasbro, and Arnold Hiatt, the former head of the Stride Rite Corporation. The pair wrote to friends and colleagues, urging them to stop giving. (Wealthy donors have politely asked

"We're writing with a very unusual request -- that you pledge not to give any campaign contributions to any candidate for Congress until they have committed to support public funding for congressional elections," they wrote. "Once we have a critical mass of large contributors who have signed this pledge, the partner organizations will then launch an Internet-based campaign to get others to join as well. A pilot of this program was initiated last year. Very quickly, tens of thousands committed to the pledge. ChangeCongress.org's technology will enable us to estimate the value of their pledges, and whom it hits directly. The site will also make it easy for pledgers to lobby Senators and Representatives to join the bill."

The pair said they were sad to have to take the step. "If, 15 months into the Obama Administration, we were looking at a long list of accomplishments, with a long list of probable victories coming -- as many of us dreamed last November -- then we would not be asking you to take this step. But the picture is not nearly so promising because of the power of private money in the political system. We have all been part of that system. It is time for us to take the lead to change it," they wrote.

The list of the donors who have signed on so far would be familiar to any Democratic fundraiser: Besides Kirsch, Hassenfeld and Hiatt, there's JJ Abrams, Edgar Bronfman, Nancy Bagley, Ben Cohen, Peter Copen, Rosemary Faulkner, George Hatch, John S. Johnson, Joe Keefe, Steven Ko, John Luongo, Rhonda Luongo, Katie McGrath, Arnie Miller, Dan Nova, Dave Orton, Lisa Orton, William Polk, Greg Price, Vin Ryan, Paul Sack, Jonathan Soros, Christopher Vargas and Sophia Yen.

In February, a similar group banded together and <u>asked nicely</u> for House Speaker Nancy Pelosi (D-Calif.) to move on the Fair Elections Now Act. So much for that.

Kirsch said that the access his money buys -- and the access he could lose -- is overrated. With so many donors with so many opinions, the best they can do is nod, offer to look into it, and put a donor in touch with a staff member. "In the meeting, they say they agree completely," said Kirsch. "'Let me do more research and thinking. Thanks for bringing to my attention.' There tends not to be a lot of follow through."

Take Gore, for instance, said Kirsch, using him as an example of the way the system works for major donors who are pushing progressive politics rather than looking for a loophole, an earmark or some other legislative favor. "I gave Al Gore, through various means, over 10 million dollars. Al Gore has never sought my advice on anything. So to think that any large amount will cause them to pay attention to you is not true," said Kirsch.

Murray Galinson, a big giver and former president of the United Jewish Federation, said he's not certain the effort will work, but it's worth a shot. "If you don't give it a try, nothing's going to help," he said.

Galinson said he was finally pushed to make the pledge by the Citizens United Supreme Court ruling, which allowed limitless corporate funds to pour into campaigns.

Without the strike, the donors are doing little more than furthering a flawed system, said Kirsch. "It's silly, because I'm just helping perpetuate the system. The more money I give, the more I allow them to maintain the status quo. My money's working against me," he said.



### Citizens United v. FEC: The fear factor

By BOB EDGAR

In a recent radio address, President Obama put his finger on the most powerful weapon available to special interests today - fear.

"In the starkest terms, members will know - when pressured by lobbyists - that if they dare to oppose that lobbyist's client, they could face an onslaught of negative advertisements in the runup to their next election," he said.

Obama was right. The 5-to-4 ruling by the Supreme Court that lifted the ban on corporate and union spending on elections has turned a longstanding problem into a crisis. Big business is primed and eager to unleash an epic flood of money this November through independent expenditures, allowing CEOs to reward their friends and punish their enemies in Congress.

Is more disclosure the answer? It is, according to Sen. Charles Schumer and Rep. Chris Van Hollen, who just introduced the ambitious DISCLOSE Act to create a new regime of transparency for independent expenditures.

The intent is noble, but the threatening power of money over timid politicians won't be checked by disclosure alone. Corporate execs with political agendas aren't listening to Obama on this one; they are listening to Theodore Roosevelt - "Speak softly and carry a big stick."

Indeed, from now on they may hardly need to speak at all. Whatever level of disclosure we establish, the real question is whether corporations will have to spend a penny to get their message across. The mere specter of a massive cash infusion into a district is enough to make any politician think twice before voting.

When I represented the 7th District of Pennsylvania in Congress from 1975 to 1987, I saw this firsthand. One day I got a visit from a defense lobbyist from Boeing Rotorcraft Systems. The lobbyist reminded me how appreciative they were of my support for their manufacturing plant in my district, and how they hoped to keep supporting me, if they could.

They really, really (I mean really) didn't want to support my opponent, they said. But they stressed how important my vote was to authorize new helicopters to sell to Argentina, despite the trade embargo against this oppressive government. Their message was clear, and the lobbyist left cordially. Of course, when I voted against the

sale of the helicopters and supported the embargo, my opponent found his campaign war chest significantly richer.

The fear factor might sound like business as usual in Washington, but it's worse today. After Citizens United, the thump of the corporate checkbook on a congressional desk will be much louder than when I served in Congress. We have yet to see how this election season will play out under new rules, but already dozens of vulnerable incumbents have been worrying about crossing the powerful special interests over health care, Wall Street reform, climate change and more.

The premise of the Schumer-Van Hollen bill is that the public will hold corporations accountable for outlandish political spending. But no amount of disclosure will cure the behind-the-scenes "persuasion" attempted by fat-cat donors who show up in a lawmaker's office tapping their wallets, and it does nothing to end candidate dependence on campaign cash.

Fundamental reform is needed, and we ought to look to public funding of campaigns. As they take up corporate disclosure, leaders in both chambers should consider the Fair Elections Now Act, a voluntary system that would allow candidates to run competitive campaigns on a blend of unlimited small donations and limited public funds.

In terms of appearances, this would make a world of difference. While CEOs identify themselves in their attack ads under the DISCLOSE Act, individuals running as publicly funded candidates would be making a powerful declaration of independence from the influence of money. In terms of real results, public financing would purge millions of private dollars from our politics.

By the way, the fear factor can work for citizen lobbyists, too, and I encourage voters across the country to make use of it. Just as giant corporations like Boeing can use fear to get what they want, voters can pledge to withhold money from candidates unless they get what they want - bold action to fix our broken campaign finance system.

After all, as another president reminded us, "all we have to fear is fear itself."

#### ABOUT THE WRITER

Bob Edgar is president and CEO of Common Cause (www.commoncause.org), a nonpartisan government watchdog organization and a former member of Congress from Pennsylvania.

### SFGate.com

# The fundraising Legislature

Daniel Newman

Sunday, February 7, 2010

Lobbyist cash doesn't only infect Congress. California's Legislature suffers the same malady.

MAPLight.org, a nonpartisan nonprofit in Berkeley that works to illuminate the connection between money and politics, studied last month's vote in the state Senate on a single-payer health care bill.

MAPLight.org found that senators who voted no on the bill had received an average of \$43,633 from health insurers - 97 percent more than senators who voted yes.

The bill, sponsored by Sen. Mark Leno, D-San Francisco, would prohibit the sale of any private health insurance policy in the state and establish a new California Healthcare System as the primary payer for health care services in California.

The bill now moves to the Assembly. The governor has vetoed similar bills and has pledged to veto this one, should it reach his desk.

#### The vote details:

Yes votes: 22 Democrats

**No votes:** 13 Republicans, plus Democrat Lou Correa, D-Santa Ana (who received \$56,782 from health insurers).

**For:** California Nurses Association, California Teachers Association, American Association of University Women, Consumer Federation of California, Health Access of California, League of Women Voters, Los Angeles Unified School District, Service Employees International Union.

**Opposed:** America's Health Insurance Plans, Association of California Life and Health Insurance Companies, California Association of Health Plans, California Association of Health Underwriters, Anthem Blue Cross, Health Net California, California Chamber of Commerce, California Taxpayers' Association.

Daniel Newman is the executive director of MAPLight.org. For more details, including how each senator voted, and the money they received, go to maplight.org/ca-senate-single-payer-health-care-vote.

### SFGate.com

# Politicians raise money outside their districts

Marisa Lagos, Chronicle Sacramento Bureau

Tuesday, May 18, 2010



#### (05-18) 04:00 PDT Sacramento --

California's state legislators collect the vast majority of their campaign contributions from organizations and individuals outside the districts they represent, according to a study by the nonprofit organization Maplight.org.

The study, released today, analyzed the nearly \$100 million in campaign cash raised for successful Assembly and Senate runs between Jan. 1, 2007 and March 17, 2010. It found that about 79 percent of those campaign contributions came from outside legislators' districts, while about 12 percent were donated from lawmakers' home turf. The geographic source of about 9 percent of contributions could not be determined.

Critics say the numbers prove that California politics are being increasingly influenced by monied special interests, while average voters take a backseat. Others argue that the financing pattern is a legacy of term limits because lawmakers can rise in importance not through seniority but by showing they can raise vast sums of cash for other politicians.

Nearly one-quarter of the \$100 million came from a single Sacramento ZIP code where many lobbyists for business groups and labor organizations have headquarters. The numbers are similar to what Maplight.org found when it studied congressional campaign contributions, said executive director Daniel Newman.

"The question is, who really controls the legislators? Clearly it's the contributors as well as the voters," he said. "While there are occasional fundraising scandals blamed on a few bad apples, this shows it's actually an entire rotten barrel. Legislators have to raise so much money that they are depending on anybody but the voters."

Topping the list of lawmakers who received the largest percentage of campaign contributions from outside their districts were Democratic Assemblyman Charles Calderon, a longtime politician who represents Whittier (Los Angeles County), and Assemblyman Martin Block, a Democrat who won a tough race for a San Diego seat in 2008. Both men received nearly 95 percent of their campaign contributions from outside their districts.

#### Ma raises most

But San Francisco's Fiona Ma, who was elected in 2006 and quickly rose to power within the Democratic Caucus, took the top spot when it came to sheer cash collected out of district: \$1.68 million. Ma, now speaker pro tempore, raised more campaign cash from outside her district than either of the leaders of both houses. Her outside contributions made up 88 percent of the money she raised, placing her 29th in funds raised outside the district. Ma attributed the prolific fundraising to her involvement in statewide issues, such as high-speed rail, agriculture and domestic violence, that take her on the road. She said that as a member of the Assembly's Democratic leadership - and someone from a safe Democratic district - she funnels a lot of money to other candidates. But she said the interests of her San Francisco constituents are well served because her high profile helps her promote those interests.

"I am home all the time, and I am very in touch with my district," she said.

Longtime Democratic political strategist Steven Maviglio said it is not surprising that Ma - as well as other party leaders, including former Speaker Karen Bass, D-Baldwin Vista (Los Angles County), former Republican Assembly Leader Mike Vilines, R-Clovis (Fresno County), Senate President Pro Tem Darrell Steinberg, D-Sacramento, and Speaker John Pérez, D-Los Angeles - raised the most money from outside their districts.

### Road to higher office

He said many ambitious fundraisers are rewarded with leadership positions and use those positions and money to build a foundation to a run for higher office.

"It's standard political practice to raise as much money as you can and try to build your own clout by giving it away to colleagues. ... Almost a requirement of being in (Democratic) leadership is to raise money for the caucus, to help maintain and build party majority," he said. "Giving and getting money has become a cottage industry. It's not the old days of spaghetti suppers and ice cream socials."

Newman, however, said the need to raise more campaign cash, even in a safe district where there's little or no competition, "increases legislators' dependence on contributions and makes them less responsive to voters."

Good-government groups agree, and they argue that the data show the need for publicly financed campaigns. They are pushing for passage of Proposition 15 in June, a pilot public financing program that would assess fees on registered lobbyists to pay for secretary of state campaigns.

"When they take contributions from outside their district, it's another way to make constituents one rung lower on the list," said Emily Pears, a policy advocate for California Common Cause.

Pears said another troubling trend is the fact that big contributors, such as labor and business interests, tend to write checks to anyone who is elected to office, regardless of party affiliation or stance on issues. For example, Calderon's top 10 contributors during the three-year time period

include public employee unions, Indian tribes and businesses that are often on opposing sides of policy issues.

"It says that the industry is hedging its bets with these contributions - both sides know what it takes to get influence, regardless of whether the legislator was sympathetic to their interests to begin with," Pears said. "They are buying influence."

### Not that simple

Calderon, who was an assemblyman in the early 1980s and a state senator from 1990 to 1998 before being elected again four years ago, said it's not that simple.

"The evil is not in money. The weakness is not in money. It's in the individual and the kind of character they have," he said. "I have found the only way I can be is consistent in how I approach the issues, and that means I vote against contributors all the time."

Calderon said he found it more difficult to raise money in his district, a low- and middle-income swath of east Los Angeles, this time around than it was a decade ago, before term limits. He advocates public financing.

"What really irritates me is that people in California have not supported public financing," he said. "Campaigns are not free ... you have to reach voters or you don't get elected. Then to have people turn around and criticize you for raising money - let's have it one way or the other."

Pedro Morillas of consumer advocacy group CalPIRG said money opens doors but doesn't guarantee a legislator's support - just their ear. Voters can ensure they are heard by staying active and engaged and voicing their opinion on key issues, he said.

"Every politician has \$1,000-a-plate fundraisers," he said. "And a group like CalPIRG just can't afford to spend \$1,000 to get me into that room, whereas everyone from AT&T to SEIU (the largest public employees union) are able to. ... It's about access and relationship building and the benefits of sitting down with a representative."

# Contributions by ZIP code in S.F.



Total reported contributions over the past three years to state senators in office:

More than \$500,000		550,000 to		50,000 to	
ZIP code	Amount	ZIP code	Amount	ZIP code	Amount
94105	\$2,034,877	94133	\$95,839	94122	\$47,900
94111	583,888	94123	85,100	94127	46,299
		94108	75,773	94121	42,625
■ \$100,000 to		94128	69,883	94124	37,876
500,000		94118	66,923	94134	33,340
ZIP code	Amount	94131	58,126	94112	27,160
94107	\$270,460	100		94116	25,225
94104	202,242			94177	14,200
94103	196,613			94132	13,450
94114	187,923			94129	12,925
94102	176,234	Notes: (	Only ZIP coo	les with m	ore than
94109	133,920	Notes: Only ZIP codes with more than \$10,000 in total contributions are			
94115	132,750	listed. Excludes contributions from			
94117	114,092	The second second second second	l parties and		
94110	107,406		ts rounded t		

Source: MAPLight.org

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The Chronicle

### **Top 10 Fiona Ma contributors**

Assemblywoman Fiona Ma, D-San Francisco, collected the most money - \$1.68 million - from outside her district of any legislator during the three years studied. Her top contributors:

Contributor	Amount
California Medical Association	\$22,200
California State Council of Laborers	17,900
Peace Officers Research Association of California	17,300
California State Pipe Trades Council	14,700
California Teachers Association	14,400
California State Council of Service Employees	14,400
Operating Engineers Local 3	14,400
California Association of Realtors	14,400
AT&T	13,241.78
Pechanga Band of Luiseno Mission Indians	12,000

### **Top 10 Charles Calderon contributors**

In a tie for the top spot, Assemblyman Charles Calderon, D-Whittier, received the largest percentage of contributions from outside his district - 94.6 percent. His top contributors:

Contributor	Amount		
Southern California Pipe Trades District Council 16 \$19,800			
California State Council of Laborers	18,100		
California State Pipe Trades Council	18,000		
California Association of Realtors	14,400		
California State Council of Service Employees	14,400		
Pechanga Band of Luiseno Mission Indians	13,100		
Eli Lilly & Co	13,100		
Youngs Market Co	12,300		
Burlington Northern Santa Fe Railway	11,500		
USAA	11,100		
General Electric	11,100		

To see the data, go to www.sfgate.com/ZJRD.

To see the entire study, visit maplight.org/remotecontrol10.

### SFGate.com

## Ruling on Arizona law affects state Prop. 15

Bob Egelko, Chronicle Staff Writer Saturday, May 22, 2010

A federal appeals court upheld an Arizona law Friday that provides state funds to political candidates who forgo most private contributions - a ruling that lifts a cloud from a measure on the June 8 California ballot that would overhaul campaign financing for secretary of state.

A federal judge had struck down the 12-year-old Arizona law in January, saying one of its provisions violated the free speech of privately funded candidates whose rivals qualify for public money. Under the Arizona law, if a candidate or a supporting committee raises more than a certain amount in private donations, the opponent is entitled to additional state money.

The law's challengers, six Republican candidates and two conservative political committees, argued that it deters private contributions - and thus chills free speech - by subsidizing candidates whose opponents raise large sums.

But in a 3-0 ruling Friday, the Ninth U.S. Circuit Court of Appeals in San Francisco said the disputed provision serves the state's interest in fighting political corruption, or the appearance of corruption, and has little effect on a candidate's ability to raise money.

"The more candidates that run with public funding, the smaller the appearance among Arizona elected officials of being susceptible to ... corruption," Judge A. Wallace Tashima said in the court ruling.

Californians rejected a similar measure for all state offices in 2006 but will vote next month on Proposition 15, which would make public financing available for candidates for secretary of state in 2014. Funding would come from a new fee on lobbyists.

Like the Arizona law, the California measure would allow candidates to receive more state money if their opponents raised a specified amount of private contributions.

Friday's ruling "means that the provisions of Prop. 15 are constitutional," said Bradley Phillips, an attorney who argued for the Arizona law on behalf of the Clean Elections Institute.

He said a ruling upholding public financing of campaigns is crucial in light of the U.S. Supreme Court's decision in January allowing corporations and unions to spend unlimited sums on elections by contributing to independent committees.

Lawyers for opponents of the Arizona law said they would appeal to the high court, which has become increasingly skeptical of government authority to regulate campaign financing.

The ruling can be viewed at <u>links.sfgate.com/ZJSD</u>.

# THE ARIZONA REPUBLIC

# Arizona's Clean Elections law upheld in court

# Court finds little effect on free-speech rights

by **Alia Beard Rau** - May. 22, 2010 The Arizona Republic

The U.S. Supreme Court may be next to decide the fate of Arizona's publicly funded Clean Elections system.

A federal appeals court ruled Friday that Arizona's system of providing public matching funds to candidates does not violate the First Amendment and, in fact, is needed to prevent the perception of political corruption.

In a unanimous ruling, a three-judge panel of the 9th U.S. Circuit Court of Appeals overturned a ruling of the U.S. District Court in Phoenix and said matching funds impose a "minimal burden" on First Amendment rights.

The 9th Circuit also ruled that plaintiffs had not made their case that they had been harmed by Arizona's system of campaign funding.

But opponents believe the court erred in its decision, saying state government punishes traditional candidates under the finance system.

They plan to appeal to the Supreme Court. They also want the court to halt the disbursal of any matching funds until it can decide the matter. Candidates are set to start receiving the funds in one month.

The Supreme Court hears only about 100 of the more than 10,000 requests it receives each year.

#### \$5 donations

Arizona voters approved Clean Elections in 1998. Participating candidates collect a certain number of \$5 donations from constituents and agree not to accept money from special-interest groups in exchange for a lump sum of public money to fund their campaigns.

Candidates can get additional public funds if an opponent running as a traditional candidate spends more money - their own or their donors' - than the Clean Elections candidate received initially.

In 2008, the Goldwater Institute filed a lawsuit on behalf of several Republican candidates, including state Treasurer Dean Martin, Sen. Bob Burns of Peoria, Rep. John McComish of

Phoenix and Rep. Nancy McLain of Bullhead City. The candidates argued that they limited their own campaign spending to avoid triggering additional public contributions to Clean Elections opponents, in effect chilling their own freedom of speech.

In January, U.S. District Judge Roslyn Silver agreed.

### 9th Circuit ruling

On Friday, the 9th Circuit disagreed.

"We conclude that the matching funds provision of the Act imposes only a minimal burden on First Amendment rights," the panel stated in its ruling. "No plaintiff . . . has pointed to any specific instance in which she or he has declined a contribution or failed to make an expenditure for fear of triggering matching funds."

The judges used several of the politicians' own statements against them.

"Dean Martin claimed his speech was chilled by matching funds, but could not even recall whether he had triggered them in the past," the ruling stated.

The panel went on to say that Arizona has a "long history" of political corruption and that matching funds are important to reducing that corruption.

"AzScam, in which legislators literally sold their votes for cash bribes, was just one of many substantial, wide-spread, and highly-publicized political scandals that Arizona experienced in the late 1980s and 1990s," the ruling stated. "The more candidates that run with public funding, the smaller the appearance among Arizona elected officials of being susceptible to quid pro quo corruption."

#### **Party responses**

"The decision is mistaken," said Nick Dranias, who represented the case before the 9th Circuit.

Dranias said he thinks the Supreme Court will intervene.

"When your opponent receives government money whenever you spend money . . . that's the government punishing you for exercising your First Amendment rights," he said.

If the high court declines to hear the case, the 9th Circuit ruling stands.

Brad Phillips, the attorney representing Clean Elections, said there is no way to predict what the Supreme Court will do.

"We think the Supreme Court will see that there is no need to disturb this very well-thought-out opinion," Phillips said.

Todd Lang, executive director of the Arizona Citizens Clean Elections Commission, said he was pleased the judges agreed that the First Amendment is not about ensuring "freedom from rebuttal"

"The idea that First Amendment issues are harmed by allowing voters to hear both sides is a novel argument, but ultimately, the 9th Circuit wasn't persuaded by it," he said.

### **Candidate impact**

In addition to the legal challenge, several failed legislative efforts this year attempted to change or eliminate the Clean Elections program. But Lang said the uncertainty hasn't impacted participation.

As of May 10, 147 candidates have signed up. There are 10 participating gubernatorial candidates, including Martin, GOP incumbent Jan Brewer and Democrat Terry Goddard, the state's attorney general.

Republican gubernatorial candidate Buz Mills is running with private funds. A Yavapai County entrepreneur, his campaign has spent nearly \$2 million so far, which will trigger matching funds for his Clean Elections opponents.

Doug Cole, Brewer's campaign spokesman, said Friday's ruling was the fair choice, especially given primary-election season is already under way.

"We're literally two months away from the start of early voting, and on the Republican side, we have a candidate who almost expended the maximum amount," Cole said.

# **Contra Costa Times**

## Poll reveals deep suspicion of money's political influence

By Lisa Vorderbrueggen 03/16/2010

A staggering 87 percent of voters across the political spectrum believe moneyed donors have significantly more influence than constituents over members of Congress, according to a new poll.

The random, automated telephone survey of nearly 10,000 registered voters in 19 competitive U.S. congressional districts — including California's 11th Congressional District, represented by Democrat Rep. Jerry McNerney — was commissioned by Common Cause, MoveOn.org and Public Campaign Action.

"I've seen high numbers on questions similar to this one over the years, meaning in the 70s (range)," said Derek Cressman, western regional vice president for Common Cause. "But 90 percent? I've never seen it that high ... Voters have a strong sense that lawmakers are listening to the people with money and not listening to them."

Common Cause and Public Campaign Action are nonpartisan watchdog groups that favor public financing of campaigns. MoveOn.org. is a liberal activist organization.

The coalition commissioned the poll following a recent Supreme Court decision that enabled unlimited corporate and union spending in federal campaigns.

Campaign finance watchdogs want Congress to pass the Fair Elections Now Act, sponsored by Rep. John Larson, D-Conn. McNerney is a co-sponsor.

The act calls for public campaign financing for candidates who voluntarily agree to limit donations to \$100 or less.

But Democratic leaders appear more interested in stringent disclosure rules for businesses and unions and avoiding forcing vulnerable members such as McNerney into a hazardous political vote.

Democrats fear a floor vote to use of taxpayer dollars on electioneering — at a time when governments all over the nation are slashing public services — could further stir an already high anti-incumbent sentiment.

The poll results overall and in the 11th Congressional District should allay that fear, Cressman said.

Forty-two percent of voters who responded in the 11th District said the were more likely to re-elect McNerney if he voted in favor of the Fair Elections Now Act. That group included 43 percent of Republicans, 47 percent of Democrats and 33 percent of independents.

Of the 522 respondents, 21 percent said they were less likely to re-elect McNerney, while 34 percent said his vote would make no difference for them. McNerney has no challenger in the June 2 primary election.

Four Republicans will vie for their party's nomination: Dougherty Valley attorney David Harmer, Lodi grapegrower Brad Goehring, former U.S. Marshal Tony Amador of Lodi and businesswoman and autism research activist Elizabeth Emken of Danville.

#### In other 11th District poll results:

- Suspicion of Congress is high across the electorate: Of those who say members of Congress are overly influenced by the people who give them money, 93 percent are Republicans, 86 percent are Democrats and 91 percent are independents.
- Even Democratic voters are mad at Democrats over campaign finance: Half the Democrats said the majority party has not done enough to reduce the influence of special interest money. By comparison, 92 percent of Republicans and 88 percent of independents agree.
- Two-thirds of respondents disagree with the Supreme Court's decision in Citizens United vs. the Federal Election Commission to lift campaign spending restrictions on businesses and unions.

#### Influence poll

A coalition of campaign finance watchdogs commissioned a survey of voter opinions on who or what influences legislators. The poll of nearly 10,000 voters in competitive districts included people in California's 11th Congressional District, represented by Democratic Rep. Jerry McNerney, D-Pleasanton.

Here are some results from the 11th District survey:

- Question: Which of the two statements do you agree with more? Members of Congress are overly influenced by the people who give them money. Members of Congress listen to constituents more than they listen to the people who give them money.
- Results: Influenced by donors, 90 percent; listen to constituents, 9 percent.
- Question: Which of these two statements do you agree with more? Democrats have made a serious attempt to reduce the influence of special interest money in politics. Democrats have not done enough to reduce the influence of special-interest money in politics.
- Results: Serious attempt, 24 percent; have not done enough, 75 percent.
- Question: If your member votes for a new law (that would allow federal candidates to receive public money if they limit contributions to \$100 or less),

- would you be more likely to vote to re-elect this member of Congress? Less likely? Or would it make no difference?
- Results: More likely, 42 percent; less likely, 21 percent; no difference, 34 percent; not sure, 4 percent.
  - Methodology: SurveyUSA conducted the automated, telephone survey between March 3-14. The margin of error ranges from 2.6 to 4.4 percentage point, depending on the question.

More information: Read the full poll at <u>www.fairelectionsnow.org/2010march-polling</u>.

# THE HUFFINGTON POST



# One Year Later, Fair Elections Matter Now More Than Ever

One year ago, Sen. Dick Durbin (D-Ill.) and Reps. John Larson (D-Conn.) and Walter Jones (R-N.C.) introduced the Fair Elections Now Act, legislation aimed at ending Congress' reliance on special interest campaign cash. After an election cycle that saw fundraising records smashed time and again, the bill had never been more necessary.

A year later, things have changed. What people didn't like about the political money system before has gotten worse. Big banks and Wall Street executives are using millions of dollars in lobbying and campaign contributions to block reforms to a system that let them wreck our economy. Health insurers succeeded in watering-down important, costsaving provisions in the health care bill. Progress on climate change seems stalled. And just a few months ago, the Supreme Court, in *Citizens United v. FEC*, gave the green light for corporations to spend even more money to influence our elections.

Congress needs to act -- and boldly. Faced with an increased threat of corporate interference in elections, the Fair Elections Now Act (S. 752, H.R. 1826) would allow candidates to rely solely on their grassroots base to fund their campaigns -- not entrenched Washington lobbyists or wealthy financiers. With Fair Elections, candidates can run for office on a mix of limited Fair Elections funds and a 4-to-1 match of donations of \$100 or less, instead of spending all their time dialing for dollars or attending high-priced fundraisers.

But here's good news about what has changed in Washington. A year after its introduction, support for the legislation has reach a new high in Washington. A bipartisan and cross-caucus group of more than 140 U.S. House members have co-sponsored the legislation, including a majority of the Democratic majority in the House and support is expanding in the Senate. This ideologically diverse coalition -- Republicans, Democrats, Blue Dogs, and Progressives--are all tired of the inordinate amount of time spent raising money and the damage the process does to good legislation.

With our nation facing critical problems -- an economy still in distress, an uncertain energy future, and an unregulated Wall Street -- we should not wait one minute longer to

end the debilitating campaign money chase. This bill would let our elected officials focus on these important issues without regard to where their next campaign check comes from and what paybacks might be expected.

Recent <u>news reports</u> have declared that responding to the Supreme Court decision is on Congress' list of priorities this year. While the original response announced by Sen. Chuck Schumer (D-N.Y.) and Rep. Chris Van Hollen (D-Md.) is a good start, any effective response <u>must include the Fair Elections Now Act</u>.

The modern one-year anniversary gift is a clock. And with special interest cash flooding campaign coffers to buy our elections, that clock is ticking. It's time to fix our broken system.

# THE HUFFINGTON POST



Citizens United Hearing: Pass Bill To Stop BP From Buying Elections, Says Public Financing Advocate

05-6-10



Congress should pass legislation to counteract the recent Supreme Court decision allowing unlimited corporate campaign ad spending to prevent oil giant BP from buying elections, said an advocate of campaign finance reform Thursday.

<u>Public Campaign</u> president Nick Nyhart told the <u>Committee on House Administration</u> that the Supreme Court's decision in Citizens United v. FEC gives BP the unlimited ability to back candidates who oppose legislation increasing BP's liability for the oil spill.

Under current law, BP's liability to area businesses ruined by the spill is only \$75 million. A bill called the <u>Big Oil Bailout Prevention Act</u>, introduced by Democratic senators on Monday, would raise that liability to \$10 billion.

"Our political system -- given this Supreme Court's recent decision -- allows companies like BP to spend their treasury money to influence elections," said Nyhart, according to his prepared remarks. "What would stop BP -- a foreign owned corporation -- facing the prospects of \$10 billion in clean up liabilities from spending \$10 million, or \$50 million, or even \$100 million or more to elect candidates who oppose this bill or defeat those who support it? It's simple math to see their financial interest is in spending \$100 million to save \$10 billion."

In January, the Supreme Court undid the Federal Election Commission's restrictions on corporate spending on campaign ads within 60 days of a general election or 30 days of a primary. In response, Democrats in the House and the Senate unveiled the <u>DISCLOSE Act</u>, which, among other things, would disallow foreign-controlled corporations from spending money in U.S. elections.

Specifically, the bill would disallow electioneering by a company if a "foreign national owns 20% or more of voting shares in the corporation." BP is 61 percent <u>foreign-owned</u>.

"The DISCLOSE Act prevents foreign-owned companies from doing that and that's one reason it should pass," said Nyhart. "But the oil industry as a whole would certainly think 'there but for the grace of God go I.' It could be ExxonMobil next time. And executives at ExxonMobil, and other American oil companies, thanks to Citizens United will have the chance to spend political money from their treasuries also, and in do it in secret, hiding behind front groups with innocuous names, unless DISCLOSE passes."

Unsurprisingly, the Organization for International Investment, Washington lobbyshop for U.S. subsidiaries of foreign-owned companies, dislikes the measure. "We agree that foreign influence has no role in U.S. elections," said president Nancy McLernon in a statement, "but the DISCLOSE Act chips away at the political rights of the five million American workers who collect over \$400 billion in paychecks from the U.S. subsidiaries of companies based abroad or 'Insourcing' companies."

The DISCLOSE Act's stand-by-your-ad provision would also force corporate CEOs and labor union officials to appear in ads and say "I approved this message."

Senate Majority Leader Harry Reid (D-Nev.) has said he plans to bring the bill to the floor by Independence Day.

Here's the relevant excerpt of Nyhart's remarks:

I can't help but use an current example unfolding on our television screens nightly - an example that clearly illustrates why this bill is so important.

Over the last few weeks Americans have watched a human, ecological, and economic tragedy unfold in our Gulf waters. With tens of thousands of gallons of oil pouring into the ocean off our Gulf Coast, we have all come to understand that the clean up of this disaster will take years and cost fortunes.

As children, we're all taught that we're responsible to clean up our own messes. Right now, oil companies like BP have their liability on events like this one capped at \$75 million. Experts say that is a drop in the ocean, so to speak, compared to the actual cost of lost jobs, damage to the environment, increases in energy prices, and changes in the way of life throughout the Gulf Coast.

Legislation called the "Big Oil Bailout Prevention Act", has been introduced in both

chambers to increase oil company liability from \$75 million to \$10 billion. Representative Artur Davis, I know, is a leading co-sponsor of the House measure.

Our political system - given this Supreme Court's recent decision - allows companies like BP to spend their treasury money to influence elections. What would stop BP - a foreign owned corporation - facing the prospects of \$10 billion in clean up liabilities from spending \$10 million, or \$50 million, or even \$100 million or more to elect candidates who oppose this bill or defeat those who support it? It's simple math to see their financial interest is in spending \$100 million to save \$10 billion.

The DISCLOSE Act prevents foreign-owned companies from doing that and that's one reason it should pass. But the oil industry as a whole would certainly think "there but for the grace of God go I". It could be ExxonMobil next time. And executives at ExxonMobil, and other American oil companies, thanks to Citizens United will have the chance to spend political money from their treasuries also, and in do it in secret, hiding behind front groups with, innocuous names, unless DISCLOSE passes. DISCLOSE will make the identities of those behind the ads public, in some cases requiring that a company's executives take personal responsibility for the ad.

Public disclosure is an important principle here that will give voters more information as they make decisions. Knowing that an attack ad is paid for by a big oil company with a vested interest in who wins an election certainly provides an essential perspective on the "facts" presented in a thirty second spot by a group that might be officially called something like "Americans for Jobs, Health and Security". Transparency will help prevent further erosion of the public trust in our corporations and our politicians.

And even when DISCLOSE passes, the oil companies will remain powerful political players in financing the campaigns of members of Congress. In the last twenty years, ExxonMobil's executives and PAC have given nearly \$11 million to the campaigns of members of Congress and political parties, according to the nonpartisan Center for Responsive Politics. The oil and gas industry as a whole has given nearly a quarter of a billion dollars over the same time period. And that's why we need a Fair Elections system, so candidates won't need to chase oil industry checks to pay for their campaigns.

Why wouldn't Big Oil keep up, or even pick up, its political spending when faced with a bill that would require that they pay more than they pay now, potentially billions more, for the Gulf clean up?

# The New Hork Times

May 4, 2010

# N.Y. Court Expands Rights of Nonbirth Parents in Same-Sex Relationships

By JEREMY W. PETERS

ALBANY — New York State's highest court somewhat expanded the rights of gay and lesbian parents on Tuesday in a narrow ruling that said nonbiological parents in same-sex relationships should be treated the same as biological parents.

But the high court, the Court of Appeals, declined to resolve two cases involving lesbian parents and instead sent both back to lower courts, saying that the question of whether nonbiological parents should be given full parental rights was up to the State Legislature.

In one case, the court found that a lesbian who had given birth while in a committed relationship was entitled to seek child support in Family Court from her former partner. The <u>ruling</u> was 4 to 3.

In the other case, which legal experts said had broader implications, the court ruled that a woman seeking visitation rights from her former partner, who gave birth to a child conceived by artificial insemination after the two had entered into a civil union in Vermont, was a legal parent of that child.

The <u>decision</u>, by a 7-to-0 vote, said the woman, identified in court documents as Debra H., could ask a court for visitation and custody rights because New York confers parental rights to both parents in a same-sex relationship if the couple has a civil union.

Though the court did not specifically address the parental rights of gays and lesbians who are not birth parents but have other legally sanctioned unions, like a marriage performed in a jurisdiction that allows same-sex couples to wed, the case provides them a legal claim to parenthood.

"In many ways this is a real breakthrough in New York," said Susan L. Sommer, who argued the case before the Court of Appeals and is senior counsel and director of constitutional litigation for Lambda Legal, a gay-rights advocacy group.

"But there's also a lot more work that needs to be done, because the decision stops short of bringing New York into line with the growing trend in other jurisdictions," Ms. Sommer added.

Some legal experts said they were dismayed by the ruling because it effectively established two sets of standards for children of same-sex couples: one set for those born to couples with a legally recognized relationship, and another for those born to couples without legal recognition.

"A distinction between whether one is a parent or is not a parent based on whether a couple is in a civil union or not in a civil union — that should not matter," said Nancy Polikoff, a law professor at American University. "From the child's point of view, he or she has two parents."

The court declined to establish criteria for parenthood in relationships in which one partner or spouse is not the biological parent, saying a more flexible standard could invite claims of parental rights by people who have no business raising them.

"Parents could not possibly know when another adult's level of involvement in family life might reach the tipping point and jeopardize their right to bring up their children without the unwanted participation of a third party," Judge Susan P. Read wrote in the opinion.

Other jurisdictions have amended their laws to grant nonbiological parents broad legal rights. Colorado, Indiana, Minnesota, Texas and the District of Columbia have all established criteria under which people other than biological parents can claim to have parental rights.

The Court of Appeals said nothing prevented the Legislature from following that lead.

Sherri L. Eisenpress, the lawyer for the biological mother involved in the case stemming from the Vermont civil union, who is identified only as Janice R., said the case was never about broader issues. Instead, Ms. Eisenpress said it was about following established family law in New York, which states that anyone who is not a biological or adoptive parent lacks standing to seek custody or visitation rights.

"Her goal in this case was never to establish some precedent or to make any broader statement other than that she expressly declined to allow this woman to adopt her son because she did not want to co-parent with this person," Ms. Eisenpress said.

Though the case presents a twist on the traditional American family, in one sense it is conventional. Explaining why she entered into a civil union, Janice R., according to the decision, said, "to put an end to (Debra H.'s) nagging."

May 6, 2010

# Marriage Law Is Challenged as Equaling Discrimination

By KATHARINE Q. SEELYE



Wendy Madea/The Boston Globe

Mary L. Bonauto speaking Thursday outside the federal courthouse in Boston

BOSTON — Nancy Gill has worked for the Postal Service for almost 23 years. But because she is married to a woman, she cannot provide the same health benefits to her spouse that her coworkers at the post office can provide for their families.

Ms. Gill, 51, and Marcelle Letourneau, 47, married in Massachusetts in 2004 and are the lead plaintiffs in a suit challenging the federal law — the <u>Defense of Marriage Act</u>, known as DOMA

— that defines marriage as being between a man and a woman. The women, who live in Bridgewater, Mass., are challenging the section that denies marriage-related benefits to same-sex couples, saying they are being denied equal protection under the law.

The case, filed in March 2009, was argued Thursday in Federal District Court here before Judge Joseph L. Tauro. It is the first major challenge to the act and is likely to end up before the Supreme Court.

Mary L. Bonauto, director of the civil rights project for Gay and Lesbian Advocates and Defenders, argued on behalf of the couple and 15 other plaintiffs, calling the case "a classic equal-protection issue."

Ms. Bonauto said that the purpose of the act was to "show that same-sex marriage was immoral" but that it ended up hurting such couples by making them pay twice for health insurance, for example, or denying them death benefits.

The Obama administration's Justice Department was in the position of defending the law, just as it had done in a case last year, even though Barack Obama had called during the 2008 presidential campaign for repealing it. Advocates for gay rights have said they have little hope that Mr. Obama will actively seek a repeal, given the political climate and the priority of other issues.

Scott Simpson, arguing for the government on Thursday, opened by acknowledging the administration's opposition to the act, but saying he was still obliged to defend its constitutionality.

"This presidential administration disagrees with DOMA as a matter of policy," Mr. Simpson said. "But that does not affect its constitutionality."

The act was passed by Congress and signed into law by President Bill Clinton in 1996.

Mr. Simpson, who asked the judge to dismiss the case, said Congress was initially motivated to pass the act because one state, Hawaii, was starting to consider whether to legalize same-sex marriage. And now that five states and the District of Columbia have legalized it, he said, the act spares the government the trouble of keeping track of different laws in different states.

To that argument, Ms. Bonauto told the court, "We're not talking about mom-and-pop operations here; we're talking about the federal government."

A ruling in favor of the plaintiffs would not legalize same-sex marriage in states that have not done so, but it would give same-sex couples in all states access to benefits and protections available to other married couples.

Outside the courthouse after opening arguments were finished, Ms. Gill said of Mr. Simpson's assertion that the administration disagreed with the act, "That's sort of a victory for me because I think the federal government knows that it's wrong, and I think it's going to change."

Ms. Bonauto said she did not view the government as "rolling over."

"It's really a question for them of institutional integrity to continue to defend the constitutionality of statutes," she said. "That's what they've done here."

A case in California argues that there is a fundamental right for anyone, including same-sex couples, to marry, but the one here is focused more narrowly on the denial of protections and benefits to such couples.



Tuesday, April 27, 2010

### Will the California Gay-Marriage Trial Ever Wrap Up?

Eve Conant

Ted Olson and David Boies's landmark trial to overturn California's ban on gay marriage began in January with much fanfare. *Perry v. Schwarzenegger* was expected to last a few weeks, but here we are closing in on May.

Perhaps one person just as frustrated with the slow progress as anyone is the judge himself, U.S. District Court Judge Vaughn Walker, who on Sunday <u>issued a warning</u> to <u>Equality California</u> and the ACLU to turn over documents requested by supporters of Proposition 8 (which banned gay marriage) or face a fine of \$2,000 per day and be held in contempt of court.

According to Lisa Keen of Keen News Service, who has loyally covered the trial long after national reporters left the scene:

The order is a side issue in the landmark trial to challenge the constitutionality of California's same-sex marriage ban. But that side issue has turned into a monumental struggle by pro-gay groups who opposed Proposition 8. The groups said they do not believe they should have to turn over hundreds of thousands of emails and other internal documents to the "Yes on 8" coalition that proposed the anti-gay law.

The ACLU and Equality California are not parties to the lawsuit: they say it will cost them \$20,000 to produce the documents and that they have a First Amendment right to protect the privacy of their internal communications. Judge Walker has said they have not submitted evidence to back up that claim. The groups will appear in court on Wednesday in San Francisco. According to an Equality California press release today, the organization's executive director, Geoff Kors, promised to turn over the internal strategy e-mails related to its attempts to defeat Proposition 8.

We are very pleased that Judge Walker clarified his ruling in accordance with the Ninth Circuit's affirmation that the first amendment protections for communications applies not only to internal communications within each individual organization but also to communications among multiple organizations working in coalition. Had this protection been eroded, it would have set a devastating precedent for future social justice efforts. Having secured this ruling—the key principle we were fighting for—we will turn over responsive, non-privileged documents so that a decision can be rendered in an expeditious manner.

While everyone is eager for a resolution, no one wants to rush such a momentous ruling. Furthermore, for some supporters of gay marriage, the terms have changed since the case

began. "Some people hoped the case would be taken very quickly to the U.S. Supreme Court while Justice Stevens was still there as a notably open-minded judge on gay-rights issues," says Jennifer Pizer, senior counsel and director for the National Marriage Project at Lambda Legal. "Now that it's clear he'll be retired, I don't sense the same feverish urgency in the community to see the final resolution of the Perry case."

But urgency or not, justice marches on. If the logjam with the communications clears up, say legal sources working on the trial, a date for closing arguments might be set in the near future. Finally.

### THE SACRAMENTO BEE sachee.com

# Nephew's hopeful as state prepares to observe Harvey Milk Day



By Jeff Mitchell Bee Correspondent

Published Sunday, May 16, 2010

Not unlike his famous uncle, L. Stuart Milk is very much a hopeful man.

He's had to be a patient one, too.

Hector Amezcua

Sen. Darrell Steinberg, left, laughs as Sacramento Mayor Kevin Johnson and Stuart Milk, right, joke about Milk being taller than Johnson, a former NBA player. Milk was in Sacramento Wednesday for "Harvey Milk – A Celebration," which honored his slain uncle.



It's been more than 31 years since San Francisco Supervisor Harvey Milk was shot to death along with Mayor George Moscone at City Hall. On Saturday, for the first time, California is officially honoring the gay civil rights leader.

"This has been a slow, evolutionary process," said Stuart Milk in a telephone interview. "It's taken more than three decades since my uncle's assassination to get here."

These days, the 49-year-old South Florida resident is focusing on the new Harvey B. Milk Foundation, which is joining with Equality California and Sacramento-based Equality Action Now in directing commemorations of his uncle with rallies, marches, films and fundraisers. Similar events are planned elsewhere, including New York City and Long Island, N.Y., where Milk was raised.

When state lawmakers designated May 22 as Harvey Milk Day last year, the first openly gay person elected to office in a major American city became only the second Californian (the first was conservationist John Muir) to be personally recognized with a state day of significance.

Equality Action Now founder Tina Reynolds said the organization has a hand in several events around Sacramento, including a rally and march Saturday at the state Capitol.

"Just having Harvey recognized this way is a huge thing," Reynolds said. "The gay community is an important part of the fabric of California. Harvey Milk Day will help remind Californians of that fact."

Equality California plans to canvass neighborhoods in San Francisco, Los Angeles and San Diego to talk about same-sex marriage. Two years ago, Golden State voters approved Proposition 8, which banned gay marriage. Advocates say they are gearing up to try to repeal the measure in 2012.

"Harvey inspired me to devote my life to working to erase prejudice, and I know his story will inspire millions in the years to come," the group's executive director, Geoff Kors, said in a statement.

Harvey Milk's public profile has risen in recent years, especially with Gus Van Sant's film "Milk," for which actor Sean Penn won an Oscar in 2009. President Barack Obama honored Milk posthumously last year with the presidential Medal of Freedom.

But commemorating his birthday is not without controversy. Randy Thomasson of SaveCalifornia.com has decried last year's passage of Sen. Mark Leno's bill encouraging public schools and educational institutions to conduct commemorative exercises May 22. Thomasson suggested in a podcast that the gay community would use the day to "sexually indoctrinate" school-age children.

Earlier this month, Kern High School District trustee Ken Mettler, who's running as a Republican for the 32nd District Assembly seat, threw himself into the debate, saying Milk was unworthy of an official day of recognition.

"I don't think (he) has the accomplishments that merit a day of celebration in our local schools," Mettler said May 3 at a district board meeting. Kern trustees are set to decide Wednesday whether to officially observe Harvey Milk Day.

Stuart Milk says such comments only reveal the work that lies ahead for advocates. "I'm actually pleased that Mr. Mettler made the comments he did ... because of the reaction it caused. I was inspired when I saw the videotape of all the students – gay and straight – that stepped up to the microphone to correct him."

Many state school districts haven't rushed to incorporate Harvey Milk Day into their lesson plans. Representatives of the Sacramento, San Jose, Oakland and San Francisco school districts said there were no districtwide efforts set to commemorate the day, which falls on a Saturday this year.

Milk says he believes this will change when Harvey Milk Day falls on a regular school day and as organizers push to make it a state-paid holiday. He admits the state's economy would have to recover before such a holiday would have a chance.

Full holiday or not, he says achieving full civil rights for the gay community remains the prize. "Like my uncle famously said, 'You've got to give them hope.' Our plan is to do just that. ... The goal is not just achieving equality here in California and across the U.S., but around the world."

Jeff Mitchell is a Bay Area-based journalist.



### Gay marriage Prop. 8 trial enters last phase before ruling

Closing arguments in the Prop. 8 gay marriage trial begin Wednesday. Judge Vaughn Walker must decide whether to hold sexual orientation, like race, to the 'strict scrutiny' standard.



Plaintiffs in the Prop 8 gay marriage trial pose outside a San Francisco court room Wednesday morning. From left they are Paul Katami, Jeff Zarrillo, Kris Perry, and Sandy Stier. (Jeff Chiu/AP)

By Daniel B. Wood, Staff writer posted June 16, 2010 at 4:30 pm EDT

Chief US District Judge Vaughn Walker has scheduled a full day of arguments Wednesday, the final step before he rules on a lawsuit arguing that California's Prop. 8 violates the constitutional rights of gay and lesbian couples. The first federal court test in the nation of a state law forbidding same-sex nuptials, it is widely expected to push the gay marriage issue to the US Supreme Court.

In January, Judge Walker conducted an unprecedented three-week trial featuring a number of experts and other witnesses who testified on the impact of the law, which California voters backed in 2008, restricting the definition of marriage to between a man and a woman.

Analysts say the stakes are high.

"What's at stake here is much more than whether lesbians and gays can once again marry in California," says Geoff Kors, executive director of Equality California. "This is really the first

time the federal courts are looking at whether a majority of voters can take away the rights of one specific minority while keeping them for themselves. It should be of interest to anyone who can be impacted by discrimination. If this is allowed to stand, there is nothing stopping voters from taking rights away from other minorities."

But legal observers shy away from predicting an outcome because there are legal precedents on both sides.

The decision will have to do with whether and how sexual preference fits into the definition of "suspect classification" – with other subsets of that category that include race, age, religion, and income level, says political scientist Robert Langran, a constitutional scholar at Villanova University. The US Supreme Court "almost never" upholds discriminatory laws against race, he says, but whether that also applies to sexual orientation is an unknown.

Mr. Langram says the standard a law must meet in the race category is "strict scrutiny," meaning a very high level. For the categories of gender, age, and income, "the courts have gone a lot with the standard of intermediate scrutiny – which is you better have a very good reason [for discriminating] but it doesn't have to be overwhelming." Langran says he is not sure where sexual orientation will come in such a scale.

"This is one of those cases where I can see the court going either way, because they have precedents either way," says Langran. For example, Colorado citizens passed a law 10 years ago to say that no local governing body can pass any law treating sexual orientation as a "suspect classification." The Colorado voters were trying to protect gays from several local ordinances that had been passed discriminating against them.

The US Supreme Court later struck down the initiative as unconstitutional under the equal protection clause of the US Constitution. That is the standard Walker will have to weigh.

"At issue is whether Proposition 8, the successful ballot measure defining marriage as between a man and a woman, violates the Equal Protection Clause in the United States Constitution," says Jessica Levinson, an adjunct professor of law at Loyola Law School.

"If Judge Walker determines that restrictions on the bases of sexual orientation, like those made on the basis of race, should be subject to the highest level of judicial review, strict scrutiny, then Judge Walker may find this Proposition to be unconstitutional," writes Ms. Levinson. "However, whether he will do that is far from clear. "

Supporters of the plaintiffs in the case are optimistic that Walker will strike down Prop. 8.

"The most instructive thing about the trial will be demonstrated again today, is that there is no constitutionally-sound basis for excluding same-sex couples from marriage," says Kate Kendell, executive director of National Coalition for Lesbian Rights. She has been watching the trial from the courtroom.

"The evidence has not shown that children do better with a mother and father than a same sex couple or that same sex marriage undermines or hurts heterosexual unions," she says. "The only basis for excluding same sex couples is people's fear and discomfort. The American system of justice provides protection and equality in the face of such biases and prejudices."

#### THE HUFFINGTON POST



#### **Evan Wolfson**

Executive Director of Freedom to Marry, and author of Why Marriage Matters

April 1, 2010

# Refuting the Naysayers: First Anniversary of Marriage in Iowa and Other "Unlikely" Victories

April 3rd is the first anniversary of the Iowa Supreme Court's unanimous ruling that excluding same-sex couples from marriage is unconstitutional. As happy couples and their delighted loved ones begin celebrating personal anniversaries, the milestone marks yet another moment in the marriage movement when critics said we couldn't -- but we did.

Before Iowa, same-sex couples could only marry in two states, Massachusetts and Connecticut, leaving many families without the protections and legal responsibilities that marriage brings. Today, five states, our Nation's capital, and eight countries have ended same-sex couples' exclusion from marriage, its safety-net, and its rich personal significance. Before Iowa, naysayers dismissed the freedom to marry movement as a New England phenomenon or a struggle confined to the coasts. But since April 3, 2009, no one can call the freedom to marry just a coastal phenomenon. Marriage has arrived in America's heartland.

After the Iowa Supreme Court's <u>powerful and persuasive ruling</u> (in an opinion written for a unanimous court by a Republican appointee), naysayers again tried to dismiss the freedom to marry as just a judicial phenomenon. They sought to disparage the legitimate and vital role courts play in enforcing the constitution's command of equal justice for all (in those "rare" instances where politicians or even the majority make mistakes). They claimed that we could never persuade lawmakers to vote for the freedom to marry in legislatures. Four days after victory in Iowa, on April 7, 2009, the Vermont state legislature passed a marriage bill by a super-majority, overriding a governor's veto to end marriage discrimination in Vermont. They said we couldn't -- but we did.

The naysayers then said the freedom to marry is a partisan phenomenon, supported only by Democrats. But throughout the past year, they've been proven wrong. Prominent Republicans, including George W. Bush's Solicitor-General and conservative icon Ted Olson, Bob Barr (congressional sponsor of 1996's so-called "Defense of Marriage Act"),

and even Cindy McCain have called for an end to federal marriage discrimination. They said we couldn't get Republican support for the freedom to marry -- but we did.

So then the naysayers declared that the freedom to marry is embraced only by elite lawmakers, who in their "elite" majority votes in legislatures from Maine to California are detached from the values of most Americans. They said we could not move hearts and minds and achieve popular support for the freedom to marry -- but we did and continue to do so. As public education increases - centering on the personal conversations that are the key to moving the reachable-but-not-yet-reached -- support continues to grow, approaching Freedom to Marry's goal of building a majority for marriage. A heartening sign of that continuing momentum came last week in California, when the Public Policy Institute of California released a poll showing that for the first time 50 percent of Californians support the freedom to marry, bringing us closer to the goal of restoring marriage in the Golden State.

Finally, the naysayers said they'd work to overturn the marriages celebrated by families in Iowa. They claimed that a surge of grassroots opposition to the freedom to marry would force legislators to write discrimination into the state constitution and undo the ruling of - you guessed it -- "activist" judges. But with personal stories and tenacious engagement by local leaders such as One Iowa and the level-headed lawmakers committed to fairness for all, the effort to stampede Iowa into discriminating foundered. Iowa's legislature adjourned last week heeding what every poll reported: that Iowans have no interest in taking away the newfound joy and security of same-sex couples and their families. Particularly in tough economic times like these, it's wrong to put obstacles in the path of committed couples seeking to care for one another and their families. And Iowa was joined by New Hampshire in embracing this sentiment. Thanks to the hard work of the New Hampshire Freedom to Marry Coalition, over the past year 73 towns rebuffed opponents' campaign to enact resolutions to strip away marriage, and more than 88 refused to even consider the anti-gay proposals.

As we celebrate the anniversary of marriage in Iowa, all of us committed to the freedom to marry in America have come a long way and confounded the naysayers, but there are still more "unlikely" wins to achieve. Much like any social justice cause in its early days, we have yet to succeed in winning a direct public vote --it's hard for a minority to persuade a majority to just end discrimination -- but through increased public education and mobilization, we can and will. Despite giant gains in several states and key parts of the population, notably young people, we have yet to build an outright majority for marriage nationwide -- but conversation by conversation, we can and will. And we have yet to end federal discrimination against married same-sex couples, but by changing hearts and minds, winning more states, and educating Congress, we can ensure the repeal of so-called "DOMA," creating the best climate, too, for litigation underway in federal court. All this we will do, together.

One of the benefits of marriage is happy anniversaries. As we celebrate the joy in Iowa, Freedom to Marry pledges more "unlikely" victories, as America follows its heartland to marriage equality.



# Marriage laws entangle same-sex couples US government, many states don't recognize union



(Matt Slocum/ Associated Press) The marriage of Cara Palladino (left) and Isabelle Barker is not recognized in Pennsylvania.

By David Crary Associated Press / May 10, 2010

PHILADELPHIA — When government forms inquire about her marital status, Isabelle Barker sometimes resorts to an asterisk and an explanatory note.

She and her wife, Cara Palladino, got married five years ago in Massachusetts. Six months later, for job reasons, they moved to Pennsylvania — one of the majority of states that do not recognize same-sex marriages. Hence the asterisk.

"I'm not single. I'm married in Massachusetts, but I'm not married in Pennsylvania, I'm not married in the eyes of the federal government," she said. "It's this weird limbo, this legal netherworld."

Barker and Palladino, and their 15-month-old son, Will, have plenty of company across the United States as gay and lesbian couples confront an unprecedented and often confusing patchwork of marriage laws.

Historically, such laws have been the jurisdiction of the states, not the federal government, and the common practice throughout US history has been for any given state to recognize a marriage performed legally in another state.

The advent of same-sex marriage in 2004 has changed all that.

Five states — Massachusetts, Connecticut, Vermont, New Hampshire, and Iowa — and the District of Columbia have legalized same-sex marriage. New York and Maryland recognize those marriages even though same-sex couples cannot wed within their borders. California had legal same-sex marriage for about five months in 2008.

The federal government, however, does not recognize same-sex marriage, nor do the vast majority of states, including Pennsylvania. Even with a valid out-of-state marriage license, gay and lesbian couples in those states face uncertainty, extra legal bills, and inevitable rebuffs that heterosexual couples do not.

Barker and Palladino, who began dating in 1998, moved from New York to Massachusetts in 2004 and married in February 2005 in a low-key ceremony at a Northampton coffee shop.

They had previously exchanged commitment rings — the chief motive for marrying was to obtain health insurance for Barker through Palladino's job at the University of Massachusetts.

Later in 2005, Barker's own academic job ended, and she was offered a postdoctoral fellowship at Bryn Mawr College outside Philadelphia. They decided to move, though they knew there would be drawbacks.

"In Massachusetts, people understood what our relationship was," Palladino said. "I miss being able to say, 'Oh, we're married' and not having to explain it any further."

Barker elaborated. "When you're in Pennsylvania, you're constantly having to wonder: 'Do they get this? Do they not get this?' "she said. "You get these looks of befuddlement."

Day to day, there's support from friends, neighbors, and employers — Barker coordinates summer programs at Bryn Mawr, Palladino is a fund-raiser at the University of Pennsylvania. They feel comfortable in their diverse Philadelphia neighborhood, Mount Airy, and send Will to a day-care center patronized by several other lesbian couples.

But frustration was evident as they told of the hoops they had to jump through, at extra cost, to amass legal documents they would not have needed in Massachusetts — including a second-parent adoption giving Palladino parental rights along with Barker, who is Will's biological mother.

"We're 12 years into our relationship," Palladino said. "I'd just like to know when we're done proving it over and over. . . . To have to work harder and save harder to make up for what everybody else gets just as an entitlement does really make me angry."

Same-sex couples in nonrecognition states received a modest boost from President Obama in April, when he ordered new rules providing such couples with visitation and medical decision-making rights in any hospital participating in Medicaid or Medicare.

Evan Wolfson, who heads the advocacy group Freedom to Marry, called the directive "a small, but welcome step forward."

"Of course, the real cure is to end exclusion from marriage," Wolfson said. "Piecemeal steps, addressing one protection at a time, will take up a lot more time than either the administration or American families can afford."

Wolfson says the current patchwork not only discriminates against gay families but also causes headaches for employers who have to consider the diverse laws as they weigh transfers of employees with same-sex partners.

## THE HUFFINGTON POST



Debra Chasnoff Academy-award winning filmmaker and president of GroundSpark

Posted: April 8, 2010

### **Arresting Teenagers Doesn't Solve Gender Pressures**

It is completely understandable why there has been so much pressure on government authorities in South Hadley, Massachusetts to find someone to blame for 15-year old <a href="Phoebe Prince's suicide">Phoebe Prince's suicide</a> last month.

But the issues involved in this case, and in the case of <u>Carl Walker Hoover</u>, the ten-year old boy who committed suicide this time last year a few miles away in Springfield, Massachusetts, are far more complex and cultural than a tale of bullies run amuck who need to be dealt with as criminals.

We can lock up perpetrators and institute all the anti-bullying rules and policies we want, but unless the responsible adults in every community--educators, parents, administrators, and counselors--find a way to open up real, meaningful dialogue about gender and sexuality based pressures and bias--what happened to Phoebe and to Carl is likely to continue.

As a documentary filmmaker who has made several films about youth, bullying and prejudice, I have had the opportunity to speak with hundreds of diverse high school students about the internal struggles they face every day to feel good about themselves in our culture.

Invariably over half the students in every high school classroom I've visited--private or public, in rural, suburban, or inner city communities--have jumped at the chance to talk about the pressures they contend with which are connected to societal norms about gender and sexuality.

"Please don't go," a female sophomore begged when we visited her history class. "We never get to talk about this stuff but it's what I think about all the time, every day."

When I read about Phoebe, I thought of the many female students we've interviewed who have confided about the daily stress they face trying to make sense of the mixed messages they receive from the media, their families, and their peers about how a young woman is supposed to look and act.

Young women are constantly told that their value as human beings is determined by how sexy they are, how much skin they reveal, how close to some ideal of perfection their body curves match. And then they are chastised for crossing some invisible line and "going too far."

One high school senior told me about the spiral of pressures that led her to turn to serious drugs. "I feel that people are judging me all the time," she said. "I'm just paranoid, like, what are they thinking, do they think my boobs are big, do they think they are small, do they think my butt's big?"

If girls fail to tow the line, they are invariably subjected to negative slurs and accusations connected to their sexuality--"slut," "whore," "bitch" if they go too far one way, "dyke" if they go the other.

And when it comes to actual sexual activity, it is very challenging to grapple with our culture's double standard. "Like when a man runs around or sleeps with a lot of women, " one girl complained. "He's a player. All the boys give him his props, and they go brag about it. But when a woman tends to sleep around, she's a whore, a slut or a ripper."

Similarly, when I read about Carl Walker Hoover last year, I thought about the boys I interviewed who have shared their worries about how they dress, how physically affectionate they can be with their male friends, the expectations they face to lose their virginity and have lots of sexual partners, the way they talk, the way they hold their bodies when they walk--all to fit some unarticulated norm about the proper way to be masculine. They are painfully aware of how one little slip in behavior or appearance could lead to being the recipient of relentless anti-gay slurs.

"Having your sexuality questioned is a very powerful tool in controlling someone," one male high school junior told me. "And I think that's mainly why people say (things about that). Because it's so easy to control someone by questioning something that they don't know, by making fun of something they can't help."

Arresting those who bully may bring some brief consolation to one community. But it does nothing to create a culture where every single student is able to come of age in a supportive, nurturing way.

We need to demand that our school curricula help all students understand that they do not need to play into these destructive cultural messages and they can be allies to each other as they navigate these muddy cultural waters. And we need to work together to ensure that all young people have the space and respect to develop their sexuality and gender expression in authentic, safe ways that match who they really are inside.

May 6, 2010

# An Unlikely Plaintiff. At Issue? He Dares Not Speak Its Name.

By SCOTT JAMES

When Clay M. Greene remembered the events of June 2008, he clenched his teeth, his hands tightened into fists and his body shook. "They grabbed them by their necks and tossed them in a car," he said last week, recalling the fate of his beloved cats, Sassy and Tiger. He never saw them again.



Christopher Chung/ Santa Rosa Press Democrat Clay M. Greene

Mr. Greene, 78, named both the people he believes are his tormentors and what he feared would happen now. "The county workers will come and shoot me, knock on the door, and blow my head off," he said.

Paranoia, fear and anger are Mr. Greene's constant companions in his tiny Guerneville studio apartment. His mind is slipping, not always tethered to the present or reality.

Yet it is this failing, frightened man who has suddenly found himself thrust into the national spotlight in a legal battle where some would like to make him a martyr for same-sex marriage.

Anne N. Dennis, Mr. Greene's lawyer, said, "He's a scared little rabbit."

In April 2008 Mr. Greene's partner of 25 years, Harold Scull, then 88, fell and was hospitalized. Sonoma County became involved, and the two men were separated into different nursing homes and prevented from seeing each other. Their belongings were sold at auction, and their cats were taken away. Mr. Scull died a few months later.

A lawsuit Mr. Greene filed asserts that the men's wills and wishes were not honored and that their relationship was not treated equitably because they were a same-sex couple. The county has said there was a concern about domestic violence, although no criminal charges were pursued. A civil trial over the county's actions is scheduled to begin July 16.

When news of the lawsuit emerged last month, it grabbed headlines, and gay rights advocates — including the National Center of Lesbian Rights, which has added its legal resources to the case — said it was a textbook example of discrimination against same-sex couples.

Ms. Dennis said, "Because they were gay, the county was able to do things they would not be able to do to a married couple."

After all, how often are married heterosexual couples separated against their will?

But if Mr. Greene is to become a poster boy for legalizing same-sex marriage, he is an unwitting one. In one of his rare interviews, he did not refer to himself as gay. Having come from a generation when one's homosexuality was hidden for fear of arrest or rebuke, he speaks in euphemisms.

"Just because my friend was 10 years older than me and fell down in the driveway," Mr. Greene said. "They have to make a big deal out of it."

Friend. Not lover. Not partner.

He beamed as he flipped through an album of old photographs, black and whites of handsome athletic men in taut bathing suits on the beach. Yes, they were more than just friends, the pictures said.

"We weren't a married couple," Mr. Greene corrected. "Why are you making a big deal out of this? We were just roommates."

Ms. Dennis said Mr. Greene, for the most part, remained "closeted" about his orientation, adding, "This is a very private man who wanted to have a very quiet life with his partner and his cats."

Jannette Biggerstaff, 76, a close friend of the couple for decades, said Mr. Greene came from an age where "you disguised that were gay; you hid it."

"He could not admit that he was gay, could he?" she said.

Losing Mr. Scull, their pets, and a lifetime of belongings have left Mr. Greene "an absolute shell of the person I knew three years ago," Ms. Biggerstaff said. "He has absolutely been terrorized. He was subject to a situation that I don't think many people would be able to withstand."

Ms. Dennis said Mr. Greene, who moved out of the nursing home about a year ago, sometimes wandered around Guerneville, asking passers-by if they had seen his truck, the one the county confiscated and sold, or Mr. Scull. Then he remembers.

His finger is wrapped in a large bandage. He knows the tip of was cut off, but cannot recall how it happened. His apartment is neat, with a miniature Christmas tree, fully decorated, by the door.

Mr. Greene said he had never heard of the same-sex-marriage debate or Proposition 8, the referendum that outlawed such marriages. He was surprised to learn that his case was of interest to gay rights advocates.

But when asked about what the county had done to him, he was instantly engaged, and the anger and fear returned.

"I was trash" to them, he said. "I'm going to end up in the Dumpster."

Scott James is an Emmy-winning television journalist and novelist who lives in San Francisco.



Sunday, May. 02, 2010

# Follow-Up File: Cal Poly tells the story of sustainability

Name: Hunter Francis

Job: Director

Organization: Center for Sustainability, College of Agriculture, Food and Environmental Sciences

What he said then: In December 2007, The Tribune reported on a local pest management event hosted by Cal Poly's Sustainable Agriculture Resource Consortium.

Founded in 2000, the consortium's goal was to support educational programs promoting healthier agricultural practices for both the environment and communities.

It also organized the university's Organic Farm and sold the produce through the Community Supported Agriculture Program.

The annual Sustainable Agriculture Pest Management Conference is aimed at local professionals interested in organic options.

"They're looking to expand their toolbox and assess if that's a direction they want to move in," said Hunter Francis, then program associate. "There's more awareness of the importance of keeping agroenvironments healthy."

What he says now: Now part of the College of Agriculture, Food and Environmental Sciences, the organization has a new identity as the Center for Sustainability.

Francis, now director, said the change gives the center a more formal role in promoting education and research related to sustainable agriculture.

"It really legitimizes the effort," he said. "The center itself will hopefully become a resource that provides more services."

The center will continue all the existing programs and events that the consortium oversaw.

But it will also be able to seek grants and connect different departments in the university to support interdisciplinary research and education in areas such as farming, ranching, forestry, ecological services, soil and resource management.

It is also involved in a project to examine the feasibility of creating a 20-acre city farm in San Luis Obispo with production and light processing capabilities.

"Part of the idea of the program is to prepare students for a changing marketplace," Francis said. "Many companies or enterprises are looking to become more sustainable or position themselves in the marketplace as that."

To guide its priorities, the center has named a faculty steering committee and a 20-member advisory board from outside Cal Poly. They will begin meeting in the fall.

"We want to be relevant," Francis said. "These are people who are actively involved in the business, nonprofit and government world. They understand what some of the challenges and opportunities are."

Advisory board members include representatives from businesses such as Betteravia Farms, California Organic Fertilizers, Del Monte Foods, Driscoll's Strawberry Associates, Earthbound Farm, Hearst Ranch, Live Culture Co., Lundberg Family Farms, Parducci Wine Cellars, Whole Foods Produce and Wolff Vineyards.

"People are becoming more interested in where their food comes from," said Francis, adding that even Wal-Mart is developing sustainability guidelines that consider factors such as how far food travels to a given store. "There's a desire to tell a story to the customer and show how their company is responding."

— Raven J. Railey



# Some weeds, bugs grew resistant to genetically engineered crops

By Elizabeth Weise, USA TODAY Tue Apr 13, 2010



By Toby Talbot, AP
Cat Buxton of Sharon, Vt., holds a sign
during a 2003 demonstration in Montpelier,
Vt., against genetically modified crops.

At least nine weeds have become resistant to the herbicide used with genetically engineered crops and two insect species have developed resistance to plants genetically engineered to produce their own pesticides, a report by the National Research Council said Tuesday.

Genetically engineered crops, which make up about 80% of the soybeans, corn and cotton grown in the USA, save farmers money and keep dangerous herbicides and pesticides out of the nation's waterways. But if farmers, seed companies and government agencies don't develop better ways to manage how they're used, those benefits could be lost, says the council, which carries out studies for the National Academy of Sciences.

The most popular biotech trait is resistance to glyphosate, an herbicide. These crops can tolerate a dousing with Roundup, which kills weeds, thereby reducing the need for tilling the fields. Also popular are crops with a gene from a naturally occurring soil bacteria called Bacillus thuringiensis (Bt) added so they can produce their own pesticide.

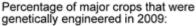
"In general we find that genetically engineered crops have had fewer adverse effects on the environment than non-genetically engineered crops produced conventionally," says LaReesa Wolfenbarger, a professor of biology at the University of Nebraska-Omaha and member of the panel that produced the report.

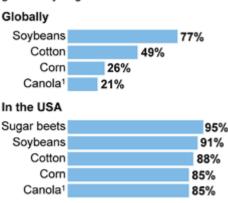
Problems have arisen, however. Though the genes for herbicide resistance or Bt production don't flow from crops to weeds or insects, classic natural evolution is producing resistance: Those that can't survive exposure to glyphosate or Bt die, and those that can live to pass on their genes.

The government needs to do a better job of making sure farmers and seed companies develop and follow rules to keep the technology working, says Gregory Jaffe, biotechnology director at the Center for Science in the Public Interest in Washington D.C. Otherwise it will be "squandered away. We'll be trading short-term gains for a long-term loss."

Groups opposed to genetically engineered crops called the report disappointing. It "fails to appreciate the inherent unsustainability of the pesticide-promoting technologies being offered by the industry," says Andrew Kimbrell, director of the non-profit Center for Food Safety in Washington, D.C.

#### MODIFIED FOOD AND FIBER





1 – Rapeseed oil Sources: International Service for the Acquisition of Agri-Biotech Applications and the U.S. Department of Agriculture By Frank Pompa, USA TODAY



# Special Report: Are regulators dropping the ball on biocrops?



Missouri corn and soybean farmer Neal Bredehoeft shows a sample of BioTech seed corn, which is sold by the kernel instead of the sack, bushel or pound at his century-old family farm outside Blackburn, Missouri April 8, 2010. Each sack contains more than 80,000 kernels.

Credit: REUTERS/Dave Kaup

Tue, Apr 13 2010

By Carey Gillam

COLUMBIA, Missouri (Reuters) - Robert Kremer, a U.S. government microbiologist who studies Midwestern farm soil, has spent two decades analyzing the rich dirt that yields billions of bushels of food each year and helps the United States retain its title as breadbasket of the world.

Kremer's lab is housed at the University of Missouri and is literally in the shadow of Monsanto Auditorium, named after the \$11.8 billion-a-year agricultural giant Monsanto Co. Based in Creve Coeur, Missouri, the company has accumulated vast wealth and power creating chemicals and genetically altered seeds for farmers worldwide.

But recent findings by Kremer and other agricultural scientists are raising fresh concerns about Monsanto's products and the Washington agencies that oversee them. The same seeds and chemicals spread across millions of acres of U.S. farmland could be creating unforeseen problems in the plants and soil, this body of research shows.

Kremer, who works for the U.S. Department of Agriculture's Agricultural Research Service (ARS), is among a group of scientists who are turning up potential problems with glyphosate, the key ingredient in Monsanto's Roundup and the most widely used weed-killer in the world.

"This could be something quite big. We might be setting up a huge problem," said Kremer, who expressed alarm that regulators were not paying enough attention to the potential risks from biotechnology on the farm, including his own research.

Concerns range from worries about how nontraditional genetic traits in crops could affect human and animal health to the spread of herbicide-resistant weeds.

Biotech crop supporters say there is a wealth of evidence that the crops on the market are safe, but critics argue that after only 14 years of commercialized GMOs, it is still unclear whether or not the technology has long-term adverse effects.

Whatever the point of view on the crops themselves, there are many people on both sides of the debate who say that the current U.S. regulatory apparatus is ill-equipped to adequately address the concerns. Indeed, many experts say the U.S. government does more to promote global acceptance of biotech crops than to protect the public from possible harmful consequences.

"We don't have a robust enough regulatory system to be able to give us a definitive answer about whether these crops are safe or not. We simply aren't doing the kinds of tests we need to do to have confidence in the safety of these crops," said Doug Gurian-Sherman, a scientist who served on a FDA biotech advisory subcommittee from 2002 to 2005.

"The U.S. response (to questions about biotech crop safety) has been an extremely patronizing one. They say 'We know best, trust us,'" added Gurian-Sherman, now a senior scientist at the Union of Concerned Scientists, a nonprofit environmental group.

#### **CALL FOR CHANGE**

The World Health Organization has not taken a stand on biotech crops generally, simply stating "individual GM foods and their safety should be assessed on a case-by-case basis."

And while many scientists around the world cite research they say shows health and environmental risks tied to GMOs, many other scientists say research proves the crops are no different than conventional types.

With a growing world population and a need to increase food production in poor nations, confidence in the regulatory system in the leading biotech crop country is considered critical.

"One of the things that we think is important to do is to have regular reviews and updates of our strategies for regulating products of biotechnology," said Roger Beachy, a biotech crop supporter who was appointed last year as director of the National Institute of Food and Agriculture.

"We want to look carefully to see that they are logical and science-based but still maintain the confidence of the consumer to ensure that the projects that are developed and released have the highest level of oversight," added Beachy.

So far, that confidence has been lacking. Courts have cited regulators for failing to do their jobs properly and advisers and auditors have sought sweeping changes.

Even Wall Street has taken note. In January, shares in Monsanto fell more than 3 percent amid a rush of hedging activity during a morning trading session after a report by European scientists in the International Journal of Biological Sciences found signs of toxicity in the livers and kidneys of rats fed the company's biotech corn.

Monsanto has said the European study had "unsubstantiated conclusions," and says it is confident its products are well tested and safe.

Indeed, farmers around the world seem to be embracing biotech crops that have been altered to resist bugs and tolerate weed-killing treatments while yielding more. According to an industry report issued in February, 14 million farmers in 25 countries planted biotech crops on 330 million acres in 2009, with the United States alone accounting for 158 million acres.

#### REGULATORY ODDITIES

A common complaint is that the U.S. government conducts no independent testing of these biotech crops before they are approved, and does little to track their consequences after.

The developers of these crop technologies, including Monsanto and its chief rival DuPont, tightly curtail independent scientists from conducting their own studies. Because the companies patent their genetic alterations, outsiders are barred from testing the biotech seeds without company approvals.

Unlike several other countries, including France, Japan and Germany, the United States has never passed a law for regulating genetically modified crop technologies. Rather, the government has tried to incorporate regulation into laws already in existence before biotech crops were developed.

The result is a system that treats a genetically modified fish as a drug subject to Federal Drug Administration oversight, and a herbicide-tolerant corn seed as a potential "pest" that needs to be regulated by USDA's Animal Plant Health Inspection Service (APHIS) before its sale to farmers.

The process is also costly and time-consuming for biotech crop developers, which might need to go through three different regulators before commercializing a new product.

Nina Fedoroff, a special adviser on science and technology to the U.S. State Department, which promotes GMO adoption overseas, said even though she is confident that biotech crops are ultimately safe and highly beneficial for agriculture and food production, an improved regulatory framework could help boost confidence in the products.

"We preach to the world about science-based regulations but really our regulations on crop biotechnology are not yet science-based," said Fedoroff in an interview. "They are way, way out of date. In many countries scientists are much better represented at the government ranks than they are here."

Agriculture Secretary Tom Vilsack, a former governor of top U.S. corn producing state Iowa, also said he recognizes change is needed. The USDA is in fact developing new rules for regulating genetically modified crops but the process has dragged out now for more than six years amid heavy lobbying from corporate interests and consumer and environmental groups.

"There is no question that our rules and regulations have to be modernized," Vilsack told Reuters. "The more information you find out, the more you have to look at your regulations to make sure they are doing what they have to do. There are some issues we are still grappling with."

#### UNDER ATTACK

Fourteen years after commercialization of the world's first biotech crop, the trio of U.S. regulatory agencies charged with overseeing biotech crops -- USDA, the Environmental Protection Agency, and the U.S. Food and Drug Administration -- are under attack on several fronts.

The USDA is most directly in the line of fire after a string of federal court decisions found its officials acted illegally or carelessly in approving some biotech crops.

In one recent case, a federal court banned the sale of a herbicide-tolerant alfalfa engineered by Monsanto until the government more thoroughly evaluates its safety.

U.S. District Court Judge Charles Breyer of the Northern District of California ruled that the USDA violated federal law in allowing unrestricted commercial planting of "Roundup Ready" alfalfa -- a key livestock fodder -- without a solid review.

Breyer ordered the USDA to prepare an environmental impact statement that explores potential negative consequences that critics say could include contamination of non-GMO alfalfa fields. The spread of herbicide-tolerant weeds is also a concern and is a mounting problem that has been reported across the United States in many key farming areas.

Monsanto has appealed the ruling and the U.S. Supreme Court will hear the case on April 27, marking the first time the high court has taken up biotech crop concerns.

Meanwhile, the USDA recently completed its Environmental Impact Statement and took public comments on the report through early March. The department has yet to issue a final report.

In a similar case, a federal court found that sugarbeets altered to be "Roundup Ready" were approved without adequate USDA evaluation.

U.S. District Court Judge Jeffrey White said the government's decision to deregulate Roundup Ready sugar beets "may significantly affect the environment" and he encouraged growers to "take all efforts, going forward, to use conventional seed."

Judge White declined to immediately ban all GMO sugarbeet plantings, but said he would consider a permanent injunction at a hearing on July 9.

Andrew Kimbrell, executive director of the Center for Food Safety, which filed the sugarbeet lawsuit, said the court actions should be a "wakeup call" for the U.S. government.

"They will not be allowed to ignore the biological pollution and economic impacts of genealtered crops. The courts have made it clear that USDA's job is to protect America's farmers and consumers, not the interests of Monsanto," he said.

The USDA, EPA and FDA say they work hard to ensure that crops produced through genetic engineering (GE) for commercial use are properly tested and studied to make sure they pose no significant risk to consumers or the environment.

But a November 2008 report by the Government Accountability Office, the investigative arm of the U.S. Congress, cited several problems. Among the shortcomings mentioned in the report is a lack of a coordinated program to determine whether the "spread of genetic traits is causing undesirable effects on the environment, non-GE segments of agriculture, or food safety."

The GAO took the FDA to task for not requiring companies like Monsanto and other GMO developers to notify the agency before selling new products, relying on only voluntary notice. It recommended the FDA publicize the results of food safety assessments of genetically engineered crops and advised the three agencies to develop a risk-based strategy to monitor use of GE crops.

But more than a year later, most of the recommendations remain unimplemented, according to Lisa Shames, director of the natural resources and environment arm of the GAO.

"We can only influence agencies to take action. We can't compel them to," she said.

#### OVERHAUL EYED AMID PROTESTS

Since 1987, the USDA has overseen genetically modified organisms through the Animal and Plant Health Inspection Service. APHIS's Biotechnology Regulatory Services (BRS) regulates GE organisms based on "plant pest risk."

Monsanto and other biocrop developers must petition APHIS to grant their genetically altered organisms "nonregulated status" -- that is, permission to grow these plants without official oversight. To win approval, the companies must demonstrate that their tests show the new varieties do not pose a risk to plant health.

"APHIS grants nonregulated status only when it determines that the new genetically engineered variety is unlikely to pose a plant pest risk," said USDA spokesman Michael Pina, who labeled the current regulatory system "strong."

USDA has said it wants to make changes that ensure safety while making the process more transparent to the public, and more efficient and easier for the companies developing the technologies to navigate.

Still, the USDA has been formally debating regulatory changes for more than six years and issued proposed new rules in fall 2008, allowing public comment through last summer, as it must under the law.

The proposed overhaul drew more than 15,000 comments, many of them expressing fears that the regulatory changes as laid out would not address key concerns.

In one public comment, physician Amy Dean, a board member for the research and education group American Academy of Environmental Medicine which is seeking a moratorium on GM food, said the proposed changes would "significantly weaken or eliminate oversight of GM crops."

And Robert Peterson, a Montana State University scientist and leader of the university's "biological risk assessment" program, told regulators that while he agreed with some of the proposed regulatory changes, he thought the agency's risk assessment protocols were "fundamentally flawed."

"Recent research reveals that the approach advocated by APHIS is not scientifically sound and can lead to bad decisions," Peterson said.

At the FDA, genetically engineered organisms are treated much the same as foods from all other plant varieties.

GE developers are not required to consult with FDA on safety issues, and the agency sees no need now for risk-based monitoring efforts for GE crops because there are no current safety concerns, FDA spokeswoman Rita Chappelle said.

The agency stressed that the burden for ensuring safety lies with the companies. "Manufacturers have an obligation to ensure that their products continue to be safe each and every day," Chappelle said.

At the EPA, officials also say the burden of proof is with the corporate developers of the technology. And they say they have at least 20 scientists conducting comprehensive analyses for

the products that come before the agency, such as BT corn and BT cotton, which are altered to protect the plants against pests. The agency also routinely seeks outside advice from experts who sit on its scientific advisory panels.

Over the last several months, the EPA has also started allowing more public input into its review of new products.

"Transparency and open government is a major priority of the Obama administration. We are adding a significant amount of public participation," said Keith Matthews, acting director of the U.S. Biopesticides and Pollution Prevention Division.

Further to its mission of environmental protection, EPA officials said the agency reviews products every 15 years for adverse effects. EPA senior policy advisor Bill Jordan said glyphosate, the popular weed-killing chemical, could come under review soon.

"We have an ongoing responsibility to make sure products that are in the marketplace continue to meet the safety standards of the pesticide law," he said. "We have a program called registration review. Sometime soon we'll be getting to glyphosate. I would expect that we would look at emerging research on its environmental effects and see whether that leads us to change the terms and conditions of registration or limit its use in some way."

Concerns about genetically altered crops and the lack of broad testing hit a boiling point last year. In February 2009, 26 leading academic entomologists -- scientists specializing in insects -- issued a public statement to the Environmental Protection Agency complaining that they were restricted from doing independent research by technology agreements Monsanto and other companies attach to every bag of biotech seed they sell. The agreements disallow any research that is not first approved by the companies.

"No truly independent research can be legally conducted on many critical questions regarding the technology," the scientists said in their statement.

University of Minnesota entomologist Ken Ostlie, who co-authored the statement, said some of the concerns involve corn engineered to resist corn rootworm pests. Biotech corn crops in Minnesota, Iowa, and parts of Wisconsin and South Dakota harvested last fall showed damage and disease, and some fear the biotech corn could sicken livestock.

"We don't know if something is going on with the plant and the technology or with the insect. We just know things didn't work the way they were supposed to," said Ostlie. "It would be nice to have independently verifiable information going into EPA's decision-making beyond just what the company provides."

Christian Krupke, an entomologist at Purdue University, said the technology engineered into the plants has many benefits, but more research is needed on effects.

"We are all fans of this technology. The problem is we are not getting access to ask the questions that need to be asked that maybe the companies don't want to ask," Krupke said.

#### BACKLASH ABROAD

A backlash against biotech crops has swept many countries. India became one of the latest hot spots in February when biotech opponents created such an uprising that the Environment Minister, Jairam Ramesh, blocked the release of a genetically modified eggplant made by Monsanto.

India already allows planting of altered cotton, but Ramesh said there was not enough public trust to support the introduction of a GM food crop until more research was done.

Among the critics of the engineered eggplant was Tiruvadi Jagadisan, a former managing director of Monsanto's India operations.

In an interview with Reuters, Jagadisan, who worked with Monsanto for 18 years, said he believed there were "very many legitimate concerns about the safety of GM food crops for humans, animals and the environment." He said Monsanto did not give "accurate information to the public" about its eggplant.

"No extensive tests have been done to assess the effect of consuming GM crops on future generations," Jagadisan said, an assertion common among critics, but one Monsanto has repeatedly denied.

Monsanto called Jagadisan's assertions "baseless" and said India's regulatory regime requires "extensive and rigid crop safety assessments, following strict scientific protocols."

The state department's Fedoroff, a supporter of Monsanto's technology, called the incident "one little setback" to gaining worldwide acceptance of biotech crops.

She said with rising food prices and population growth, biotech crop technology will become increasingly important, and criticisms of Monsanto and its technology were unfair.

"They've certainly made mistakes but they've done a whole lot more good than harm. They are investing more in crop improvements than our government is," she said.

#### **SEEKING ANSWERS**

Back in his USDA laboratory, Kremer's assigned government work is focused on general soil quality. As a side project in support of that research, he has spent the last several years studying soil and plant growth tests that appear to show ravaged root systems in biotech "Roundup Ready" plants.

The crops have been subjected to glyphosate applications and on the surface appear to be impervious to the weed-killing treatments as the genetic alteration allows. But the roots seem to tell a different story.

"This is supposed to be a wonderful tool for the farmer ... but in many situations it may actually be a detriment," Kremer said. "We have glyphosate released into the soil which appears to be affecting root growth and root-associated microbes. We need to understand what is the long-term trend here," he said.

The development of crops engineered to tolerate glyphosate spurred a surge in use of the chemical -- an extra 383 million pounds were sold from 1996 to 2008, according to a report released by The Organic Center (TOC), the Union for Concerned Scientists (UCS) and the Center for Food Safety (CFS).

Monsanto says the chemical binds tightly to most types of soil, is not harmful and does not harm the crops.

But some scientists say there are indications of increased root fungal disease as well as nutrient deficiencies in Roundup Ready crops. They say manganese deficiency in soybeans in particular appears to be an issue in key farming areas that include Indiana, Michigan, Kansas and Wisconsin.

Outside researchers have also raised concerns over the years that glyphosate use may be linked to cancer, miscarriages and other health problems in people.

Monsanto says extensive research shows glyphosate is safe for humans and the environment, and has an entire section on its website devoted to refuting the reports. Monsanto says extensive investigation of questions about changes in soil micro-organisms has found no long-term ill effects.

Peering into his petri dishes, Kremer isn't so sure.

"Science is not being considered in policy setting and deregulation," said Kremer. "This research is important. We need to be vigilant."



Robert Kremer, a U.S. government microbiologist who studies Midwestern farm soil at the University of Missouri, looks at a blight growing on BioTech corn at one of the university's greenhouses in Columbia, Missouri April 8, 2010. Kremer has spent two decades analyzing the rich dirt that yields billions of bushels of food each year and helps the United States retain its title as breadbasket of the world.

Credit: REUTERS/Dave Kaup



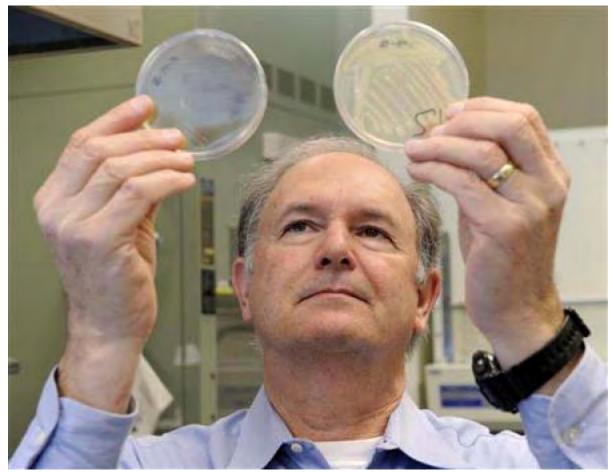
Freshly-cut soybean root samples await culturing (R) besides another petri dish covered with fungus as part of the research done by Robert Kremer, a U.S. government microbiologist who studies Midwestern farm soil at the University of Missouri, in Columbia, Missouri April 8, 2010.

Credit: REUTERS/Dave Kaup



U.S. President-elect Barack Obama (L) listens to former Iowa governor Tom Vilsack, his nominee for secretary of agriculture, during a news conference in Chicago in this December 17, 2008 file photo.

Credit: REUTERS/Jeff Haynes



Robert Kremer, a U.S. government microbiologist who studies Midwestern farm soil at the University of Missouri, compares two bacteria cultures showing a "good" non-oxidizer example (R) with a "bad" one that oxidizes or draws out manganese from soybeans in his lab in Columbia, Missouri April 8, 2010.

Credit: REUTERS/Dave Kaup



Missouri corn and soybean farmer Neal Bredehoeft smiles while posing on his farm outside Blackburn,
Missouri April 8, 2010.
Credit: REUTERS/Dave Kaup



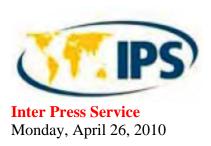
India's Environment Minister Jairam Ramesh speaks with journalists outside a plenary meeting at the United Nations Climate Change Conference (COP15) at the Bella Center in Copenhagen, in this December 19, 2009 file photo. Picture taken December 19, 2009.

Credit: REUTERS/Christian Charisius



A maize seedling is seen in the corn greenhouse at the Monsanto Research facility in Chesterfield, Missouri in this October 9, 2009 file photo.

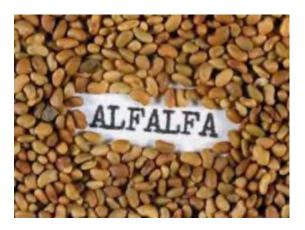
Credit: REUTERS/Peter Newcomb



## Monsanto's GM Crops Go to US High Court, Environmental Laws on the Line

by Matthew Berger

WASHINGTON - The U.S. Supreme Court will hear arguments Tuesday in its first-ever case involving genetically modified crops. The decision in this case may have a significant impact on both the future of genetically modified foods and government oversight of that and other environmental issues.



The case, Monsanto Co. v. Geertson Seed Farms, revolves around an herbicide-resistant alfalfa, the planting of which has been banned in the U.S. since a federal court prohibited the multinational Monsanto from selling the seeds in 2007.

That decision found that the U.S. Department of Agriculture did not do a thorough enough study of the impacts the GM alfalfa would have on human health and the environment and ordered the agency to do another environmental impact statement (EIS) review.

Though a draft was released in December, "there is no anticipated date" for the final EIS, Suzanne Bond, a spokeswoman with the USDA division charged with regulating GM organisms - the Animal and Plant Health Inspection Service (APHIS) - told IPS.

The law under which organic farmers were allowed to challenge USDA's oversight of the GM alfalfa, the National Environmental Policy Act (NEPA), is what may suffer the most from the court's eventual decision, which is expected in June at the earliest. The law "requires federal

agencies to integrate environmental values into their decision-making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions", said Bond.

It is also a key legal tool for environmental groups seeking to challenge those agencies' decisions. The vulnerability of NEPA is a key reason so many such groups have joined the plaintiffs by filing amicus briefs against Monsanto in this case.

The Centre for Biological Diversity, one of those groups, does not normally get involved in GM issues, said the Centre's Noah Greenwald, but this case "has broad implications for how governments do environmental analysis and when they need to prepare impact statements".

"The broader implications are why we got in this," he told IPS.

Doug Gurian-Sherman, who wrote several expert opinions for the earlier cases in lower courts and is a senior scientist at the food and environment programme of the Union of Concerned Scientists, which has also filed an amicus brief, pointed to the need for the type of citizen oversight of the government's own oversight that is granted by statutes like NEPA.

"The big issue here is how much deference should be given to a regulatory agency and its expertise in doing its job versus how much access or deference should be given to the public in having the ability to challenge the agency in court," he said.

"The issue here then becomes how amenable is the Supreme Court going to be in terms of allowing citizens to bring suit against an agency that is not doing its job, and that I think is the gist of what this decision may be," he added.

But the legal implications are only half the story. Also implicated, at least potentially, is the future of GM crops in the U.S. and elsewhere.

In the original court case, organic farmers argued that the genes of the GM alfalfa would be carried to neighbouring - potentially miles away - non-GM alfalfa by the bees that pollinate the crop and that genetic contamination would hurt their ability to market their alfalfa under the label "organic". This would also preclude them from exporting to countries that prohibit GM crops.

"Consumers may not accept products cross-contaminated with genetically-engineered components and you can test for those and testing is done pretty routinely and therefore the market could reject the contaminated organic crops," explained Gurian-Sherman.

In addition to this economic impact, they have argued that the planting of the Roundup Ready alfalfa that is at issue here, used in conjunction with the Monsanto-made herbicide Roundup, may also lead to increased herbicide-resistance in weeds.

APHIS largely dismissed this as an issue in its original analysis, says Gurian-Sherman, "even though over the last couple years the incidence of resistant weeds and the economic impacts they're having largely contradicts APHIS's analysis."

Though questions over the environmental and economic impacts of growing GM crops have existed for decades, the issue remains extremely complicated from an ethical and health perspective. Depending on how broad the Supreme Court's decision ends up being, it could go a long way to deciding the fate of other GM crops.

A case on GM sugar beets is currently ongoing. The court has allowed plantings this year, but has reserved the right to prohibit them in the future. The USDA is in the midst of preparing a draft impact statement for both these sugar beets and a GM creeping bentgrass.

Gurian-Sherman has serious concerns about the agency's actions on GM crops generally. "There's been several indications beside this case that USDA has not been really doing an adequate job regulating genetically-engineered seed&As a scientist, having reviewed a number of environmental assessments that the agency has done, in my opinion they've often done a very lax, scientifically often unsupportable job in their analyses. It's not like they've been completely negligent, but in my opinion they've made a number of errors in either scientific reasoning or in their data or data analysis."

Since 1992, USDA's APHIS division has granted non-regulated status to GM plants in response to 80 petitions, according to Bond, including multiple varieties of corn, soybeans, cotton, rapeseed, potato, tomato, squash, papaya, plum, rice, sugar beet, tobacco, alfalfa, flax, and chicory.

Tuesday's decision may have a significant influence on how that list changes in the future.

May 3, 2010

## **Farmers Cope With Roundup-Resistant Weeds**



Christopher Berkey for The New York Times Jason Hamlin, a certified crop adviser and agronomist, looks for weeds resistant to glyphosate in Dyersburg, Tenn.

#### By WILLIAM NEUMAN and ANDREW POLLACK

DYERSBURG, Tenn. — For 15 years, Eddie Anderson, a farmer, has been a strict adherent of no-till agriculture, an environmentally friendly technique that all but eliminates plowing to curb erosion and the harmful runoff of fertilizers and pesticides.

But not this year.

On a recent afternoon here, Mr. Anderson watched as tractors crisscrossed a rolling field — plowing and mixing herbicides into the soil to kill weeds where soybeans will soon be planted.

Just as the heavy use of antibiotics contributed to the rise of drug-resistant supergerms, American farmers' near-ubiquitous use of the weedkiller Roundup has led to the rapid growth of tenacious new superweeds.

To fight them, Mr. Anderson and farmers throughout the East, Midwest and South are being forced to spray fields with more toxic herbicides, pull weeds by hand and return to more labor-intensive methods like regular plowing.

"We're back to where we were 20 years ago," said Mr. Anderson, who will plow about one-third of his 3,000 acres of soybean fields this spring, more than he has in years. "We're trying to find out what works."

Farm experts say that such efforts could lead to higher food prices, lower crop yields, rising farm costs and more pollution of land and water.

"It is the single largest threat to production agriculture that we have ever seen," said Andrew Wargo III, the president of the Arkansas Association of Conservation Districts.

The first resistant species to pose a serious threat to agriculture was spotted in a Delaware soybean field in 2000. Since then, the problem has spread, with 10 resistant species in at least 22 states infesting millions of acres, predominantly soybeans, cotton and corn.

The superweeds could temper American agriculture's enthusiasm for some genetically modified crops. Soybeans, corn and cotton that are engineered to survive spraying with Roundup have become standard in American fields. However, if Roundup doesn't kill the weeds, farmers have little incentive to spend the extra money for the special seeds.

Roundup — originally made by Monsanto but now also sold by others under the generic name glyphosate — has been little short of a miracle chemical for farmers. It kills a broad spectrum of weeds, is easy and safe to work with, and breaks down quickly, reducing its environmental impact.

Sales took off in the late 1990s, after Monsanto created its brand of Roundup Ready crops that were genetically modified to tolerate the chemical, allowing farmers to spray their fields to kill the weeds while leaving the crop unharmed. Today, Roundup Ready crops account for about 90 percent of the soybeans and 70 percent of the corn and cotton grown in the United States.

But farmers sprayed so much Roundup that weeds quickly evolved to survive it. "What we're talking about here is Darwinian evolution in fast-forward," Mike Owen, a weed scientist at Iowa State University, said.

Now, Roundup-resistant weeds like horseweed and giant ragweed are forcing farmers to go back to more expensive techniques that they had long ago abandoned.

Mr. Anderson, the farmer, is wrestling with a particularly tenacious species of glyphosate-resistant pest called Palmer amaranth, or pigweed, whose resistant form began seriously infesting farms in western Tennessee only last year.

Pigweed can grow three inches a day and reach seven feet or more, choking out crops; it is so sturdy that it can damage harvesting equipment. In an attempt to kill the pest before it becomes that big, Mr. Anderson and his neighbors are plowing their fields and mixing herbicides into the soil.

That threatens to reverse one of the agricultural advances bolstered by the Roundup revolution: minimum-till farming. By combining Roundup and Roundup Ready crops, farmers did not have to plow under the weeds to control them. That reduced erosion, the runoff of chemicals into waterways and the use of fuel for tractors.

If frequent plowing becomes necessary again, "that is certainly a major concern for our environment," Ken Smith, a weed scientist at the University of Arkansas, said. In addition, some critics of genetically engineered crops say that the use of extra herbicides, including some old ones that are less environmentally tolerable than Roundup, belies the claims made by the biotechnology industry that its crops would be better for the environment.

"The biotech industry is taking us into a more pesticide-dependent agriculture when they've always promised, and we need to be going in, the opposite direction," said Bill Freese, a science policy analyst for the Center for Food Safety in Washington.

So far, weed scientists estimate that the total amount of United States farmland afflicted by Roundup-resistant weeds is relatively small — seven million to 10 million acres, according to Ian Heap, director of the International Survey of Herbicide Resistant Weeds, which is financed by the agricultural chemical industry. There are roughly 170 million acres planted with corn, soybeans and cotton, the crops most affected.

Roundup-resistant weeds are also found in several other countries, including Australia, China and Brazil, according to the survey.

Monsanto, which once argued that resistance would not become a major problem, now cautions against exaggerating its impact. "It's a serious issue, but it's manageable," said Rick Cole, who manages weed resistance issues in the United States for the company.

Of course, Monsanto stands to lose a lot of business if farmers use less Roundup and Roundup Ready seeds.

"You're having to add another product with the Roundup to kill your weeds," said Steve Doster, a corn and soybean farmer in Barnum, Iowa. "So then why are we buying the Roundup Ready product?"

Monsanto argues that Roundup still controls hundreds of weeds. But the company is concerned enough about the problem that it is taking the extraordinary step of subsidizing cotton farmers' purchases of competing herbicides to supplement Roundup.

Monsanto and other agricultural biotech companies are also developing genetically engineered crops resistant to other herbicides.

Bayer is already selling cotton and soybeans resistant to glufosinate, another weedkiller. Monsanto's newest corn is tolerant of both glyphosate and glufosinate, and the company is developing crops resistant to dicamba, an older pesticide. Syngenta is developing soybeans

tolerant of its Callisto product. And Dow Chemical is developing corn and soybeans resistant to 2,4-D, a component of Agent Orange, the defoliant used in the Vietnam War.

Still, scientists and farmers say that glyphosate is a once-in-a-century discovery, and steps need to be taken to preserve its effectiveness.

Glyphosate "is as important for reliable global food production as penicillin is for battling disease," Stephen B. Powles, an Australian weed expert, wrote in a commentary in January in The Proceedings of the National Academy of Sciences.

The National Research Council, which advises the federal government on scientific matters, sounded its own warning last month, saying that the emergence of resistant weeds jeopardized the substantial benefits that genetically engineered crops were providing to farmers and the environment.

Weed scientists are urging farmers to alternate glyphosate with other herbicides. But the price of glyphosate has been falling as competition increases from generic versions, encouraging farmers to keep relying on it.

Something needs to be done, said Louie Perry Jr., a cotton grower whose great-grandfather started his farm in Moultrie, Ga., in 1830.

Georgia has been one of the states hit hardest by Roundup-resistant pigweed, and Mr. Perry said the pest could pose as big a threat to cotton farming in the South as the beetle that devastated the industry in the early 20th century.

"If we don't whip this thing, it's going to be like the boll weevil did to cotton," said Mr. Perry, who is also chairman of the Georgia Cotton Commission. "It will take it away."

William Neuman reported from Dyersburg, Tenn., and Andrew Pollack from Los Angeles.



Christopher Berkey for The New York Times Supplemental herbicides were applied on Eddie Anderson's land to combat weeds that are resistant to glyphosate.



Christopher Berkey for The New York Times

Mr. Anderson, who has about 3,000 acres of soybean fields, is dealing with the pest pigweed.

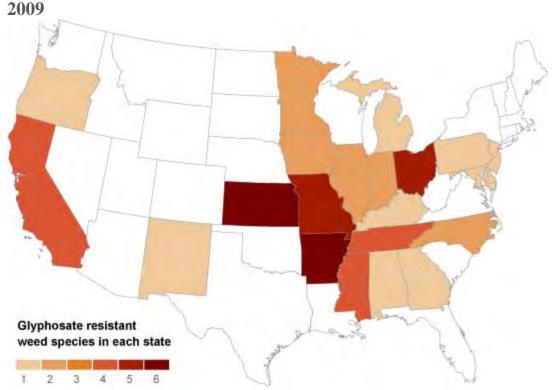


Christopher Berkey for The New York Times

Ten resistant species of weeds in at least 22 states are infesting millions of acres.

### Where Weedkiller Won't Work

Farmers' wide use of Roundup, also known as glyphosate, a popular herbicide, has led to the spread of Roundup-resistant weeds across the country. At least 10 species of Roundup-resistant weeds have infested millions of acres in 22 states since 2000.



Source: International Survey of Herbicide Resistant Weeds



### CAFETERIA CONFIDENTIAL

# Tales from a D.C. school kitchen: Hold the fat and please pass the sugar



by Ed Bruske

22 Jan 2010

Ed Bruske spent a week in the kitchen at H.D. Cooke Elementary School in the District of Columbia observing how food is prepared. This is the fourth in a six-part series of posts about what he saw. Check out the first, second, and third posts. Cross-posted from The Slow Cook.

At 7:30 a.m., the first glimmer of daybreak tints a wall of windows in the big, new dining area at H.D. Cooke Elementary School. Three children sit with food they've brought from home; their eyes are glued to a wall-mounted television monitor tuned to SpongeBob cartoons.

One little boy has several items spread out on the table in front of him: "Lunchables" from Oscar Meyer, consisting of crackers, cheddar cheese, and slices of processed ham; a 4-ounce (half-cup) container of apple juice; a bag of "Skittles" candy; and something called "Fruit by the Foot" made by General Mills, a turquoise-colored concoction like fruit leather made of starches, gums, food chemicals, and colorings the company describes as a "fruit-flavored snack."

Other than some "pears from concentrate," there's very little recognizable food in "Fruit by the Foot." The most prominent ingredient is sugar -- 9 grams of it, or more than two teaspoons, accounting for fully half the snack's 80 calories. The small bag of Skittles is even more potent. It contains almost 15 grams of sugar, or nearly four teaspoons.

(There are 4.2 grams of sugar in a teaspoon. Remember drinking coffee with a teaspoon of sugar, maybe two? Try to imagine your cuppa joe with three teaspoons, or even six, as you shall soon see. Table sugar is a solid, of course, and the ingredients discussed here are mostly liquid, which might translate into fewer teaspoons than I've listed. But you get the picture.)

Studies have found that meals sent from home are frequently inferior, nutritionally speaking, to food served in schools. But during my week as an observer in the kitchen at H.D. Cooke., I

found there's plenty of sugar in school food as well. School food providers know just as well as parents that a little sugar goes a long way towards enticing kids to eat what's served.

Breakfast is a prime example and could well be described as sugar loading time at school. Standard in the food line, for instance, is the morning display of Kellogg's Pop Tarts. These iconic, 1.76-ounce pastries, individually wrapped in foil, are advertised as "whole wheat" and "20 percent fiber." But the second ingredient in the strawberry Pop Tarts served at H.D. Cooke is high-fructose corn syrup. The 13 grams of sugar, or more than three teaspoons, in each Pop Tart accounts for 27 percent of its 190 calories.

Sugar provides calories, but not nutrition. That's not the only thing some parents might be concerned about. Pop Tarts are a highly processed convenience food with a daunting list of ingredients: whole wheat flour, high fructose corn syrup, enriched flour, soybean and palm oil, polydextrose, sugar, dextrose, corn syrup solids, corn syrup, whole grain barley flour, glycerin, two percent or less of insulin from chicory root, wheat starch, salt, dried strawberries, dried pears, dried apples, cornstarch, leavening, natural and artificial strawberry flavor, citric accid, gelatin, caramel color, soy lecithin, xanthan gum, modified wheat starch, Vitamin A palmitate, Red #40, reduced iron, several B vitamins.

Another standard item on the breakfast line is Pepperidge Farm "Goldfish Giant Grahams." The individually packaged .9-ounce servings each contain 6 grams of sugar, or about one and one-half teaspoons. That comes with a dose of trans-fats in the form of partially-hydrogenated vegetable shortening.



Photo courtesy ohdearbarb via Flickr

Kids at H.D. Cooke usually can select a cold cereal for breakfast and these are typically spiked with sugar as well. Cereal is packed in sealed, individual plastic tubs so that students can simply peel open the container, add milk and eat. Kellogg's chocolate-flavored "Little Bites Mini-Wheats" was one of the featured cereals when I was visiting. A 1-ounce serving contains six grams of sugar. But there's more sugar in one of the other cereal's on the food line, Kellogg's Apple Jacks. A .63-ounce serving carries eight grams of sugar, or nearly two teaspoons.

Canned fruit in "light syrup" is a standard offering at lunch. It comes in different guises. One day it might be a fruit mix, another day diced peaches. Typically most of the calories come from sugar, as much as 18 grams -- usually from corn syrup -- in a single half-cup serving. That's the equivalent of more than four teaspoons of table sugar. There's sugar in the cafeteria's salad dressing -- Kraft ranch -- and high-fructose corn syrup is in the "wheat bread" delivered by H&S Bakery in Baltimore.

Kids are always on the prowl for sugar, and there seems to be no end of occasions for getting more of it. One day as I was observing breakfast service, my daughter, who attends fourth grade at H.D. Cooke, appeared in the food line. We waved to each other, and I couldn't help noticing that although the day had hardly started, already she was munching her way through a chocolate chip cookie. The grandmother of one of her classmates, she explained, had stopped at Starbucks on the way to school and bought cookies for everyone in early morning band practice.

According to the U.S. Centers for Disease Control, the rate of adolescent obesity in the District of Columbia is the highest in the nation. Nearly half the children in some wards of the city are overweight. Eighteen percent of high school students in the District are obese, and 35 percent are overweight.

Experts don't agree on what makes people fat. Some think it comes down to a simple equation: too much eating, not enough exercise to burn calories. Other medical researchers are equally convinced that insulin, a powerful hormone responsible for fat storage, is a primary culprit because it is triggered whenever we eat carbohydrates such as sugar or starchy foods. School menus are loaded with carbohydrates, in part to compensate for the calories sacrificed by serving fewer fats, and because they're cheap. Or perhaps gaining too much weight is caused by a mix of factors. Despite more than 30 years of hyper-vigilance on the issue of fat in food, Americans -- and their children -- continue to get fatter.

One thing authorities do agree on is that kids eat too much sugary food, refined grains, and snacks. Sodas, chips, french fries, white bread, pizza, tater tots -- all show up on the list of foods that critics of school meals most love to hate. But kids crave them, which creates a dilemma for schools, since they depend on federal payments to support their food service programs, but only receive the federal subsidies for meals that are actually served. In other words, schools have to sell kids on the idea of eating what's offered. That's why a school "meal" can actually consist of pizza and tater tots. Though it's full of starch and fat, it fulfills government requirements for protein, grain, and vegetable -- and kids love it.

Federal rules for the school lunch program require that the fat in food be kept at or below 30 percent of total calories, something few schools actually achieve. The rules also stipulate minimum calories for school meals -- for instance, 664 lunch calories for kids in Kindergarten through sixth grade. Since fat is dense with calories, and also delivers flavor, succulence, a sense of satiety, school food service providers struggle to meet the minimum calorie levels without the fat and still make food appealing. Sometimes a boost of sugar to the foodline is just the thing to deliver the required calories, even though it may be the last thing students with weight issues need. Some schools serve up the sugar as dessert. Diced peaches in sugary "light syrup" accomplishes the same thing.

In 2006, the D.C. School Board agreed to eliminate sodas and other sugary beverages from schools and to manage the portion sizes of snack foods. 'Healthy Schools" legislation pending before the D.C. Council would put those policies into law for all public schools in the city, meaning sodas would be banned from charter schools for the first time as well. Charter schools might also have to adjust the snack foods they sell in vending machines.

But while the "Healthy Schools" bill would establish upgraded nutritional standards for D.C. schools, it specifically exempts two beverages that are among the most sugar-laden items on school menus: flavored milk and fruit juice.

Fruit juice, such as grape juice and apple juice, is a common offering in the H.D. Cooke cafeteria. It arrives at the school frozen, in cases of individual 4-ounce containers. At some point the cases are moved into the kitchen's walk-in refrigerator to thaw. But according to my daughter, the juice is almost always still frozen when it is served. I looked on as the kids had fun with their mostly-frozen juice cups, first sucking out the juice with a drinking straw, then picking away at the rest with a plastic spoon.

People think of fruit juice as being healthful. What could be more natural than the concentrated essence of fruit? But 100 percent fruit juice is loaded with sugar in the form of fructose. A 4-ounce container of apple juice, for instance, contains nearly 13 grams of sugar as fructose. That's the equivalent of three teaspoons of table sugar, or virtually the same, ounce-for-ounce, as Coca-Cola.

Some medical researchers are now concerned that high doses of fructose may have other health consequences besides contributing to an overabundance of calories in the diet. Fructose is metabolized somewhat differently by the body than sucrose and other forms of sugar. It goes directly to the liver. Researchers hypothesize that fructose could be responsible for an increasing incidence of fatty liver disease, as well as metabolic problems such as insulin resistance, obesity, diabetes.

An even greater controversy is brewing around the issue of flavored milk in schools. I still remember as a kid lining up at a machine in elementary school to pay two cents for a carton of milk. These days schools are required to offer milk at all meals. At H.D. Cooke, that means four different varieties of milk from Cloverland Green Springs Dairy in Baltimore are displayed in a cooler at the entrance to the food line: low-fat regular milk, non-fat regular milk, chocolate-flavored milk, and strawberry-flavored milk.

Adherents to the theory that fat is behind America's health problems have done a great job of driving the naturally occurring fat out of milk. But until recently, little attention was paid to the amount of sugar being added to milk served in schools. While federal rules place a limit on fat in meals, there's no limit on sugar. All milk contains some natural sugar in the form of lactose. But flavored milk has much more sugar added, usually in the form of high-fructose corn syrup. For instance, an 8-ounce serving of chocolate milk from Cloverland Dairy contains 26 grams of sugar -- about 6 teaspoons -- only slightly less than Coke. Cloverland strawberry milk has more sugar still: 28 grams in a single, one-cup serving, putting it almost in the same league as Mountain Dew.

Children who choose strawberry are getting a dose of other ingredients that never came out of a cow: beet juice concentrate (for color), propylene glycol, ethyl alcohol, natural flavoring, garrageenan, sugar, Vitamin A palmitate, and Vitamin D3.

Ann Cooper, nutrition director for schools in Boulder, Colorado, is a leading advocate of school meals cooked from scratch with natural ingredients. Cooper has dubbed flavored milk "soda in drag," and is part of a gathering movement to remove flavored milk from schools. The dairy industry, which depends on flavored milk for a large portion of its sales to schools nationwide, is fighting back, claiming the added sugar is justified because kids might not drink their milk otherwise and would be deprived of important nutrients such as calcium and Vitamin D.

Some school districts report success getting children to drink non-flavored milk and save money in the bargain by allowing the kids to pour their own from pitchers. Kids only pour as much as they want and teachers sit at the same tables to encourage better eating habits. That would represent quite a change at H.D. Cooke where there are no cups. Kids drink milk directly from the carton it comes in.

Oblivious to the health debate, kids at H.D. Cooke love their chocolate and strawberry milk. "It's the first thing they go for," said a teacher standing near the food line one day. From my own observations, the overriding majority of children choose a flavored milk with their meal. In the middle of lunch service one day, the cooler ran out of chocolate and strawberry milk while there was still plenty of regular milk to go around.

"I know that they prefer the flavored milk over the white because some of them put it in their cereal," said kitchen manager Tiffany Whittington.

Sure enough. Touring the dining hall one morning, I saw kids eating their chocolate-flavored "Little Bites Mini-Wheats" swimming in chocolate milk. Nothing like a double dose of sugar first thing in the morning. Throw in a container of apple juice and you begin to understand why kids expect a dose of sugar with every meal.



Friday, April 23, 2010

### Food Activist Alice Waters Takes to Web, Mulls TV

by Michelle Locke

BERKELEY, Calif. — Alice Waters is unlikely to become the next Food Network Iron Chef. But with sustainable eating hot fodder for celebrity chefs, the woman many credit with planting the seeds of the movement may make the jump to her own television program.



In this photo taken Aug. 28, 2008, Alice Waters, the executive chef and owner of Chez Panisse in Berkeley, Calif., is shown attending the opening dinner of Slow Food Nation in San Francisco. The California-based food activist says she's exploring new ways of spreading her message about the importance of fresh, local food and supporting the farmers who grow it, including a possible TV show, though talks for that still are in the early stages. (AP Photo/Eric Risberg)

The California-based food activist says she's exploring new ways of spreading her message about the importance of fresh, local food and supporting the farmers who grow it, including a possible TV show, though talks for that still are in the early stages.

"I want so much for this message about food to reach people," Waters said in an interview.

Waters put her quest for new connections into action Wednesday, participating in an online video conference that saw her taking questions about cooking and food policy from her Berkeley kitchen. She earlier held a similar session with bloggers.

The notion of eating fresh and local never has been more popular. Chefs from Rachael Ray to Paula Deen are talking about the importance of nutrition, Michelle Obama is leading a national charge against child obesity, and Jamie Oliver recently turned his effort to reform the diet of a West Virginia town into a hit reality television program.

"It's so unbelievably gratifying," said Waters. "I think we're all talking about real food vs. imitation food. That's the place we need to go."

Waters, who opened her landmark Chez Panisse restaurant in 1971, has been widely praised for programs such as The Edible Schoolyard that she started at a Berkeley middle school, and has since spread elsewhere, teaching students about food, health, and the environment. But she's also been criticized as being out-of-touch with average working families, partly because of her message that good food is worth paying a premium for.

Waters reiterated her belief that good food is a good investment. "You either pay up front, or you pay out back," she said. "You either pay in your health and your way of life and the health of the planet or you come into a new relationship with food."

But Waters — whose latest book "In the Green Kitchen," features simple techniques from a number of chefs — said eating well doesn't have to mean a big expense. Eating meat every day is expensive, but learning how to cook different things, such as inexpensive lentils and chickpeas or faro is not. "It's what this book is all about. It's really about demystifying food."

Oliver, whose ABC show "Jamie Oliver's Food Revolution," documents his efforts to change eating habits in Huntington, W.Va., said in an e-mail that Waters "has created a program that works brilliantly for her community. She has found a way to get everyone on board and really teaches kids and adults about proper food. And she teaches them to really enjoy and cherish it too. Her books bring her recipes to everyone. There's nothing elitist about that."

Waters said that if she does a television show, she would like it to be on public television.

"Some of my heroes of cooking have been on PBS in the past," she said. The show might feature guests, famous or not, farmers and suppliers to Chez Panisse. "I feel like I need to be in a place where I can bring a lot of different people into that kitchen."

## **East Bay Express**

April 28, 2010

# Reading, Writing and Replanting

### Berkeley's Edible Schoolyard remains undaunted by skeptics.

By Luke Tsai



Melissa Barnes Students in the Edible Classroom turn the soil.

It's a stunningly beautiful February morning in Berkeley, and the students in **Katherine Anderson Schaaf**'s sixth-grade math and science class are about to strike a blow for all schoolchildren who have ever lamented being cooped up indoors when the weather outside is truly fine. On this particular morning, they will spend an hour and a half hard at work in a garden located on school grounds — exchanging their pencils and notebooks for shovels and rubber boots. They'll turn the soil. They'll feed the chickens. They'll get their hands dirty.

But what, exactly, are these students at Berkeley's **Martin Luther King, Jr. Middle School** learning in that garden? And, with public schools all across the country stretched to their limits — and an educational climate that is placing more and more of a premium on standardized test scores — are these types of bucolic chores really an appropriate use of class time?

The teachers at King certainly seem to think so.

"I seldom see a kid who's not happy in the garden — who's not engaged," says Schaaf, the math/science teacher who sees these students in a regular classroom setting the other four days of the week. Schaaf, like many of her colleagues, credits the program with generating in her students an excitement for learning and, really, with opening up a new world for them. "A lot of these kids never touched dirt," she explains. "They don't garden. They don't have chickens and things."

Schaaf's students are participants in the **Edible Schoolyard**, a nationally acclaimed program that plucks the 935 kids at Martin Luther King, Jr. Middle School out of the traditional classroom setting and places them, variously, in a strawberry patch or in front of a hot stove. The project is the brainchild of **Alice Waters**, perhaps the most famous chef in America who has never had her own cooking show. Funded by Waters' nonprofit **Chez Panisse Foundation**, the Edible Schoolyard has one overarching goal: to change the basic relationship that these Berkeley adolescents have with the food they eat.

Once a week these sixth graders head out toward the garden and the kitchen facilities that sit behind the main school building. Their regular classroom teacher is present for, and often participates in, the day's activities, but the Edible Schoolyard has its own staff of teachers — an impressive collection of chefs and farming gurus — who develop the curriculum and facilitate each lesson. Garden classes might start with a horticultural lesson about one of the vegetables that's in season, and then the students are broken up into groups where they learn about and perform a variety of agricultural tasks — grafting a tree, for instance, or repotting seedlings. During kitchen classes, the students take the literal fruits of their labor and, under the supervision of a master chef, learn how to cook gourmet meals from scratch. And then they eat.

The idea is at its core a simple one: If you take these young people through each step of the process by which their food is produced — if you teach them about seasonality and cover crops and how to use a mortar and pestle — you'll be giving them a much richer understanding of their environment and of the whole human experience. Not only that, but you'll be equipping them, in this time of rampant childhood obesity, to make better decisions around food as they head into their adult lives.

Well, that's the theory anyway. And there does seem to be some concrete evidence, including a soon-to-be-released study done by the **Center for Weight and Health at UC Berkeley**, which shows that the kids who go through the Edible Schoolyard program end up acquiring a significant amount of knowledge about fresh food and nutrition.

But many of the Edible Schoolyard's other benefits are more difficult to quantify, leaving it vulnerable to naysayers. Most notably, the program was savaged in the January issue of *The Atlantic*, in a piece by Caitlin Flanagan entitled "Cultivating Failure."

Flanagan's criticism of the program can be boiled down thusly: It's irresponsible to use the public school system's limited resources to have students frolicking around in a garden — even if this might be more "engaging" than traditional academic instruction — when they are, as a group, largely failing to meet the state's basic math and language arts standards. And, perhaps more provocatively, she also argues that there's something downright offensive about having the Bay

Area's large Hispanic student population "learn the pleasure of physical work," as Waters has asserted, when so many of their parents have brought them to this country for the very purpose of *escaping* a life of manual labor. Flanagan pegs the whole program as a case where a political agenda — in this instance the entire Slow Food movement, led by Waters, its grand dame — is doing students a real disservice.

It's only natural for the skeptic to question whether or not the Edible Schoolyard curriculum works at all — that is to say whether or not these twelve- and thirteen-year-olds will really buy into it. Given the reputation this younger generation has garnered for short attention spans, with their steady supply of text messages and video games, is it really reasonable to think that a few roosters and a bunch of plants could keep them engaged — even entertained? And the deeper question, of course — not just for Flanagan, but for any parents who would consider sending their children to King — is whether or not these kids are being properly educated in the end.

This morning's mini-lesson on the reproductive cycle of mushrooms gets off to a bit of a sluggish start, the most vigorous student contribution an "Eww, that's disgusting!" from one of the girls as an oyster mushroom gets passed around. But then the jobs get divvied up and suddenly even the kids with the "too-cool-for-school" vibe shake it off. As the kids get to work, there's a buzz of excited chatter (about a disgusting spider someone had seen, about a teacher that everyone likes or doesn't like), but they're also doing everything they're supposed to do — digging, trimming, or whatever.

Part of what makes these classes fun for the kids seems obvious — the students are outdoors, they're allowed to talk, and their scruffy-jeans-clad garden teachers are young and energetic and sufficiently hip. They're not going to have to take a test on the day's lesson. But beyond all this, for some of the students there does actually seem to be, at times, a genuine sense of wonder and adventure.

"Look at all the rocks we found," exclaims one boisterous Asian-American kid, part of a group of students helping to redesign an unused section of the garden. The boy stabs his shovel into the earth, then strains to lift up a large chunk of rubble so that everyone can see. He does a proud little strut. "This is history!"

History indeed. As the story goes, back in 1994 Alice Waters made an offhand comment to a reporter about how blighted the school grounds at King looked, having passed the school regularly during her walks from nearby Chez Panisse. When Neil Smith, the principal at the school at that time, read what Waters had said, he decided to contact her and see if she'd be willing to help improve the situation. The Edible Schoolyard was born out of that conversation.

But, as program director **Marsha Guerrero** explains, "Gardens take a long time. They don't happen overnight. We started with broken asphalt."

Planning for the new project began in earnest in 1995. By the year after that the first groups of students had begun working in the garden, and from there both the physical garden and the program as a whole gradually expanded.

Now, the one-acre "interactive garden classroom," as the program's web site describes it, is one of the prettier plots of land you'll find in North Berkeley, with its lush-even-in-winter greenery, hand-painted signs, and view of the Golden Gate Bridge in the distance. The Edible Schoolyard has garnered national acclaim, as educators from all over the country visit the site each month, hoping to emulate it in their own respective cities — in 2006 the Chez Panisse Foundation even launched an affiliate program in New Orleans. And certainly in the Bay Area, the idea of school gardens has become increasingly popular, in large part due to the influence of Waters and the Edible Schoolyard.

In a certain sense, the prestige of the program and the larger-than-life personality of Waters herself made the Edible Schoolyard the perfect target for Flanagan, who has made a career for herself as a contrarian and a killer of sacred cows. Here in the Bay Area, there was no shortage of responses to the *Atlantic* piece after it was published. An editor at SFoodie quickly dubbed Flanagan "the Sarah Palin of food politics," and there was a flurry of retorts posted on various eco- and Slow Food-friendly web sites, most of which dismissed her claims outright. One particularly strident commenter on an article on Grist.org said that she would, in fact, rather raise up a generation of math-ignorant gardeners than math experts who don't care about agriculture. Even taken in context, this seems faintly ridiculous.

The truth of the matter is that California *is* in a crisis right now with its failure to equip so many of its students with the basic skills that they'll need to go on to college and become successful members of society. Though some educators may question the extent to which standardized test scores are the best measure of a student's abilities, there's still no getting around this undeniable fact — and the statistics for the state's African-American and Latino students are especially grim.

King isn't one of the most egregious examples in the Bay Area, but it certainly is no exception either. According to the school's 2009 STAR (Standardized Testing and Reporting) results, 26 percent of the school's African-American students tested at the proficient level or higher for English language arts, and only 17 percent were proficient in mathematics. The numbers for the school's Hispanic population aren't much better: 30 percent and 28 percent tested to be at least proficient in English language arts and mathematics, respectively. All of these numbers fall below the state average and lag far behind the school's white students — 87 percent and 77 percent of whom scored at least at the proficient level in language arts and math, respectively — and its Asian students, of whom 51 percent attained proficiency in language arts and 49 percent in math.

"Here is the essential question we must ask about the school gardens," Flanagan says. "What evidence do we have that participation in one of these programs — so enthusiastically supported, so uncritically championed — improves a child's chances of doing well on the state tests that will determine his or her future?"

Flanagan claims that there are no studies that offer credible support for this position and, well, it appears that she may be right. **Benjamin Eichorn** is an assistant garden teacher with Edible Schoolyard who actually wrote his college thesis on the potential of school gardens to increase student academic achievement. But even he concedes that we're a long way off from seeing that kind of study come to fruition, what with the challenges of finding a large enough sample size

and different schools that are close enough to being demographically identical. According to Eichorn, most of the evidence that exists that working in the garden has helped improve specific students' academic performance is strictly anecdotal — and even that anecdotal evidence has yet to be compiled in any kind of systematic way.

Nevertheless, Eichorn says plenty of studies have shown that hands-on learning that engages all of a student's senses *is* an effective approach to education — whether it takes place in the context of a garden or some other kind of project. In the four years that Eichorn has been with the program, he's become convinced that it really does work. What's more, he says, it's the kids who are emotionally or developmentally challenged who receive the greatest benefit from the kind of instruction offered at the Edible Schoolyard.

"Privileged kids, they've got access to terrific camps," Eichorn said. "They're going to the mountains to learn about nature that way. Kids that don't have access to that stuff, their world is really small ... and when I'm working with one to four kids in a special-ed class, I can reach them. I can bring learning to life for them."

For Flanagan, however, the test scores speak for themselves. She argues that the only logical response to the achievement gap is to strip away any program that isn't directly contributing to boosting those underperforming students' scores. What rationale would there be, then, for keeping the Edible Schoolyard when there's little evidence that it has been successful on that count?

**Shaina Robbins**, the program coordinator, says she would reframe the question: "Is art not important for a kid to have? Is gym not important for a kid to have? Is music not important? If you don't think those things are important, then I can totally see how you wouldn't feel like a garden and kitchen program would be important. Absolutely. But for me, and for every staff member in this program, we all feel like all of those things are of the utmost importance."

Robbins and other supporters of school gardens also point to the country's alarming rates of childhood obesity, with one in three children either overweight or obese — a public health crisis that Michelle Obama recently declared her top policy priority. Of course, the First Lady last year started a much-publicized vegetable garden on the White House lawn — a fact not lost on supporters of this movement. Indeed, it would appear that the potential to make some inroads on the eating habits of young adolescents might be reason enough for programs like the Edible Schoolyard to exist.

Like Robbins, the principal at King, **Jason Lustig**, stresses the Berkeley school district's emphasis on educating the "whole child," as opposed to worrying about those two subjects that are tested at the exclusion of everything else. If you were to take that position to its extreme, Lustig points out, you would have to drop not just the garden and kitchen program, but also science and history and any other subject that isn't tested specifically — an approach that he doesn't think has been effective for the schools that have implemented it.

"I think the drudgery, nationally, of having all of these schools, from the elementary level on, hammering English and math nonstop is really taking its toll," Lustig said. "You see it in the

dropout numbers ... and I think it's a real misinterpretation of what we were trying to get at with the standards-based approach."

Flanagan's assumption is that, in order for the Edible Schoolyard program to exist, basic math and reading instruction must be sacrificed — a claim that Lustig adamantly denies. If anything, he says, because of the way the school bundles math and science together in a ninety-minute block, the only subject that ends up losing significant instructional time is science — again, a subject that's not actually reflected in the test scores that Flanagan cites.

King is actually in a rather unique position, given that its garden and kitchen program is entirely funded by the Chez Panisse Foundation. What this means is that any accusations that the money used to buy, say, a fancy wood-burning oven would be better spent on a new computer lab for the school are essentially moot — none of the school's own funds are spent to support the Edible Schoolyard. This makes the school more or less impervious to the attacks of critics like Flanagan, but also makes the program difficult to replicate in districts that lack such a well-funded benefactor.

Nevertheless, Lustig concedes that the school does need to take the task of boosting those scores seriously. It can't be content to simply offer students an incredible "educational experience" if the results, from an academic performance perspective, continue to be subpar. With that in mind, the school had already implemented a number of comprehensive changes designed to better support its weakest students — and did so well before Flanagan, who at no point contacted Lustig or the Edible Schoolyard staff, penned her attack. These changes range from revamping the master schedule in order to create room for a support period for students who are struggling, to increasing the number of internal, standards-based assessments that the students are given each year.

Ultimately, the Edible Schoolyard's supporters view this assertion that the program doesn't improve standardized test scores as somewhat of a straw man, since no one at the school seems to see the program as a means to that end. No one at King expects that the hour and a half per week spent in the garden will necessarily help close the achievement gap, but the school *should* be lambasted if it isn't taking drastic steps to help those underperforming students. Lustig believes those steps are already being taken — and they have nothing to do with the Edible Schoolyard.

That's not to say that there isn't an academic aspect to the Edible Schoolyard, however. In fact, the program is designed to be fully integrated into the school's curriculum as a whole, though the extent to which that happens is up to the individual teachers. Connections are often made, both by the kitchen and garden instructors and by the classroom teachers afterward — a connection to a particular poem, for example, or to a principle of geometry. The Edible Schoolyard staff has even created several workbooks that use experiences in the kitchen and garden to teach specific math and science lessons, which are all tied to specific California standards.

But even these kinds of connections, says Lustig, aren't the best justification. As far as he's concerned, the only good reason to support the Edible Schoolyard program is if you think the

things the students are learning from it — about gardening, about cooking, about nutrition — are valuable in and of themselves.

"At the end of the day," Lustig said, "I think it's going to be important for the people who support things like the garden and kitchen program to fight the battle on that ground."

There also was a bit of race baiting in Flanagan's article, when she evoked the image of immigrant children being forced to perform manual labor — which certainly seems like a stretch for anyone who has spent time watching these students complete their garden tasks with as little rebelliousness, and as much good will, as you'd imagine is possible from boys and girls just hitting puberty.

What Flanagan may have sensed, and taken advantage of, however, is a perception out there that this Slow Food, locavore movement — to which the Edible Schoolyard is loosely attached — is, at its core, elitist and very, very white. And it's this feeling that there is this elitist, liberal, white political agenda that's being foisted on schoolchildren that rubs some people the wrong way.

**Jason Harvey**, who runs the nonprofit **Oakland Food Connection**, has been grappling with that perception for much of his life. Harvey is bi-racial — his mother is white and his father is African American — and grew up amongst people of color. He'd been running a farmers market in West Oakland, but it wasn't until 2005, when he went to a conference in Atlanta and met **Will Allen** — the groundbreaking urban farmer from Milwaukee — that he had his epiphany:

"I was able to figure out, okay, it's acceptable to be an urban farmer, a chef, a person of color who cares about the environment, and there are other people who are just like me."

The conference validated Harvey's desire to get more involved in the grassroots food justice movement, and he founded Oakland Food Connection in East Oakland shortly thereafter. Like the Edible Schoolyard, Oakland Food Connection also focuses on working with young people — setting up school gardens, running a farmers' market, and educating the youth so that they can make better decisions about food.

Within the African-American community, Harvey finds that there's often a certain amount of resistance and a tendency to label some of the items he might be selling at the farmer's market as "hippie food" — things only white people would eat. But things are starting to change, he says. "There is a huge cultural shift happening right now, where people of color in particular are starting yoga studios and eating brown rice and cooking quinoa and not eating so much meat."

According to Harvey, part of what would help is if people like Waters and **Michael Pollan** — the big powerhouses of Slow Food — would make more of an effort to reach out to communities of color, so as to make the movement more inclusive.

Back at the Edible Schoolyard, Benjamin Eichorn also believes the program could work on its messaging — especially from the people up top — in order to avoid alienating people

unnecessarily. "When Alice says that these kids spend more money on their tennis shoes than they do on food, that's not really helping," Eichorn explains. "It's pushing away. It's not welcoming."

In the end, Eichorn insists that the Edible Schoolyard has no political agenda.

"I don't even use the word 'organic' with them," he says. "And I think that would really surprise someone like Caitlin Flanagan. I don't tell these kids, 'Hey, eat organic.' I say, 'Hey, don't fresh carrots taste great? Here, try one!"

On the menu today in the kitchen class is vegetable curry, and by the time the next group of sixth graders streams into the room, the necessary ingredients are already laid out for them. All the best of the season, arranged on a platter as though for a still life, almost too beautiful to imagine eating: dainty fingerling potatoes, broccoli rabe with little yellow flowers, a half onion, a carrot with the top yet untrimmed, some turnips and cilantro.

The fully-equipped kitchen is large and airy, and it seems likely that any professional chef would feel perfectly at home here. There's a sort of electricity in the air as the kids crowd around each table to hear their instructions, before splitting off to attend to their chosen tasks.

**Esther Cook**, the founding kitchen teacher, heads up the center table — her assistant leads another table, and the classroom teacher takes charge of the third. Cook — who, indeed, is a cook — has been with the Edible Schoolyard since 1997, when the kitchen program first started. She'd been a professional chef before that, but decided that what she really wanted to do was work with kids — "really getting to open them up to the power of food and the possibilities that can happen in the kitchen when you're collaborating," she explains.

After Cook gives the students some background about what a curry is exactly, she carefully explains how each task needs to be done, and the students go around and each sign up for something. And then they're off — this one chopping the carrot, a pair measuring out and toasting up some spices. Amazingly, with these twelve-year-olds, almost everything is done from scratch, no shortcuts, and with hardly any micromanaging (the knives are *sharp*) — just the teacher's watchful eye and a word of advice every now and again.

What's miraculous, also, is how calm and civilized it all is. Everything is, "Would you please?" and "Thank you," and kids who finish their assigned task quietly ask for something new to do or — without prompting — get a head start on washing the dirty dishes. Before long, the curry is on the stove, and the room is starting to smell good, and kids are lining up to have a taste to see if the seasoning needs to be adjusted. A few of the students start setting the table, with a real tablecloth and a place setting for each person in their group.

When the food is ready and all the students have sat down, Cook raises her water glass and says, "I'm going to propose a toast to our beautiful and delicious curry!" Everyone digs in. And, as

Cook explains, for some of them this is the only time during the entire week that they'll sit down and have a meal together with other people.

Even though it's vegetable curry, and these twelve-year-olds are probably no less prone to be picky eaters than any others, they're all eating — with gusto, even — because the curry has the carrot that they chopped, and the egg that they gathered, and the spices that they mixed. And it's a good thing that they're eating the curry, too, because it is delicious and full of nuance, and if Caitlin Flanagan went out to a nice Thai restaurant and was served this curry, it's doubtful that she would know the difference.

As the kids get ready to head out, Cook sums up the day's lesson: "We came. We prepped. We cooked. We ate. It was fantastic."

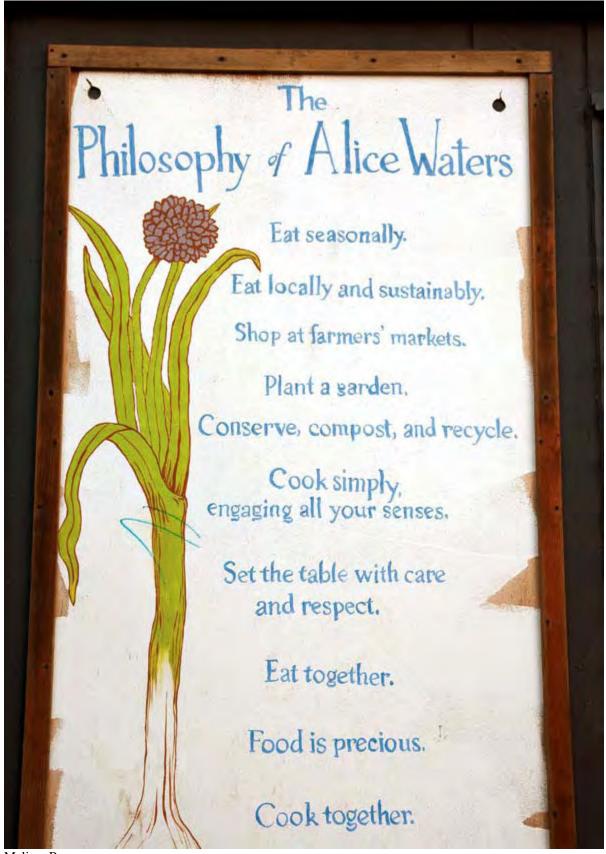


Melissa Barnes

Teachers use the garden as a place to impart other lessons, too.



Melissa Barnes
Students in the Edible Classroom feed the chickens.



Melissa Barnes

The Edible Schoolyard is funded by Alice Waters of Chez Panisse.



Melissa Barnes
Supporters say the class gives students a richer understanding of their environment.



Melissa Barnes After growing their food, students also learn how to prepare it and cook it.







On this day, students cooked a curry.



### No more nuggets: Berkeley schools serve Epic Chicken



by Ed Bruske

10 May 2010

In this second, multi-post set of his Cafeteria Confidential series, Ed Bruske reports on his recent week-long, firsthand look at how Berkeley, Calif., schools part ways from the typical school diet of frozen, industrially processed convenience foods. Cross-posted from The Slow Cook.

My instructions, simple enough, were spelled out in permanent black marker on the cover of a brown pizza delivery box: Lay six chicken breasts down on one side of a parchment-covered baking sheet pan, lay four across, then fill all the spaces in between. The precise pattern, altered only by the quantity of pieces involved, held for thighs, drumsticks, and wings, all of which -- 1,400 pounds' worth -- had been marinating over the weekend in a teriyaki-flavored brine. If all went well, the final product, roasted teriyaki chicken, would be ready three days hence, to be served as lunch to some 3,000 children in all 16 of the public schools in Berkeley, California.

I spent the next several hours "panning up" this mountain of chicken, preparing it for its destiny in a bank of convection ovens in the district's central cooking facility at Martin Luther King, Jr. Middle School. This was my first assignment after offering my services as galley slave in exchange for a behind-the-scenes look at one of the most innovative school kitchens in the country. There was much more to come.

Earlier this year, I spent a similar week in the kitchen of my daughter's elementary school here in the District of Columbia. I expected to witness food being "fresh cooked," only to learn that most of what was being fed to my daughter and her student cohorts across the city was the same frozen, precooked convenience food -- the same chicken nuggets and tater tots -- that riveted millions of television viewers when Jamie Oliver exposed them on his recent "Food Revolution" series.



The chicken is marinated overnight in a teriyaki brew made from fresh ingredients.

Berkeley once served that stuff, too. And there are some resemblances between the Tyson chicken nuggets the kids eat at H.D. Cooke Elementary School in D.C. and the teriyaki chicken being served across the country. Both, of course, start out as real chicken. Both are also "government commodity" chicken, meaning "surplus" the federal government purchases from giant chicken feedlots and donates to the federally subsidized school meals program.

But that's pretty much where any similarities end.

#### A tale of two chickens

The Tyson nuggets are really extrusions and amalgamations of all sorts of chicken scraps, seasoned with a dose of salt and chemical additives. Factory machines shape the mix into kid-size mouthfuls that are breaded and baked assembly-line style, then frozen and shipped hundreds of miles to school kitchens. Low-skilled workers pour the frozen nuggets out of plastic bags onto sheet pans and quickly reheat them. A few minutes in a 350-degree oven is all it takes before the factory nuggets are ready to be displayed on the food service line where hungry kids scoop them up.

The chicken in Berkeley schools also arrives frozen, in big bricks of chicken parts known as "eight-cut" chicken, meaning the chicken carcass has been cut in half, then into breasts, legs, thighs and wings -- eight pieces per bird. No further processing has been done. The skin is still on the meat; the meat still on the bone. It looks very much like the chicken you would find in the meat aisle of the grocery store if you were looking for an economical cut of poultry for dinner.

The chicken typically arrives on Wednesday in plain brown cardboard boxes. (Insiders call raw commodity ingredients "brown box" food.) The birds take two full days to thaw. Then the parts are separated, placed in big plastic tubs called "Lexans," and covered with a brine to rest in the central kitchen's refrigerated meat locker over the weekend. In this case, the teriyaki brine is a carefully measured mix of soy sauce from five-gallon containers, sherry vinegar, sesame oil, fresh garlic and ginger, and orange juice. A simple syrup of brown sugar and water is poured

over the whole thing until the chicken is completely covered. The Lexan weighs about 200 pounds.



Roasting the Epic Chicken in preparation for a teriyaki chicken school lunch. (Ed Bruske photo)

In other words, by the time I got to these huge tubs of chicken on Monday, the chicken had already been in process five days with the intervention of several kitchen workers -- separating the chicken, peeling and chopping ginger, chopping garlic, mixing the brine, moving the chicken in and out of walk-in refrigerators. Over the ensuing three days it would require further labor: the chicken pieces would be drained and organized on sheet pans, brushed with another teriyaki glaze, roasted to a precise 160 degrees internally. The cooked chicken would then spend yet another night in a refrigerator before being wrapped, labeled, and trucked to outlying schools, and finally re-warmed and served in lunch lines all over town.

It was so much work that I've dubbed it "Epic Chicken." As such, it perfectly illustrates the difference between the frozen convenience foods served in most public schools and the food cooked from scratch in the Berkeley Unified School District.

### Let them eat crap

The joke in school food circles these days is that the most important tool in modern school kitchens has become the box cutter, needed to remove all those frozen, pre-cooked meal components like chicken nuggets and beef teriyaki bites from their shipping containers. Epic Chicken represents the polar opposite, a huge investment in time, labor and attention around the concept of cooking food on a large scale from fresh, raw ingredients.

One style of feeding children is easy and requires hardly any skill at all. That means a big savings on labor. The Berkeley method saves on some ingredients, but definitely costs more in human effort. But in D.C., school food services currently runs a deficit of more than \$5 million every year. The red ink was double that before the District hired Chartwells-Thompson, a huge food service corporation, to take over school meals here. The average U.S. school meal program, according to the School Nutrition Association, operates in the red to the tune of 35 cents per

meal. In Berkeley, meanwhile, food services not only don't lose money, they are actually making a profit for the first time since 2001, five years after making the switch to cooking from scratch.

Still, some skeptics might ask: Why go to all that trouble? Why spend eight days making chicken for just one meal? Kids seem just as happy eating processed convenience foods, argue many food service directors. Why not just give them what they want?

Indeed, it was precisely that question that I came to Berkeley to answer, because it was here that Alice Waters, the fairy godmother of cooking fresh food from local, seasonal ingredients, made her imprint on the public school cafeteria through her <u>Edible Schoolyard</u> project. Her influence continues to reverberate around the country, inspiring school districts, farm to school programs, even First Lady and White House gardener-in-chief Michelle Obama.



Executive Chef Bonnie Christensen

But in case you thought the Berkeley school menu was just a copy of the one at Waters' internationally famous restaurant, kid preferences exert an enormous influence even in schools where food is fresh-cooked. Like every other school in the federal meals program, they need to move as much of that Epic Chicken as possible: each student who qualifies for a free lunch and takes the chicken earns the school district a \$2.68 payment from Uncle Sam.

Thus, at Martin Luther King Jr. Middle School you will see pizza on the menu twice a week, Monday and Friday. Pizza is, hands down, the favorite food of schoolchildren nationwide. In most schools, kids get a reheated frozen pizza made in factory. In Berkeley the pizza is made in the central kitchen using a whole wheat crust, real mozzarella, and marinara sauce made with freshly chopped onion, celery and carrots. And instead of being topped with frozen, factory-made pepperoni, as in my daughter's school in D.C., here it's fixed with turkey sausage also

made from scratch using whole turkey and seasonings. One variety of Berkeley pizza even comes with pesto.

Nachos are served every Friday. But they are not the fried chips doused with processed Daygloorange cheese you see at other schools. The Berkeley nachos start with baked corn chips and finish with a meat mix of beef, turkey, and soy protein, accompanied by a side of freshly cooked brown rice and refried beans. Tacos, also with brown rice and beans, are served every Monday as an alternative to the pizza. And there's plenty of pasta to be eaten over the course of a week, but these involve freshly grated cheeses and sauces that start with home-made vegetable stock, just like in a first-class restaurant.

Alice Waters might cringe at the way her food rules have been bent to accommodate juvenile tastes. But Berkeley Public Schools Executive Chef Bonnie Christensen says her menu addresses the main concern of the Berkeley parents who lobbied for the change. They were appalled by the frozen, processed foods loaded with fat, salt. and sugar that schools were serving. They did not want their children exposed to corporate, brand-name products laced with additives. They wanted their children to learn to eat fresh-cooked meals.

"It's about educating the kids that fresh food exists and it's out there, available to them," says Christensen. "We had so many kids who didn't know what sauerkraut is. Can you believe there are eighth-graders who don't know what sauerkraut is?"

In Berkeley, there are no sugary desserts served, no "a la carte" line with ice-cream sandwiches and corn dogs. You also will not see the flavored milks that are rampant in D.C. schools, sweetened with high-fructose corn syrup to the level of a Classic Coke or Mountain Dew. In Berkeley, kids have a choice of water, iced tea (for middle and high school), or plain organic milk with lunch. To save money, and reduce the waste of milk cartons, kids serve themselves from milk dispensers using re-usable plastic cups.

And, in accordance with Alice Waters' dictum that all meals should be shared and savored in pleasant surroundings, kids at Martin Luther King, Jr. Middle School eat their Epic Chicken in a spa-like hall called the Dining Commons, as at nearby UC Berkeley. The building overlooks an asphalt playground, but with vaulted ceilings braced with rough-hewn wooden beams, and tables and chairs hand-crafted from recycled oak and walnut, it looks like it would be perfectly at home in more rustic surroundings -- say, Yosemite National Park. (Watch a YouTube video tour of the Dining Commons led by former Berkeley Unified School District Director of Nutrition Services Ann Cooper.)

#### **Internal medicine**

It was here that I reported for duty at 5:30 am on a Monday in April. A bright, full moon hung over San Francisco Bay, and from the playground a grand vista opened through a break in the tree line: a wind-blown chop on the Bay waters, the hills above Sausalito across the water silhouetted on the horizon, and in the distance hundreds of twinkling pinpoints of light -- like a string of tiny, orange pearls -- outlining the Golden Gate Bridge.

I wasn't sure quite what to expect when I walked through the kitchen doors. Sous Chef Joan Gallagher seemed startled to see me. When I explained who I was, she led me through a kitchen the size of a basketball court to a big kettle cooker, where Christensen was getting ready to cook pasta.

"You must be the new intern," she said.

Intern? I looked around to see if there was someone behind me. Nope. "Intern" was my official designation during the week I was embedded in Berkeley's central kitchen.

Gallagher handed me a black apron, a pair of latex gloves, and a hair net. Yes, I would have to wear a hair net. (I later walked two miles to the bookstore at U.C. Berkeley to purchase a baseball cap.) Then Gallagher showed me to the meat room and explained how to remove the raw chicken from the teriyaki brine; how to drain it in a perforated, plastic Lexan that fit perfectly into the room's big, stainless sink; and how to arrange the pieces on the parchment-covered sheet pans.

When fully loaded, the sheet pans were inserted into an aluminum rack on wheels, the rack covered with a big, translucent plastic bag, then the whole thing was wheeled into a refrigerator pending the next step in the process.



Kids' meals ready to be served at Berkeley public schools. (Ed Bruske)

Later that morning I was joined by a kitchen employee named Renell. I focused on draining the chicken, and he arranged it on the sheet pans. Renell is a kind of utility player in the Berkeley food service scheme. He goes wherever one of the district's outlying schools -- or the central kitchen -- might have a need on any given day. On this particular Monday, supervisors were scrambling because 7 of the 30-odd kitchen workers in the system had not shown up. Later, three of the food servers at MLK would be dispatched to other schools to help out in the lunch lines.

After we'd exchanged pleasantries, I asked Renell what he thought about all this cooked-from-scratch food he was helping to make.

"I guess it's all about this obesity thing people are talking about," he said. "But that's just being lazy. People don't have the decency to move around after they eat. Me, I like to get up and walk - do things -- after I've had a meal." And the food in particular? I asked. "From what I see," he replied, "a lot of this food just goes in the trash. I say just give the kids the junk food. They'll just leave here and go off to McDonald's anyway."

Well, that's one man's opinion. Dismal though it might sound, it's shared by a great many food service directors all over the country. But not in Berkeley.

At 10 am, I and the rest of the kitchen crew broke for our daily "family" meal. This consisted of the tacos from the Friday before, along with a fresh salad: romaine lettuce with hard-boiled egg, sliced carrots, sliced radishes and a selection of dressings. The meat mixture served with the tacos has a kind of cellulosic aspect, because of the soy protein that's mixed in with the ground beef and turkey. But I noticed that my new kitchen companions helped themselves to big piles of it.

Then it was back to "panning up" chicken, the toughest part being the wings, which need to be tightly folded so that the tips are not exposed and do not burn while roasting. Over the course of the week, I would come back often to these same pans of chicken. After the huge breasts were cooked in a special steam-roaster to keep them moist, they needed to be sliced in half to make kid-size portions. I would wrap and label the cooked chicken for delivery.

I weighed and wrapped stainless pans of pasta. I helped seal kiddie meals for the district's day care centers on an AmeriPak assembly machine that mimicked the chocolate factory scene in *I Love Lucy*. I counted bags of corn chips for *chillaquiles*, packed breakfast bins, and every morning at 11:25, I took my position at one of the serving stations and braced for the first of three waves of several hundred kids hungry for lunch.

It was there each day that I came eyeball to eyeball with the question that is so vexing authorities concerned with children's health and especially how school meals might be implicated in an epidemic of obesity: What *will* kids eat?

Next in Cafeteria Confidential: How parents revolted against processed foods.



#### FED UP TO HERE

## Berkeley school food revolution's secret ingredient: parents

by Ed Bruske

12 May 2010

Part 2 of Cafeteria Confidential: Berkeley, in which Ed Bruske reports on his recent week-long, firsthand look at how Berkeley, Calif., schools part ways from the typical school diet of frozen, industrially processed convenience foods. Cross-posted from The Slow Cook.

Eric Weaver's son is a freshman in college now. Back when he was in kindergarten, Weaver volunteered at his school, where he couldn't help noticing that the kids were sneaking into the teachers' snacks.

Not only were kids hungry because they hadn't eaten breakfast, Weaver discovered, but what the schools were serving them for lunch was hardly appetizing. "It was atrocious," Weaver says. "They had this grilled cheese heated in a plastic wrapper that was all mush. Corn dogs. The peanut butter and jelly was just crackers smeared with this stuff."

An appeals attorney in Berkeley, Calif., Weaver started talking to other parents, and they got busy. One mother conducted her own survey and found that half the food served at lunch wound up in the garbage. "The kids would eat just enough to beat back the hunger, then throw the rest in the trash."

Just to show that kids would eat healthier food if given a chance, another parent started serving fresh, homemade soup and bread at one of Berkeley's elementary schools. Parents at another elementary school started a breakfast program, serving bagels once a week.

"We said, 'If you make good, healthy food, they will eat it,'" Weaver recalls.

So began a long campaign to change the food served to the 9,100 children in the Berkeley Unified School District, from industrially processed convenience foods to what may now constitute the most advanced public school food program in the nation, in which meals are cooked from scratch using fresh ingredients every day.

#### "Treat kids with respect, they will show you respect"

It was a bumpy road at times. The biggest resistance came from the school system's food service director. "When I asked why the kids weren't being fed breakfast, I ran into a whole bunch of rigmarole," he says. "The food services director was completely hostile. She argued that better food was too expensive and the kids wouldn't eat it."



Alice Waters and MLK Jr. middle school students in the Edible Schoolyard.(Edible Schoolyard photo)

And yet the campaign caught fire. Berkeley chef Alice Waters was involved. "She had a parallel project. Our ideas were sort of based on the things she wanted," reports Weaver. "But we were working within the confines of a school budget."

It might seem hard to believe that such bad food could be served in schools within blocks of Waters's famed Chez Panisse restaurant, where she started a food revolution all about cooking with fresh, local ingredients. But until just five years ago, the food in Berkeley cafeterias was no better than in most schools around the country: Chicken nuggets, pizza pockets, canned fruits and vegetables.

At one point, according to Weaver, Waters visited the schools "and she said the cafeterias looked like prisons. So we put linens on the tables and vases for flowers. I was there to see what happened. The kids came in and said, 'Wow! Look at this!'

"Our theory was, if you treat kids with respect, they will show you respect."

Other important players were drawn in as well, such as Tom Bates, a former Berkeley city supervisor and longtime California assemblyman, now Berkeley's mayor. He recalls getting a telephone call one day from the man who was then superintendent of schools, John McLaughlin, about a meeting he'd just had with a parent furious about the food being served in the cafeteria. Bates said he agreed to meet with the parent "who was upset with what was going on, the corn dogs and all the crappy food his kid was getting." A committee was formed, and Bates and others began meeting with the superintendent to go over menus and try to improve the meals.

The committee, initially formed in 1997, came to be called the "Superintendent's Group." It met monthly with parents, the school board president and the head of school nutrition services. The Berkeley-based Center for Ecoliteracy also joined in, and in 1999 it received a three-year grant from the U.S. Department of Agriculture to improve school food and create teaching gardens. That same year, the school board adopted a food policy that established a formal committee -- the Child Nutrition Advisory Committee -- to oversee changes in the school district's food services. The CNAC was composed of 29 members, including five students. They finally convinced the district's food services director that the food had to change.

Schools Superintendent McLaughlin was succeeded by Michele Lawrence, who admits "healthy food was never on my list as a priority of things I needed to take care of" when she first took the job. But she had her own personal epiphany. "I was pulling up to one of those photomats in my car to drop off some film, and my five-year-old daughter in the back seat jumped up and yelled, "Two tacos and a Coke!" Lawrence said. "I suppose that's when I realized what I'd been doing to this child with all the Spaghetti-Os and tacos and Coke."

Lawrence talked with physicians in the community about children's health, and says "it became an overwhelming fact to me that we were contributing to the obesity of children. I would go into our own kitchens and see all these fried chips smothered in Velveeta cheese. I learned about all the government commodity food and the high fructose corn syrup. I saw kids drinking sodas. I looked at our own practices. We touted the importance of healthy food, and then we'd send kids out on fundraisers to sell See's Candy and cookie dough." Then there were the school parties with cupcakes.

Lawrence says she asked herself, What can we as a school system do to prevent this diabetes and obesity issue?

#### Put your money where their mouths are

First she had to convince the school board: "They were good people. They understood this. You had to invest financially to change the system. You had to invest in food the same way you invest in reading books. Food and the way we served it had to have the same kind of priority. We moved money into food with the idea that it would become self-sustainable."

In 2000, Berkeley schools put a \$116 million bond measure to a vote. Originally it was meant to fund only an earthquake retrofit of school facilities. But advocates of better school food convinced authorities to include questions about food and school kitchens in a voter poll conducted prior to balloting. To the surprise of many, improving school food proved to be an extremely popular idea. "It was about 55 percent, which is quite high," said Bates. "It clearly was something that people valued."



An aerial view of Martin Luther King, Jr. Middle School in Berkeley, with its large Dining Commons (top left) and Edible Schoolyard gardens (top right).

After school kitchen and food improvements were included in the ballot question, the Center for Ecoliteracy and Alice Waters' Chez Panisse Foundation campaigned actively for it. The bond measure, which voters approved by an overwhelming margin of 83 percent, slated more than \$11 million for new kitchen and cafeteria construction, including a central kitchen that would prepare food for the entire district and a new dining hall at Martin Luther King, Jr. Middle School.

Bates said it was the only school in the system that really had room for such a facility. But it also happened to be where Alice Waters had built her Edible Schoolyard to teach children about gardening, about where food comes from and how to enjoy meals cooked with fresh, seasonal ingredients.

The new marching orders for food service included not only fresh foods but ingredients that were "as organic as possible." There would be salad bars at every school. New policies eliminated sodas, vending machines, and snack bars, except for a new "healthy snack bar" at the high school. Parents insisted on ridding school food of high-fructose corn syrup as well. Chocolate milk was out; organic plain milk was in.

It wasn't exactly clear how cooking from scratch would be affordable. Weren't fresh ingredients more expensive? Advocates were banking on greater student participation in the revamped meal program to cover the costs. "The food cost is high," acknowledges Weaver. "But if you're selling twice as many lunches, the marginal cost is lower."

Next came a decision about who would run a revamped food operation in which meals would be prepared from scratch in a central kitchen. There was no consensus that the schools should be springing for a professional chef.

Alice Waters, however, had someone in mind.

Next page: Enter Chef Ann Cooper

Waters had met chef Ann Cooper when she toured the Ross School, an exclusive school in New York's Hamptons, where Cooper, a former restaurant chef and dynamo advocate of healthy school food, was running food service. Cooper was planning to leave the school and take a "100-

day vacation" to think about what she wanted to do next. She and Waters met again at a seafood sustainability conference in Monterey, CA, and slipped away to Waters's hotel room for breakfast, where Waters asked Cooper to move to Berkeley and take over as the new food services director.

No, said Cooper.

"I said I didn't want to deal with day-to-day stuff," Cooper explains. "I don't really know public schools. Instead, we agreed I would come on as a consultant to help make the change. I'd do an assessment."

Waters agreed to pay Cooper a "\$100,000-ish" fee through the <u>Chez Panisse Foundation</u>. Cooper wanted to use the money that the school system would have paid her as food services director to create three new positions for the central kitchen: executive chef and two sous chefs, one to run kitchen production and another to handle food procurement.

It was a bumpy transition.

"In defense of all these food service people across the country, we've had this system for the last three decades and the USDA has been supporting it. Then a chef comes in and says, 'This is not good food, we shouldn't be serving it to kids, the guidelines are wrong, the USDA is wrong, and you are wrong. That's a very difficult change to make," Cooper recalls. "So I have a lot of empathy for these people who've been trying to do the right thing. It's very, very hard to make those changes, emotionally.

"It was really hard for a number of reasons. My entire background was being a chef. At Ross School, it was still like being a chef. We had a large budget, and we were cooking really fine food and catering. I went to Berkeley and there were challenges with me being caught between the Chez Panisse Foundation and school food services. It wasn't happening as fast as Alice would like. There was a lot of pushback from the employees and from the kids. In a school district, you have thousands of bosses. All of a sudden, not only are you not omnipotent, you have to change the way you do things. Before, you didn't have to beg people for money, you didn't have to beg kids to eat your food."

Eric Weaver says Cooper worked "like the Energizer Bunny. She was always working. She never sleeps."

Cooper says, "It was the hardest thing I've ever done. A lot of my friends thought I was going to kill myself because I was literally working around the clock."

#### Not an easy change to swallow

Until construction of the \$8 million Dining Commons and its new kitchen on the Martin Luther King Jr. Middle School campus, the central kitchen where Cooper would work initially was located in cramped quarters at an elementary school. "It was a hell hole," says current Executive Chef Bonnie Christensen. Meanwhile, Cooper said she had meetings with food service

employees who shouted at her that the kids hated the new food, and they didn't want to serve it. Some of them went to the food services director "in tears."

But there came a time when the entire crew moved into their new digs in the Dining Commons. In the huge new kitchen, there were six walk-in refrigerators and a freezer, seeming miles of work tables and sinks, griddles, grills, convection ovens, a combination steamer-roaster, a big kettle cooker, a tilt skillet, and a room with commercial dishwashers.



Students in the MLK, Jr. Dining Commons

Weaver says the new facility is "a little overdone." The tables and chairs for the dining room, for instance, were commissioned from Wowhaus, an arts collaborative in Sonoma County that "explores the common denominators of everyday experience, the central question of how things, places and relationships acquire meaning" through sculptures, murals and furniture.

"Alice had this idea of kids growing their own food, cooking their own food. The kitchen would have looked like Chez Panisse," says Weaver. "But without her pushing and pushing, it never would have happened the way it did." Still, the spa-like Dining Commons has created some conflict within the school system. "Everything is so wonderful at King, and not so wonderful at other schools."

Christensen says some of the equipment in the old kitchen was actually bigger and better. But now the chefs at least had room to stretch their wings. The new and improved Berkeley central kitchen was ready to fly.

*Next:* How seasoned chefs make cooking from scratch a reality.



## Master Gardener: Smart planting, exchanging seeds, composting will help ecosystem

D.F. Braun 04/16/2010



College of Marin students get hand-on training at the college's organic farm located on the Indian Valley campus in Novato. (IJ archive)

Last year, the IJ reported that the Baker larkspur, believed to be extinct, is alive and well, thanks to the botanists at UC Berkeley and the Marin Municipal Water District. This plant, found nowhere else in the world but Marin County, had thought to be lost through a series of misfortunes. MMWD is replanting, as well as protecting, these plants along the Soulajule Reservoir.

But, of growing concern are the plants that will have to "move" a quarter-mile every year to keep up with global warming. According to a team of scientists from the California Academy of

Sciences, UC Berkeley and the Carnegie Institute of Science, plants will have to "travel" until 2100 to find a habitat similar to what they now enjoy.

David Ackerly, a UC Berkeley professor of biology, has said the expected climate changes will vary greatly and will probably be more dramatic later in the century. Nevertheless, studies from the Alps all the way to Southern California's Deep Canyon have already documented species moving uphill to adapt to the changing weather patterns. A migration route must be established that cannot be blocked. Wildlife corridors are a must, but it is clear that plants will need to be helped, too.

Conservationists are debating whether they should try to relocate plants to save them. It goes without saying that this will be expensive and never-ending, but it's important to start planning for the changes.

The dwindling genetic diversity of food crops has spurred greater interest in heirlooms and seed-saving, preserving the best of the year's crops to use again in future years.

Well, what does all this have to do with us? Sharing information, as well as exchanging seeds and plants that do well in our gardens, will be a first step in local conservation. What of native plants that will help a neighborhood strengthen the ecosystem by building habitat for birds and butterflies? An effort to improve and give back to the earth by avoiding synthetic fertilizers and pesticides also will help.

To quote the famous ecologist Aldo Leopold: "The first rule of intelligent tinkering is to save all the pieces."

The tasks may seem a bit overwhelming, requiring more know-how and confidence than most of us home gardeners possess.

One way to learn is at the College of Marin's Indian Valley campus' 5.8-acre farm organic farm and teaching garden, which launched last year and is the only teaching farm in the county.

The focus is clearly about the future of organic gardening and the preservation of our soil. Workshops help students learn about soils and agricultural methods. For more information on the Center for Sustainable Horticulture, contact Nanda Schorske, dean of workforce development, college and community



A variety of succulents have started to fill up the iron bed frame for a vertical garden. (Provided by Marybeth Kampman)

Meanwhile, some experiments can be tried at home. Consider finding more room with vertical gardening: trellising, espalier and multiple canopies of functional plants. For example, if you have a south-facing wall you can grow herbs in ranked pots or tomatoes - even melons can grow on trellises. Such plantings also offer living insulation.

One of the best ways to give back to the earth is through composting, which has been made easy through critter-proof cylinders. Compost improves our soil structure and adds soil nutrients.

And what of that expanse of lawn? Is it needed or would it serve better as a small orchard or a vegetable patch or two?

Perhaps it's time to rethink our gardens and do some "tinkering" of our own.



#### **Mean streets**

## Urban farms don't make money—so what?



by Tom Philpott

3 Jun 2010



City Slicker Farms in West Oakland does more than just grow food for the local residents.(Bonnie Powell photo)

Over on Earth Island Journal, Sena Christian has an excellent, rigorously reported article about the tough economics of urban farming. She focuses on some of the more famous city farms of the Bay Area, where *EIJ* is based -- City Slicker Farms, People's Grocery -- but she also discusses projects like Milwaukee's Growing Power. And she finishes the piece with a farm I'd never heard of before: Greensgrow, in Philadelphia.

Acknowledging the limits of urban ag, Christian seeks to tease out its potential: particularly its economic upside. Limits are an important place to start on this topic. For all the hype urban farms have gotten of late, no one who works in the field expects cities to become anything close to self-sufficient with regard to food. Any realistic vision of "green cities" sees them as consumption hubs in a larger regional foodshed: dense population centers surrounded not by sprawling suburbs, but rather by diversified farms of a multiplicity of scales.

Urban plots can fill in gaps -- putting into action the insight, proven in 19th century France and other places, that small spaces, fortified with lots of rich, composted food waste, can be highly productive. (Probably the greatest U.S. proponent of French-intensive, also called "biointensive," gardening is <u>John Jeavons</u>.) Specifically, urban farms can turn food production into a source of jobs and fresh food in depressed areas that lack access to both.

Yet the task isn't easy. Christian's piece hangs on the following premise:

[U]rban farming's potential to address the challenges of our food system remains unclear. Although popularity and trendiness can be big boons to business, these urban farms haven't yet found a way to thrive in the market economy. Most rely heavily on volunteer labor and grant funding. They may be at the forefront of ecological sustainability, but economic sustainability eludes them. And that's a problem because they are unlikely to fulfill their aspirations and make a meaningful dent in the problem of food insecurity if they are forever running on the treadmill of foundation funding.

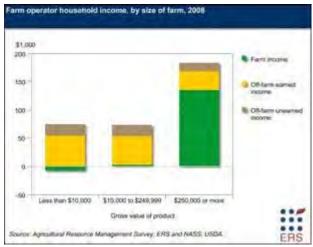
These are extremely important points, and Christian does some valuable reporting to bolster them. It's true, as she points out, that most of our most visible and effective urban farm projects were launched with foundation cash and still rely on it to operate. Probably the most celebrated project, Milwaukee's Growing Power, has received "at least \$1 million in grants" over the past five years, Christian reports.

But there's some missing context here: all farms struggle mightily to "thrive in a market economy" -- and relatively few actually do. The most obvious evidence to back up this point is commodity subsidies. If any farm type should be able to thrive in the free market, it would be the large corn and soy farms of the Midwest. They stand on one of the world's greatest stores of topsoil; they are highly capitalized, with towering combines tricked out with GPS and other technology that allow a single farmer to cover thousands of acres. They have have access to high-tech seeds and bottomless amounts of fertilizer and pesticides. Agribusiness giants like ADM and Cargill have built up an elaborate infrastructure to buy their goods and ship them around the globe.

Yet over most of the past 20 years, corn and soy prices have hovered under the cost of production, making these farms reliant on billions of dollars in annual subsidies to stay solvent. They've turned marginally profitable over the past few years -- not due to the magic of the free market, however, but because a government-mandated and -subsidized ethanol program has lifted corn and soy prices. Like urban farms, "economic sustainability eludes them." They are wards not of the foundations, but rather of the state.

Another way to put the economic struggles of urban farms in a broader context is to look at USDA farm-income data. Time for a bracing dip into the <u>Farm Household Economics and Well-Being</u> page, kept up by the USDA's Economic Research Service! (As <u>this vintage 2006 post</u> will show, I've long enjoyed such forays into data nerd-dom.)

The nut from the ERS's latest findings: In 2010, the average family farm is forecast to receive 10.3 percent of its household income from farm sources, with the rest from earned and unearned off-farm income. Farm income is forecast to average \$8,338. The average off-farm income is forecast to be \$72,428.



Not much green in them there fields.

OK, so those extremely depressing numbers aggregate all farms: from hobby operations claiming farm status for a tax break to Midwestern mega-farms. So let's drill down by farm size. (See chart, above.) For farms that bring in between \$10,000 and \$249,000 in gross sales, farm income represents a tiny fraction of farm families' overall earnings (see green sliver in middle bar). This category encompasses the non-hobby, small- and mid-sized farms that supply the bulk of produce at farmers markets. After farm expenses, these farm families bring home about \$60,000 in annual income, a very small slice of which comes from farm profits. These farms, too, are subsidized -- not by the government, but rather by the off-farm income of farmers and their spouses.

My point is that teasing a living from the earth is extremely difficult. People make it work for all manner of reasons; maximizing personal income is rarely one of them. There's a passage in Richard Manning's 2004 book, *Against the Grain*, that puts it well:

A farm scholar once asked an agribusiness executive when his corporation would simply take over the farms. The exec said that it would be dumb for the corporation to do so, in that it is not free to exploit its employees to the degree that farmers are willing to exploit themselves.

On a happier note, farms produce more than food for consumers and money for farmers. To employ a phrase from economics, they are multifunctional: they produce food, yes, but also environmental goods like healthy soil (or damages like depleted soil and polluted waterways); open, pretty spaces for the public (or public nuisances, as in the case of factory-scale animal farms). The problem is that they only get paid for the food -- and not nearly enough, many people now agree.

The farms profiled by Christian provide significant positive goods for which the market doesn't compensate them: interesting, learning-oriented jobs for teens who would otherwise be consigned to the fast-food or narcotics trades; high-quality produce in low-income neighborhoods with limited food access; open public spaces in neighborhoods that lack parks; community organizing opportunities; a mechanism through which food expenditures can circulate within communities, building wealth; and more.

It makes sense that foundations are filling a void that markets can't. And once urban farms have their farming systems down and sufficient infrastructure in place, I suspect many of them will some day be profitable, if not exactly lucrative. Christian reports that Philly's Greensgrow now operates in the black, after years of foundation support. I suspect that Milwaukee's highly productive Growing Power, if it dropped its educational efforts and just marketed food, could too.

But if we wait for the magic of the market to solve inner-city food problems, I fear we'll be left hungry for change.

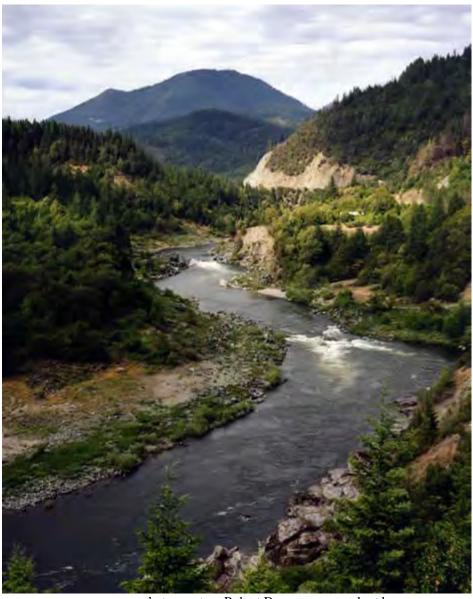
# EARTH ISLAND JOURNAL SPRING 2010

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#### **ROUGH WATER**

The Likely Removal of Four Dams on the Klamath River Will Mark the Largest Dam Decommissioning in History. An Unlikely Alliance of Farmers, Fishermen, Ranchers, and Indians Made It Happen.

By Jacques Leslie



 $photo\ courtesy\ Robert\ Dawson,\ www.robert dawson.com$ 

Maybe the Klamath River basin would have turned itself around without Jeff Mitchell. Back in 2001, at the pinnacle of the conflict over the river's fate, when the Klamath earned its reputation as the most contentious river basin in the country, Mitchell planted a seed. Thanks to a drought and a resulting Interior Department decision to protect the river's endangered fish stocks, delivery of Klamath water to California and Oregon farmers was cut off mid-season, and they were livid. They blamed the Endangered Species Act, the federal government that enforced it, and the basin's salmon-centric Indians who considered irrigation a death sentence for their cultures. The basin divided up, farmers and ranchers on one side, Indians and commercial fishermen on the other. They sued one another, denounced one another in the press, and hired lobbyists to pass legislation undermining one another. Drunken goose-hunters discharged shotguns over the heads of Indians and shot up storefronts in the largely tribal town of Chiloquin, Oregon. An alcohol-fueled argument over water there prompted a white boy to kick in the head of a young Indian, killing him.

Mitchell sports two long black braids that instantly establish his identity as a Native American – in fact, he's a leader of the three-tribe confederation known as the <u>Klamath Tribes of Oregon</u>. In the midst of the conflagration, when Indians weren't exactly a welcome sight in farming territory, Mitchell knocked on farmers' doors to express his condolences for their waterless plight. His intent was to "help the farmers to understand that the tribes weren't going to leave them isolated through this ordeal," and to explain that he could sympathize because his tribe had endured comparable trials. On his way to a conversation with approachable farmers in the back of a restaurant, he had to walk through the main dining room, filled with less hospitable farmers who'd been idled by the water cut-off. "Everybody just stopped and stared at me, and some of those stares were pretty icy," Mitchell says. "That was one of the toughest things I've ever done." If his gesture registered, the evidence at the time was scant – most farmers thought reconciliation with Indians was an unimaginable, even subversive idea.

It's possible, too, that the Klamath basin would have arrived at an agreement to restore the river without Becky Hyde. Distressed by the Klamath system's drastic environmental decline, she and her husband Taylor moved their cattle ranch in 2003 to a badly eroded, thoroughly overgrazed parcel of stubble straddling the Sycan River, a Klamath tributary. If restoration could be done here, it could be done anywhere, they figured, and immediately set to the task. Like virtually all the basin's other residents, the Hydes are not wealthy, and the production constraints they placed on the land to promote its health – including cutting their herd to a fraction of its former size – dramatically reduced their ranch's potential income. They also designed a conservation easement that obligated future owners to continue promoting the land's recovery; then, stunningly, they turned over trusteeship of the property to the Klamath Tribes of Oregon, effectively sharing the land's stewardship with the Native Americans who'd once lived on it. Like the farmers, most Klamath ranchers chiefly viewed Indians as threats to their water supply, and the Hydes' act leapt across the Indian/rancher chasm. One of Becky's rewards was a death threat.

Maybe the agreement announced in January to take down four dams on the Klamath, opening the way for river restoration, would have happened without Troy Fletcher, or Steve Kandra, or Greg Addington. Fletcher, a leader of the Yurok tribe, was notorious among farmers for his vitriolic denunciations of them, but at a meeting of basin leaders in 2005, he suggested that both sides stop attacking each other in the media – and, surprisingly, the farmers agreed. That led to an end

of public recrimination and the beginning of trust-building. Kandra, a farmer who filed a lawsuit against the US Bureau of Reclamation over the 2001 water cutoff, turned around a few years later and worked toward reconciliation with the tribes, provoking outrage from fellow farmers. Addington, who heads the farmers' association, endured fierce criticism for his conciliatory negotiating stance. Basin allegiances became so jumbled, he said, "My friends are my enemies, and my enemies are my friends."

None of these courageous acts was indispensable, but together their impact was incalculable: At a time when cooperation among basin inhabitants seemed far-fetched, they introduced the idea that reason and compassion could overcome hatred. It's now clear that Mitchell, the Hydes, Fletcher, Addington, Kandra are pathfinders whose concern for the watershed's well-being has opened the way for the world's biggest dam removal project, the key component of one of the world's largest and least likely river restoration plans.

Only a few years ago, the Klamath embodied the failure of legal and political systems to resolve natural resources disputes; now, it stands as an example of how to step past confrontation and negotiate. The agreement united farmers, tribespeople, commercial fishermen, electric utilities, even Warren Buffett and George W. Bush. Back in 2002, a comprehensive deal on river restoration was a long shot. Today it's a fact, and dam removal, though not certain, stands a better-than-even chance of taking place.

If it does, the effort to revive the river and its gravely depleted salmon runs would comprise what Steve Thompson, the US Fish and Wildlife Service representative in negotiations with the utility that owns the Klamath dams, has called "one of the most amazing restoration projects in the world."

Says Patrick McCully, executive director of the Berkeley, California-based anti-dam nonprofit International Rivers, "To see that dams of such size can be brought down, that these concrete monuments that people view as permanent parts of the landscape can be temporary parts of the landscape – I think that is hugely significant."

The prototypical river starts in high mountains, descends quickly through canyons, then spreads out across marshes at its mouth. By that standard, the Klamath River is geographically backward, for it originates in the high, flat Oregon desert and negotiates steep, picturesque canyons near its mouth in California. Though its length is modest – a mere 254 miles, a tenth of the Mississippi's – it once contained the Pacific Coast's third most productive salmon fishery, trailing only the salmon runs on the Columbia and Sacramento Rivers. Remoteness is the Klamath's burden and its saving grace: Thanks to a constantly shifting sand bar at its Pacific Ocean mouth, it is largely unnavigable and, probably as a result, no big city or industry occupies its shores.

For most of the last 1,500 years, the river supported a sustainable salmon economy. Salmon were at the heart of all the Klamath's tribal cultures, and Indians were careful not to over-harvest them. Each summer, the lower Klamath's Yurok and Hoopa tribes blocked the upstream paths of spawning salmon with barriers; then, after ten days of fishing, they removed the barriers, allowing upstream tribes to take their share. As the salmon completed their lifecycle, dying in the waters where they'd been spawned, they enriched the watershed with nutrients ingested during

years in the ocean. Among the beneficiaries were at least 22 species of mammals and birds that eat salmon. Even the salmon carcasses that bears left behind on the riverbanks fertilized trees that provided shade along the river's banks, cooling its waters so that the next generation of vulnerable juvenile salmon could survive.

Salmon's biological family may have started in the age of dinosaurs a hundred million years ago. They've survived through heat waves and droughts, in rivers of varying flow, temperature, and nutrient load – but they were as ill-prepared for Europeans' arrival as the Indians themselves. Gold miners who showed up in the mid-nineteenth century washed entire hillsides into the river with high-pressure hoses and scoured the river's bed with dredges. Loggers dragged trees down streambeds, causing massive erosion, and dumped sawdust into the river, smothering incubating salmon eggs. Cattle grazed at the river's edge, causing soil erosion and destroying shade-giving vegetation. Farmers diverted water to feed their crops.

The dams were the crowning blows. Between 1908 and 1962, six dams were built on the Klamath. The tallest, the 173-foot-high Iron Gate, is the farthest downstream, and definitively blocked salmon from the river's upper quarter – after it was built, the river's salmon population plummeted. In addition, the dams devastated water quality by promoting thick growths of toxic algae in the reservoirs. For Klamath basin farmers, however, the dams were deemed indispensable, as they generated hydropower that made pumping of their irrigation water possible. To the farmers, the potential loss of the dams' hydropower was considered no less crippling than an end to Klamath-supplied irrigation.

About a third of the farmers in the area are descendants of World War I and II veterans who won national drawings for Bureau of Reclamation "Klamath Project" homesteads on drained wetlands; others simply responded to the Bureau's invitations to settle the 350-square-mile expanse of land spread across south-central Oregon and northeastern California. As Addington, executive director of the Klamath Water Users Association, puts it, "People showed up from New Jersey, having won a homestead, and went 'Holy cow, what did I just get myself into?""

In addition to eking a living from the fields, the farmers built homes, schools, churches, whole towns. Even now, the sort of large-scale corporate farming that reigns in California's Central Valley is unknown in the basin. Farms are modest, family owned, and generate incomes estimated at less than \$15,000 a year. Not unreasonably, the farmers assumed that in return for turning swamps into productive acreage, they were owed cheap water and power in perpetuity.

For most of the last century, the farmers were oblivious to the damage that dams and water diversions caused downstream, while the tribes and commercial fishermen quietly seethed. The annual salmon run, once so abundant that people caught fish with their hands, was roughly pegged at more than a million fish at its peak; in recent years it has dropped to perhaps 200,000 in good years, and as low as 12,000 – below the minimum believed necessary to sustain the runs – in bad years. Spring Chinook, which once comprised the river's dominant salmon run, entirely disappeared. Two fish species – the Lost River sucker and the shortnose sucker – that once supported a commercial fishery, were listed as endangered in 1988. Coho salmon were listed as threatened nine years later.

All this has had a devastating impact on the tribes. Traditionally able to sustain themselves throughout the year on seasonal migrations of the river's salmon, trout, and candlefish, tribal members suffered greatly as the runs declined or went extinct. For four decades beginning in 1933, the tribes were barred from fishing the river even as commercial fishermen went unrestricted. Members of the Karuk tribe once consumed an estimated average of 450 pounds of salmon a year; a 2004 survey found that the average had dropped to five pounds a year. The survey linked salmon's absence to epidemics of diabetes and heart disease that now plague the Karuk.

The 2001 cutoff left farmers without irrigated water for the first time in the Klamath Project's history. Over the next four months, many farmers performed repeated acts of civil disobedience, most notably when a bucket brigade passed pails of banned water from its lake storage to an irrigation canal while thousands of onlookers cheered. The protests attracted Christian-fundamentalist, anti-government, and property rights advocates from throughout the West; former Idaho Congresswoman Helen Chenoweth-Hage likened the farmers' struggle to the American Revolution.

Many of the Latino farmhands who had worked the farms left, and surrounding communities languished. Some farmers went bankrupt, and one committed suicide.

A year later, it was the tribes' and fishermen's turn to experience calamity. According to a Washington Post report, Vice President Dick Cheney ordered Interior Department officials to deliver Klamath water to Project farmers in 2002, even though federal law seemed to favor the fish. Interior Secretary Gale Norton herself opened the head gates launching the 2002 release of water to the Project, while approving farmers chanted, "Let the water flow!" Six months later, the carcasses of tens of thousands of Chinook and Coho salmon washed up on the riverbanks near the Klamath's mouth, in what is considered the largest adult salmon die-off in the history of the American West. The immediate cause was a parasitic disease called ich, or "white spot disease," commonly triggered when fish are overcrowded. Given the presence of an unusually large fall Chinook run in 2002 and a paucity of Klamath flow, the 2002 water diversion probably caused the die-off. Yurok representatives said that months earlier they begged government officials to release more water into the lower river to support the salmon, but were ignored.



photo courtesy Earthjustice
In 2002, low water levels on the
Klamath led to the largest adult salmon
die-off in the history of the American West.

The die-off deprived many tribes-people of salmon and abruptly ended the river's sport-fishing season, but its impact didn't fully register until four years later, when the offspring of the prematurely deceased 2002 salmon would have made their spawning run. By then the Klamath stock was so depleted that the federal government placed 700 miles of Pacific Ocean coastline, from San Francisco to central Oregon, off limits to commercial salmon fishing for most of the 2006 fishing season. As a result, commercial ocean fishermen lost about \$100 million in income, forcing many into bankruptcy. Even more devastating, a precipitous decline in Sacramento River salmon led to the cancellation of the entire Pacific salmon fishing season in both 2008 and 2009. The Klamath basin was in a permanent crisis.

It turned out that desperation and frustration were perfect preconditions for negotiations. "Every one of us would have rolled the others if we could have," Fletcher, the Yurok leader, says. "We all tried to go to court, to go through the political process, but it didn't work – we might win one battle today and lose one tomorrow, so nothing was resolved. We spent millions of dollars on attorneys, plane tickets to Washington, political donations, but it didn't make any of us sleep any better, because the big issues were still out there, and we still had to resolve them."

Negotiations among 26 organizations representing farmers, tribes, fishermen, government agencies, and environmental groups got serious in 2005. Over the next few years, negotiators put in 80-hour weeks attending hundreds of daylong meetings. The hardest part of the negotiations was establishing trust. Over meals and in bars, farmer negotiators learned how the loss of salmon

had devastated the tribes, and tribal negotiators learned that the farmers considered themselves basin stewards, too.

"What it comes down to is that our values aren't much different from each other," Fletcher said. "The farmers are from hard-working, honest rural communities, and I feel way more of an obligation to work with those guys than I do radical environmental groups from outside the area." By "radical," he had in mind Portland-based <u>Oregon Wild</u>, one of two environmental groups that were dropped from negotiations after opposing concessions to farmers.

At first, the idea of rapprochement among the Klamath's angry stakeholders seemed improbable. For one thing, PacifiCorp, the utility that owns the four Klamath dams – and is owned in turn by a subsidiary of Berkshire Hathaway Inc., multi-billionaire Warren Buffett's holding company – showed no interest in dam removal. Instead, PacifiCorp applied to the Federal Energy Regulatory Commission for a 50-year renewal of its licenses, which expired in 2006.

That process turned into an opportunity for dam opponents when FERC ruled in January 2007 that PacifiCorp would have to install fish ladders and screens on the dams as a condition of renewal. Since the ladders and screens would cost an estimated \$350 million, as much as \$150 million more than dam removal, PacifiCorp was forced to consider removal as a cheaper option. When PacifiCorp challenged FERC's ruling on the grounds that salmon habitat upstream from the dams was irreversibly destroyed, a judge instead concluded that the river contained 58 miles of potential upstream habitat, lending more credibility to dam opponents. PacifiCorp also revealed that after relicensing it would raise Project farmers' electricity bills 17-fold on average. Since the farmers depended on cheap electricity to power their irrigation pumps, the planned rate hike gave them a reason to consider removal.



Earthjustice

Farmers in the Klamath basin need free or cheap water in order to afford farming there.

In January 2008, the negotiators announced the first of two breakthrough Klamath pacts: the 255-page <u>Klamath Basin Restoration Agreement</u>. In it, most of the parties – farmers, three of the four tribes, a commercial fishermen's group, seven federal and state agencies, and nine

environmental groups – agreed to a basic plan. It includes measures to take down the four dams, divert some water from Project farmers to the river in return for guaranteeing the farmers' right to a smaller amount, restore fisheries habitat, reintroduce salmon to the upper basin, develop renewable energy to make up for the loss of the dams, and support the Klamath Tribes of Oregon's effort to regain some land lost when Congress "terminated" its reservation in 1962.

This was a seminal moment, a genuine reconciliation among tribal and agricultural leaders who discovered that the hatred they'd nursed was unfounded. "Trust is the key," says Kandra, the Project farmer who went from litigant to negotiator. "We took little baby steps, giving each other opportunities to build trust, and then we got to a place where we could have some really candid discussions, without screaming and yelling – it was like, 'Here's how I see the world.' Pretty valuable stuff. The folks that developed those kinds of relationships got along pretty good."

Still, one crucial ingredient was missing: Unless PacifiCorp agreed to dismantle the dams, river restoration was impossible, and the pact was a well-intentioned, empty exercise. But PacifiCorp now had compelling reasons to consider dam removal. Not only was relicensing going to be expensive, but Klamath tribespeople were becoming an embarrassing irritant, in two consecutive years interrupting Berkshire Hathaway's annual-meeting/Buffett-lovefests in Omaha with nonviolent protests that won media attention. Also, the Bush administration, customarily no friend of dam removal, signaled its support for a basin-wide agreement. Negotiations between PacifiCorp and mid-level government officials began in January 2008, but made little progress until a meeting in Shepherdstown, West Virginia four months later, when for the first time Senior Interior Department Counselor Michael Bogert presided. As Bogert recently explained, President Bush himself took an interest in the Klamath "because it was early on in his watch that the Klamath became almost a symbol" of river basin dysfunction. To Bush, the decision to support dam removal was a business decision, not an environmental one: The "game-changer," Bogert said, was the realization that because of the high cost of relicensing, dam removal made good fiscal sense for PacifiCorp. That fact distinguished the Klamath from other dam removal controversies such as the battle over four dams on Idaho's Snake River, whose removal the Bush administration continued to oppose.

According to Dean Brockbank, PacifiCorp's chief negotiator, until the Shepherdstown meeting a settlement seemed "far-fetched"; afterward, as a result of the Bush administration's involvement, it was in the "realm of reality." But PacifiCorp still had concerns; for example, that dam removal could subject it to liability claims if the sediment behind the dams proved toxic. When Bogert assured the utility that the agreement would absolve it of liability, the chances of a settlement soared. After the tribes balked at PacifiCorp's proposed target date for dam removal – 2028, so it could reap a last bounty of hydropower revenue – the utility agreed on 2020, and the path to the agreement was cleared.

In November 2008, when then-Interior Secretary Dirk Kempthorne announced a detailed agreement in principle with PacifiCorp to take down the dams, he acknowledged that he customarily opposed dam removal, but that the Klamath had taught him "to evaluate each situation on a case-by-case basis." In September 2009, Kempthorne's successor, Ken Salazar, announced that PacifiCorp and government officials had reached a final agreement. PacifiCorp and the many signers of the earlier Klamath Basin Restoration Agreement then ironed out

inconsistencies between the two pacts in a final negotiation that ended with a final deal in January 2010.

When the agreement was announced, Becky Hyde said, "I think part of what this does is to set up governance for this whole river basin that's never been here, kind of what John Wesley Powell wanted to do a long time ago – set up a governance structure based on watersheds rather than other boundaries.

"The more profound thing is the relationships across the basin among parties who traditionally have not had the opportunity to get together. It's the start of a new way of being in a place, and I think ultimately for fish and for communities, it's just the right thing to do. I hope twenty or thirty years from now there will be young people in this basin who have really no idea what happened here – they just live in a place that's so much healthier. They don't live in a fight; they live in communities that are getting along and taking care of the place."



photo courtesy Robert Dawson, <a href="www.robertdawson.com">www.robertdawson.com</a>
The Hoopa and Yurok tribes once had an entire economy built on the salmon runs. Today, tribespeople still rely on fish from the river.

According to the agreement, the US Congress and California and Oregon legislatures must allocate about a billion dollars to carry out the river's restoration. Of that amount, at least half would consist of funds already being spent on basin fisheries. The plan's supporters argue that the remaining \$400 to \$500 million, can be justified as one-time expenditures that will restore the river, remove the dams, and help stabilize the basin's economy, in contrast to the continuing stream of funds, already over \$100 million, spent patching up the basin in emergencies. Most of the cost of actual dam removal will be borne by PacifiCorp's customers, who will pay a two percent surcharge on their electricity bills to raise \$200 million. In case dam removal proves more expensive, California voters are being asked to approve a \$250 million Klamath bond measure as part of a \$11.4 billion package of water laws on the November 2010 ballot. The package is highly controversial for reasons having nothing to do with the Klamath, and its approval is uncertain – it's the biggest reason that Klamath dam removal is still not guaranteed. (For its part, the Oregon legislature has already approved the deal.)

Even if the agreement is carried out to the last detail, it is uncertain to what degree the Klamath will recover; climate change and the continuing diversion of water from some tributaries will almost certainly limit salmon's comeback. It's also an open question whether the basin's improbable and still-incomplete success can be duplicated in other resource disputes, as environmental groups hope. In the end, what propelled the Klamath's stakeholders through endless meetings and setbacks was a shared devotion to the land that is not always a feature of such disputes. "The depth of energy in the fight was an expression of love of place manifested as enmity," says James Honey, program officer for Portland-based nonprofit <a href="Sustainable">Sustainable</a> <a href="Northwest">Northwest</a>, which facilitates stakeholder reconciliation in the basin. "Now that love of place has been flipped over to a better end."

Jacques Leslie's book, <u>Deep Water: The Epic Struggle Over Dams, Displaced People, and the Environment</u>, won the J. Anthony Lukas Work-in-Progress Award for its "elegant, beautiful prose." Contributors of Spot.Us helped fund this report.



## Oregon's Klamath Basin Deal Helps Farmers and Fish

Agreements to remove dams end battle over Oregon's Klamath Basin water; farmers and fish win

#### By JEFF BARNARD AP Environmental Writer

SALEM, Ore. February 18, 2010 (AP)



FILE - This Aug. 21, 2009, file photo shows water not diverted by the J.C. Boyle Dam flowing back into the <u>Klamath River</u> near Keno, Ore. An agreement signed Thursday, Feb. 18, 2010, in Salem, Ore., lays out terms to remove this and three other dams on the Klamath River as part of an agreement to help salmon and end long-standing water wars in the region. (AP Photo/Jeff Barnard, File)
(AP)

A century-old fight over water from Oregon's Klamath Basin ended Thursday with signed agreements that assure farmers water and power to keep their crops green, and lay out the removal of dams that have blocked salmon from hundreds of miles of spawning grounds.

For decades, American Indian tribes, farmers, salmon fishermen and conservation groups have fought in courts and centers of power over who gets the scarce water in the basin — the farms and ranches through irrigation or the salmon and suckers in rivers and lakes.

The groups gathered with state and federal officials in the Oregon Capitol beneath murals of heroic Western pioneers, Indians, farmers and salmon fishermen and amid Native American prayers and songs to sign two landmark agreements.

"In times gone by our people were healthy, the river was healthy, and the fish were healthy," said Thomas O'Rourke, chairman of the Yurok Tribe, based at the mouth of the

Klamath River in Northern California. "Now I look at the river and the river is sick. We are going to set the river free."

Luther Horsley, president of the Klamath Water Users Association representing farmers, said when they started talking instead of fighting five years ago, they found out they had more in common with longtime enemies than they thought — a desire for "a future for our children and our children's children."

"The only way this is going to work is if it's a healthy watershed for all of us, going on for 50 years," he said.

One agreement lays out a roadmap for removing four hydroelectric dams from the Klamath River in Southern Oregon and Northern California. The other details how to share water between fish and farms and restore the ecological balance of the basin. Water will be shut off to farms in extreme drought.

They mark the end of an era when the government and the people thought they could turn nature upside down to make a better life, and a pathway to peace in one of the most hotly fought water wars in the nation.

"You wanted a future without conflict and understood that doing nothing wasn't an option," Oregon Gov. Ted Kulongoski told more than 500 people who filled the rotunda to overflowing. "You love the land. You love your communities. You want a future of hope and prosperity, and now you will have one."

U.S. Interior Secretary Ken Salazar said the agreements marked the end of one of the "most intractable water wars in the country," and the beginning of "the largest river restoration in the world."

"Let us build a legacy for the American people that can be emulated across the country and across the world," Salazar said.

California Gov. Arnold Schwarzenegger praised the parties for forgetting their differences in the interests of a better future, then invoked his movie roles as The Terminator, saying, "Hasta la vista" to the dams, and adding, "I can see already the salmon fish are screaming, 'I'll be back."

The dams produce enough power for 70,000 people. Removal is not scheduled to start until 2020 and depends on funding, authorization from Congress and a federal determination that it will actually help salmon and is in the public interest.

PacifiCorp, the utility that owns the four dams, will not bear the estimated \$450 million cost for removing the dams. Oregon and California share the costs with surcharges on PacifiCorp customers and a \$250 million bond not yet approved by California voters.

The utility serves 1.6 million customers in Oregon, California, Washington, Idaho, Utah and Wyoming, and is owned by MidAmerican Energy Holdings Co., a unit of Warren Buffett's Omaha, Neb.-based Berkshire Hathaway Inc.

PacifiCorp CEO Greg Abel said the agreements fulfilled the company's two goals: finding a balance fair to all the parties, and protecting the interests of the utility's customers.

The conflict stretches back to the early 1900s, when the federal government turned the hydrology of the upper Klamath Basin upside down, drawing water from lakes and rivers to irrigate crops on dry uplands. Veterans of World War I homesteaded the Klamath Reclamation Project straddling the Oregon-California border near Klamath Falls, where potatoes, alfalfa, horseradish and cattle are still grown.

In 2001, a drought brought the conflict to a head.

Irrigation for farms had long been constricted to assure enough for endangered sucker fish in Upper Klamath Lake, the project's main reservoir. Then coho salmon were declared threatened in the Klamath River, flowing out of the lake, and the Endangered Species Act forced water to be shut off to hundreds of farms and ranches.

The next year, the Bush administration restored water to the farms, but with the river low and warm, tens of thousands of chinook salmon died of disease before they could spawn.

Besides blocking salmon, the dams raise water temperatures to levels unhealthy for fish. California water authorities have been taking a hard look at the toxic algae produced by the dam's reservoirs, and river advocates have sued PacifiCorp to fix the algae problem.

Pressure has been building since PacifiCorp applied for a new 50-year federal operating license in 2004 and made no provision for fish passage, which stops at Iron Gate Dam near the Oregon-California border.

California and Oregon's governors pressed for dam removal after West Coast commercial salmon fisheries collapsed in 2006 because of declines in Klamath River returns, triggering a disaster declaration.

The agreements signed Thursday also call for spending \$1 billion in federal funds over the next ten years on environmental restoration.

Kulongoski said studies on the project have already begun, and National Oceanic and Atmospheric Administration chief Jane Lubchenco said the government was committed to seeing it through.

"We have come too far to be derailed now," she said.

#### SFGate.com

#### **CHRONICLE EDITORIALS**

## A dam deal

Saturday, February 20, 2010



Canoeists paddle along a section of the Wood River near Fort Klamath, Ore., where work has been done to restore the waterway to its original channel.

Photo: Jeff Barnard / AP

"Hasta la vista, Klamath dams," joked Gov. Arnold Schwarzenegger at a celebratory gathering for a plan to remove four aging dams straddling the river running through Oregon and California.

Along with vintage Terminator lines, there were Indian chants and warm words among longtime foes at a peace pact at the Oregon Statehouse. The rhetoric and hoopla are deserved. A major Western water war is settled for now, with about 30 groups - farmers, water agencies, environmentalists, and Indian tribes - making nice. It may be the biggest dam removal project ever, designed to restore salmon stocks and the river itself, starting in 2020.

But an undertaking this big and complicated will take years to play out. The \$1 billion-plus cost must be guaranteed, not just kicked into the future. Reviving more than 100 miles of dammed-up river requires serious study. The coalition will need to stick together as the project bumps along over the next decade. Then there's the Klamath-ized version of the "Field of Dreams" adage: If they tear down the dams, will the salmon come?

For all these doubts, it's amazing the deal got done. Schwarzenegger, Oregon Gov. Ted Kulongoski, Interior Secretary Ken Salazar and Greg Abel, the head of Pacificorp, the power company that owns the dams, all signed off on the pact.

The water world is watching. Can four contested dams on the Snake River in Washington be removed the same way? What about prospects for peace in California's Central Valley water battles?

Big as it is, the Klamath dispute is small compared to these fights. The four dams supply relatively little hydropower and don't divert water great distances. Also, Pacificorp was facing a huge bill for building fish ladders into the dams, a cost factor that made demolition a realistic alternative.

The Klamath also became a poster-child for willy-nilly water politics, putting it squarely in the crosshairs of decisionmakers. In 2001, the Interior Department cut off water to farmers to protect salmon, touching off an uproar. The next year, the policy was reversed to give farms more water while low flows led to the death of about 60,000 salmon. The roulette game had to stop.

Dam removal along with water for Oregon agriculture remains the best hope of avoiding the past, although balancing this equation will be a test. The financing spreads the pain: Congress must come up the bulk of the bill but Pacificorp customers will see higher bills and Oregon will contribute too.

Come November, California voters, who are in a surly mood, must do their part by approving an \$11 billion water bond that includes \$250 million for Klamath demolition work. There could be rough times ahead on the river.

#### SFGate.com





Zeke Grader Pacific Coast Federation of Fishermen's Assns, Exec. Dir.

## We cannot allow salmon to go the way of the buffalo

April 2, 2010

The Salmon Summit that was held on April 1st was a bittersweet event for me.

It was sweet because I got to see old friends in the fishing and conservation communities and reminisce about past - and better - times. We talked about those days not all that long ago when the ocean teemed with wild salmon. We filled our boats with chrome-bright fish back then, and supplied local restaurants and markets with the freshest, most delicious seafood on the planet. And there were plenty of salmon left over to sustain the fishery - escapement to the Sacramento River and its tributaries ran into the hundreds of thousands of fish each year.

And it was bitter precisely because we *were* talking about the past - not the present or future. The primary reason we were holding the summit is because salmon - and the salmon fishermen - are at grave risk in this state. For the past two years, salmon fishing has been banned because of low fish populations. We anticipate a limited season this year, but it will be insufficient to revive the industry. I wouldn't say the mood was elegiac at the Salmon Summit, because nobody is ready to write the epitaph for this noble fish. But it was grim - and it was angry.

The skirmishing over water, fisheries and agriculture is generating a lot of ire and angst, but we need to remember that fishermen and farmers have a lot in common - we both produce food, and we depend on the largesse of Mother Nature to do it.

Specifically, we both need fresh water. Fishermen need water because salmon need it - without cold, clean water in their spawning streams and safe passage around the large pumping stations in the Delta, they are doomed. Farmers need water for irrigation; they can't produce their crops without it. The conflict has arisen over the way the water is

divided. Certainly, we won't make any progress on this most contentious of issues until we work together and determine an equitable solution.

Still, there are a few basic facts that cannot be ignored. They are rigid and immutable facts, because they are grounded in science. One of them is that state salmon runs have crashed; the populations are so depleted they cannot sustain fishing. Fishermen have run up hard against this particular fact, and have been forced to accept it. So when government regulators evaluated the stocks and closed the season for the last two years, we understood. We didn't like it, but we understood - even though it meant we had lost the very basis of our livelihoods.

Think about that. This wasn't a "cut-back" in supply, as some large farms in the San Joaquin Valley have faced in regard to their water deliveries. This was the total elimination of the sole means of income for hundreds of small business owners - commercial fishermen. And the scotching of the salmon season had a profound multiplier effect on virtually every North Coast enterprise, from tackle shops and diesel retailers to grocery stores and restaurants. It was as though entire communities were handed their pink slips.

These closures have exacted a horrible toll on our fishing communities, emotional as well as economic. So when men and women from fishing families see bumper stickers with the simplistic motto, "Fish vs. Jobs," perhaps you can understand their anger: for us, salmon are our jobs. When the salmon are gone, we'll be gone.

I know some Central Valley farmers have endured hardship due to water delivery strictures over the past couple of years, and I deeply empathize. But these restrictions were due to drought, not fishery protections. According to a study from the University of the Pacific, most Central Valley farmers have been completely unaffected by regulations enforced to protect salmon and the Bay-Delta ecosystem. In fact, during the past three years, many Central Valley farmers with senior water rights received 100 percent of their water allotments. Further, agricultural employment state-wide is on the rise.

In other words, agriculture in this state isn't "dying" - far from it. But the salmon and the salmon fishing industry are dying. We are in Code Blue here - we can't afford any dilly-dallying. We need reliable transfusions of water to survive. Not all the water, not most of the water - but we need our fair share, and we need it now.

We also have peer-reviewed science backing us up on this. The biological opinion on Central Valley salmon from the National Marine Fisheries Service stated flatly that Sacramento River salmon need more water and safe passage around the Delta pumps to survive. For most of the last administration, they didn't get that. Under intense political pressure and bogus "counter-science," water diversions from the Delta increased dramatically. What followed was predictable: the salmon disappeared, and the Bay-Delta ecosystem collapsed. Some recent federal rulings recognized the validity of the biological opinion and moderated the pumping, but the future is by no means secure for either the

Delta or the salmon. Recent efforts to undercut the U.S. Endangered Species Act will have a catastrophic impact on our salmon fisheries if they ultimately prove successful.

The bottom line: if we want salmon in California, we can't go back to the recent record diversions. We have to find another path. We have options to help farmers find the water they need. We can purchase water from senior water rights holders, pay farmers to retire marginal land and support incentives for water conservation on cropland. We also need to encourage water conservation in urban areas through recycling, groundwater clean-up, desalinization and low-flow devices.

The water conundrum in the Central Valley is a Gordian knot, and that means we may not be able to unravel it. But we can cut it; and there is a precedent for this. In the Klamath River Basin, farmers, fishermen and tribal communities faced a similar impasse. Litigation over the Klamath was a mainstay of the California law scene for decades. But a few years ago, a wholly unexpected, almost miraculous, thing happened: the farmers and fisheries advocates walked away from their lobbyists, from the politicians and lawyers, and started talking to each other. Ultimately, they arrived at an agreement, one that was recently ratified. It will remove several fish-killing dams on the river, significantly increase downriver flows, improve water quality through ambitious watershed restoration programs and guarantee farmers a reliable supply of water and electrical power. Nobody got everything they wanted - but everybody and everything got what they needed to survive - including the fish.

I believe we could do the same thing for the Central Valley and the Bay-Delta. Maybe everyone will have to eat a little crow, swallow hard, leave the past behind-choose whatever cliche you want, but we'll have to move forward to get anything done. One thing is for sure though - the salmon runs are not negotiable. We cannot allow them to go the way of the buffalo.

# Santa Cruz Sentinel

## **Zeke Grader: Saving the salmon fishing industry**

04/11/2010

Zeke Grader

For two years, sport and commercial fishermen along 1,000 miles of coastline in California and Oregon have been precluded from fishing for Central Valley salmon because of the steep declines in salmon populations. The primary reason was water diversions from the state and federal pumps in the Delta that, until the recent drought, have increased over time.

Many factors have contributed to the historic collapse of the California and Oregon salmon fishery. However, the operations of the State Water Project SWP and Central Valley Project CVP have played a critical and central role in the decline of salmon and the health of our rivers, streams, bays and estuary.

The Central Valley fall-run chinook salmon is the backbone of the commercial and recreational salmon fishery, producing the vast majority of the salmon caught in these states. In 2009, and in the absence of any fishing, total returns of hatchery and naturally spawning salmon in the Central Valley reached a record low: 39,500 fish. This figure is far less than the minimum population of 122,000 fish necessary to sustain the fishery and a tiny fraction of historic levels.

Earlier this month, more than 500 people attended an overflow meeting in San Francisco to tell their personal stories and to make their business case for saving water for chinook salmon and the Sacramento-San Joaquin Delta.

While the fishermen did make a compelling case, what became apparent was the ripple effect on California's and Oregon's economy from years of salmon fishing decline, punctuated by the past two years of the salmon closure. Not only are fishermen and women facing hard times, but so are tackle and boat shops, harbors, charter boat operators, harbors, restaurants and wholesale seafood suppliers. In addition, many seafood consumers miss healthy, local wild salmon on their plates. In total, the chinook salmon closure has cost hundreds of millions of dollars and thousands of jobs.

A recent study by the Public Policy Institute of California concluded that the survival of the salmon fishery is in jeopardy unless we change the way we manage water exports in the Delta. It also concluded that there is a 70 to 90 percent chance that the fall-run salmon fishery would be not viable in 2050, assuming that future diversions match previous

averages. The export of millions of acre-feet of water through the Central Valley Project and State Water Project pumps in the South Delta harm salmon in a variety of ways.

Prior to the new Biological Opinion and U.S. District Judge Oliver Wanger's 2007 ruling that Delta pumping restrictions were necessary to protect endangered species, and immediately prior to the collapse of the salmon fishery, the state and federal pumps reached record highs in total Delta exports.

If water exports are not brought into balance, the likelihood of sustaining the fishery would decrease even further. We can, and must, do a better job of managing the Central Valley Project and State Water Project to protect and restore salmon populations, as well as the communities and businesses that depend upon them.

This effort begins with maintaining the protections in the salmon and smelt biological opinions. It also starts with pushing back on the political pressure from some Central Valley agribusinesses and elected officials who only listen to agriculture's demands for more water.

On April 15, the Pacific Fisheries Management Council will meet in Portland to decide on a limited season for commercial salmon fishing. After two consecutive cancellations of salmon fishing off the California coast, a third year of closure is possible.

However, there may be a small, perhaps token, season for commercial salmon fishermen this year. A short sport season for salmon that began last Saturday is scheduled to last only through the end of this month -- a short respite for a struggling industry.

It's time to stop siding with special interests who are demanding unreasonable and unsustainable amounts of water for the Central Valley.

Zeke Grader is executive director of the Pacific Coast Federation of Fishermen's Associations.

#### SFGate....

## Brief salmon season likely

Carolyn Jones, Chronicle Staff Writer

Friday, April 16, 2010





Fresh local salmon will probably be returning to Bay Area menus, after a regional fishing council recommended Thursday a limited commercial fishing season following two years of bans due to the plummeting population of the cherished fish.

The Pacific Fishery Management Council issued the decision following a somber meeting in Portland, Ore., where it considered the plight of the vanishing chinook from the Sacramento River as well as the economic impacts of a third possible year of fishing bans.

The National Marine Fisheries Service will make the ultimate decision on whether to allow commercial fishing of salmon on May 1. It is expected to approve the recommendations.

The guidelines call for commercial fishing on two four-day periods in July for most of California, with a few additional days in late July and August off Fort Bragg.

Recreational fishing will be allowed only five days a week, with the season ending Sept. 6, more than two months earlier than it has historically. In addition, minimum sizes will jump from 20 to 24 inches.

For most of California, the commercial chinook haul is expected to be about 15 percent of normal.

Commercial fishermen were apprehensive about the decision, saying that the restrictions are so tight they might cause more harm, economically and environmentally, than they're worth. The cost of rigging a fishing boat for only a few days of fishing, as well as the impact of removing salmon from an already diminished population, outweighs the benefits, many fishermen said.

"We thought it was going to be bad, but these guys made it even worse," said Zeke Grader, executive director of the Pacific Coast Federation of Fishermen's Associations. "This allows maybe enough fish for a handful of boats, and could create a problem for the long term, which is our primary concern."

Historically, millions of chinook returned to California's streams and rivers, from the Pacific through the bay and delta. In 2002, 800,000 fish made the trip, but in 2009 biologists counted only 39,000, the lowest number on record.

Fishermen blame the population drop on water diversions from the delta to farmers and other water users south of the delta. The pumps kill fish and the water diversions cause the temperature of the water in the delta to rise, which hurts the fish.

As a result of the salmon's low numbers, commercial fishing was canceled and recreational fishing strictly limited in 2008 and 2009.

The council estimated the number of fish returning to the Sacramento River will about double in 2010, enough to allow limited commercial and recreational fishing.

Recreational anglers were a bit more optimistic about the decision.

"We're grateful to have some opportunity," said Marc Gorelnik, a board member of the 13,000-member Coastside Fishing Club. "After all, as anglers, we live on hope and opportunity."

The loss of commercial salmon fishing for two straight years has cost California 23,000 jobs and \$2.8 billion in revenue, fishing organizations have reported.

Restoring the Sacramento River is the best way to ensure the long-term health of California's trademark fish, said Dave Bitts, president of the Pacific Coast Federation of Fishermen's Associations.

"We're extremely nervous about the health of the salmon population," he said. "It's our bread and butter. When the Sacramento River goes belly-up, the salmon will, too, and we'll be in real trouble."

State regulators also said they were concerned about the guidelines.

"We have a heartfelt concern that we have enough returning adult salmon to meet the needs for reproduction," said Harry Morse, spokesman for the California Department of Fish and Game. "We just hope their projections are accurate."

Craig Stone, owner of an Emeryville charter fishing boat company who sat on the salmon advisory panel in Portland, said he is reluctant to send boats out to fish for salmon at all this year.

"There's a lot of discomfort among fishermen," he said. "We hope we're wrong, but right now, apprehension is in the air everywhere."



Commercial and charter salmon-fishing boats remain docked at Fisherman's Wharf. The National Marine Fisheries Service will make the final decision on whether to allow commercial fishing of salmon on May Photo: Liz Hafalia / The Chronicle



Paul LaRocca of A. LaRocca Sea Food Inc. on Fisherman's Wharf holds wild king salmon from British Columbia.

Photo: Liz Hafalia / The Chronicle

#### CORPORATE CRIME REPORTER

#### Whole Foods, United Natural Foods Muscle Suppliers to Boycott Consumer Group

24 Corporate Crime Reporter 12, March 21, 2010

The Organic Consumers Association (OCA) carries a big public interest stick.

It can mobilize the 850,000 people in its network to pressure corporations and governments.

The goal – clean, safe, organic foods and products for America.

One way that OCA raises money – it charges for ads on the group's popular web site – <u>organicconsumers.org.</u>

Two companies had purchased logo space on the OCA web site – Organic Valley and Nature's Path.

Until last year.

That's when the groups dropped their sponsorship.

Under pressure from Whole Foods Market and United Natural Foods – the two companies that dominate the organics market in the United States.

That's according to OCA's national director Ronnie Cummins.

"National sponsors like Organic Valley and Nature's Path have been threatened by Whole Foods and United Natural Foods that if they continue to support the Organic Consumers Association they will suffer repercussions in the marketplace," Cummins told *Corporate Crime Reporter* in an interview last week.

"We had to take down those logos," Cummins said. "We understand. We don't want a company to go bankrupt simply because they support the right thing."

Cummins said high ranking executives at the Organic Valley and Nature's Path told him about the threats – but asked that he not disclose their names.

"Whole Foods is very careful," Cummins said. "Whole Foods has threatened to sue us a number of times. But they are very careful when

they do this sort of arm twisting and intimidation to not leave any evidence of it. This was all verbally committed over the phone or in person."

The executives from Nature's Path and Organic Valley "apologized to us and made me promise not to use their names," Cummins said.

"We are trying to protect these companies and these individuals from the fallout from Whole Foods and United Natural Foods," Cummins said.

Cummins estimates that OCA lost a total of \$40,000 in projected ad revenue as a result of the move.

But he understands that Organic Valley and Nature's Path can't afford to offend Whole Foods and United Natural Foods – the main distributor of organic foods in the United States.

"Whole Foods sells \$10 billion out of the \$75 billion sold a year for the industry," Cummins said. "So for most companies it's at least 15 percent, but often up to 25 percent of their total sales. And it's not just Whole Foods. United Natural Foods was in on it to."

If they were cut off by those two, they would be driven out of business?

"You would go bankrupt immediately," Cummins said. "We call Whole Foods and United Natural Foods the organic mafia. And it really is like that. There is tremendous fear in the industry to say anything critical of Whole Foods and United Natural Foods."

When did Whole Foods and United Natural Foods begin pressuring OCA?

"It has happened over the past twelve months as we stepped up this campaign to expose the myth of natural foods," Cummins said. "And at first, Whole Foods and United Natural Foods thought they could ignore the campaign. But then they noticed we had an alliance with the United Farmworkers and with the Teamsters."

Cummins wants Whole Foods and United Natural Foods to sign a Food Sustainability Pledge.

"That requires them to stop marketing conventional chemical foods as natural," Cummins said. "And to sell only foods in their store that are certified organic or are in transition to organics. And it requires them to recognize fair trade principles – not just overseas, but in the domestic supply line."

Whole Foods spokesperson Libby Letton said that Whole Foods did not pressure the two companies to pull the ads.

"For the OCA to continue to mislead consumers about Whole Foods Market and UNFI is alarming and disheartening," Letton said. "When the OCA launched an untrue campaign against us last year, we did contact our stakeholders, including our suppliers, Team Members, and shoppers, because we wanted to clear up the misinformation that was being spread by the OCA's campaign. We find it troubling that while the OCA accuses us of pressuring our suppliers against them, they openly call on Whole Foods Market to 'put the pressure on' suppliers to transition to organic."

"Meanwhile, the truth is that Whole Foods Market continues to champion organics more than ever. We take enormous pride in working with hard-working and ethical organic farmers and food producers to offer our shoppers the very best organic products on the planet," Letton said.

United Natural Foods could not be reached for comment.

#### SFGate....

### Organic, local farms get a boost from USDA

Carolyn Lochhead, Chronicle Washington Bureau

Thursday, April 15, 2010

(04-15) 04:00 PDT Washington - -- Obama administration officials Wednesday outlined a broad array of efforts to elevate organic and local farming to a prominence never seen before at the sprawling U.S. Department of Agriculture.

The shift is raising eyebrows among conventional growers and promising federal support to a food movement that began in Northern California and was considered heretical only a few years ago.

"Guys, this is your window - use it," USDA Deputy Secretary Kathleen Merrigan told organic farmers, processors and retailers at a conference Wednesday in Washington that was sponsored by Santa Cruz's Organic Farming Research Foundation and the Organic Trade Association.

When her microphone went dead as she discussed genetically modified foods, a member of the audience joked, "They're already sabotaging you."

Talking more like a Berkeley foodie than a USDA bureaucrat, Merrigan described efforts to penetrate "food deserts" in poor neighborhoods where people rely on corner markets and liquor stores for groceries, tougher enforcement of the USDA organic label and initiatives such as the Know Your Farmer, Know Your Food program to connect local farmers with consumers.

#### Anti-obesity campaign

The efforts parallel first lady Michelle Obama's anti-obesity campaign, which she took Wednesday to a community farm in San Diego supported by the California Endowment, whose mission to improve the health of Californians is mirrored by the first lady's campaign.

"Food is finally either close to or at the center of the USDA plate," said Bob Scowcroft, executive director of the Santa Cruz foundation, which struggled for years to get federal support for organic farming.

Scowcroft cited Merrigan's interest in such innovations as mobile slaughterhouses, which allow tiny livestock producers to get USDA certification of their meat.

"California is desperate for these," Scowcroft said. "The entire U.S. system is now based on massive factory farms. You have lamb producers that want to sell into a local restaurant, but if they even can find a unit to slaughter their lambs, it's 300 to 500 miles away. Driving 10 lambs there is cost prohibitive."

Even a small shift in the giant machinery of the USDA - be it more research money for organics or stiffer antitrust enforcement against industrial operators Merrigan said is coming - could have big repercussions given the agency's central role in U.S. farming. Merrigan said the administration is also linking USDA efforts with other departments such as Health and Human Services.

#### Not the old USDA

Big growers are not thrilled.

After Merrigan addressed a USDA conference in Washington last month, Tim Burrack, a corn and soybean grower who chairs the Iowa Corn Promotion Board, stood up and told her, "This is not the USDA that I've known," according to Iowa press accounts.

"I've farmed for 37 years and worked with the government and everything - and what I'm hearing out here is radically different than what has taken place in the first 36 years of my career," he said.

Burrack cited concern among conventional producers that focusing on organics and small local farms conflicts with traditional agriculture production that "has provided for this nation a very safe and very low-cost food supply."

The department took its first survey of organic farmers two years ago, counting 14,540 of them, located in all 50 states. Sales have reached \$24.6 billion a year, growing 14 percent to 21 percent annually over the last decade, but still remain less than 1 percent of all U.S. agriculture.

#### More small farms

In addition, the census showed for the first time that the number of small farms in California, many of them minority-owned, has increased.

Growers and retailers at Wednesday's conference expressed exasperation over losing their organic certification after their fields were contaminated by neighboring farms growing genetically modified crops.

Alan Lewis, a manager at the Natural Grocers chain in Lakewood, Colo., cited a 1970sera USDA rule that designates beef as "natural" if it is unadulterated after slaughter, even if the cow was pumped with hormones, de-wormers and corn for the months it was alive.

"Magically, it becomes 'natural' on the day of harvest," he said. The agency is looking at a new rule for "naturally raised" beef as a midpoint between natural and fully organic.

But that, Lewis said, is likely to sow confusion with consumers.

"As an industry, we really need to be clear about who's toeing the line and who isn't," Lewis said.

# The Smoldering Trash Revolt

TURNING RESEARCH INTO SOLUTIONS

Recycling is leveling off, trash is piling up and cities are broke. In a throwaway society, who should pay for waste disposal?

By: Melinda Burns | January 21, 2010 | 05:00 AM (PST) |



Every time a Californian breaks the law and throws a battery into the trash, it's a headache for someone like Kevin Hendrick.

As director of the Del Norte Waste Management Authority, Hendrick spends \$50,000 in taxpayer money providing one day per year on which county residents can bring in their household hazardous waste, including batteries, for proper disposal. The problem is, only 5 percent of them ever show up.

It's driving cities and counties crazy all over the country. In California alone, they spend \$500 million yearly trying but failing to manage discarded household batteries, fluorescent lights, hypodermic needles, cell phones, radios, microwaves, printers, computers and televisions — "problem products" that the state has banned from municipal landfills.

#### TURNING RESEARCH INTO SOLUTIONS

As in Del Norte, most people don't bother to bring in their hazardous waste on special collection days. And that means a lot of toxic mercury, cadmium, nickel, arsenic and lead is getting buried in the dump.

"We can't let that stuff come in the garbage," Hendrick said. "These products get banned without a plan. And because we don't know any better, we in local government just keep stepping up and trying to solve the problem. We need to push back. I keep thinking of Gandhi. If we refuse to cooperate, then what?"

The "push-back," in fact, is under way. During the past year, lawmakers in Maine, California, Minnesota and Oregon have proposed ways to start shifting the burden of waste disposal from the public to the private sector. Washington state has looked into the idea, and Rhode Island is studying it. They call it "product stewardship," "extended producer responsibility" and "responsible recycling."

Whatever the label, it means manufacturers themselves would be required to pay for collecting, recycling and disposing of designated products after their customers are through with them.

Supporters — local governments and environmentalist groups — say product stewardship would encourage manufacturers to design less-toxic products and reduce packaging waste. Prices would likely go up for consumers, they say, but ratepayers would not be subsidizing waste disposal for things they didn't buy.

Business groups say the practice would hurt consumers and kill jobs.

In a letter to the California Assembly last year, the <u>California Chamber of Commerce</u> said that a broad framework for product stewardship would raise prices and impose a "vast new regulatory regime," under which "virtually any product could be selected."

"This will make covered products more expensive at a time when businesses are struggling to stay afloat and consumers are trying to stretch their resources as far as possible," the chamber said.

#### Out in front

Because of industry opposition in California, it's fallen to Maine, the most sparsely populated state east of the Mississippi, to take the legislative lead.

Maine faces a \$400 million budget shortfall, and the <u>bill</u>, "An Act to Provide Leadership Regarding the Responsible Recycling of Consumer Products" stands a good chance, said Rep. Melissa Innes (http://www.maine.gov/legis/housedems/minnes/), D-Yarmouth, the author. A joint state House and Senate committee hearing on the legislation is set for Jan. 22. Democrats have a majority in both houses.

#### TURNING RESEARCH INTO SOLUTIONS

"It could be a nice feel-good bill," Innes said. "I don't expect to get support from the Chamber of Commerce, but I'm trying not to get a stampede of opposition."

Product stewardship is well established in Europe, Canada, Japan and South Korea, and it's not foreign to the United States. In recent years, 19 states, including Maine and Minnesota, but not California, have passed "take-back" laws requiring producers — that is, manufacturers, brand owners and importers — to collect and recycle household electronics.

Maine has five product-by-product stewardship laws, the most in the nation. In 2004, it was the first state to require producers to take back discarded televisions, computer monitors, desktop printers and video game consoles.

According to a study by the University of Southern Maine, published in the December issue of *Waste Management*, Maine nearly quadrupled its collection and recycling of electronic waste from 2006, when the law went into effect, through 2008. Many of the used televisions and monitors likely came out of people's attics and garages, the study said. According to the U.S. Department of Commerce, nationwide, 75 percent of obsolete electronics end up in storage.

Under Maine's e-waste program, producers pay most but not all of the recycling and disposal costs. In 2008, the study shows, Maine's cities and towns paid about \$382,000 to collect and store discarded TVs and monitors, and producers paid \$1.9 million to transport, dismantle and recycle them. Some residents paid a small drop-off fee, and others paid nothing.

In addition, Maine requires producers to take back mercury-containing thermostats and auto-switches, <u>compact fluorescent light bulbs</u>, and, beginning in 2011, mercury lamps. A current bill also would require producer take-backs for <u>drugs</u>.

What's different about Innes' new bill is that, rather than continue with product-by-product legislation, it would give the state's Department of Environmental Protection broad authority to choose what to regulate. Producers would be required to turn in recycling and disposal plans and meet collection rates approved by the department. Companies that failed to participate would be fined up to \$10,000 daily, and so would retailers that sold their products.

If the bill passes, the state would likely focus on products that contain toxics, and products such as paint and pesticides, Innes said.

"We're going after the low-hanging fruit," she said. "This is just the next smart step."

Yarmouth spends \$10,000 yearly to hold one household hazardous waste collection day, a cost the city cannot afford, Innes said. Plus, she added, Canada has created many new jobs through product stewardship. And if businesses are required to bear the disposal costs for their own products, they might choose greener ways to make them, Innes said.

#### **TURNING RESEARCH INTO SOLUTIONS**

"All of our waste goes to a waste energy plant, where it burns and goes into the air," she said.
"Even though we have scrubbers and filters, they can only capture so much. We pay for that in our health."

#### 'Tired and mad'

Maine may be ahead, but California is giving it a push, said Bill Sheehan, executive director of the <u>Product Policy Institute</u>, an Athens, Ga.-based nonprofit group that advocates for a "zero-waste" society.

"Maine is clearly a leader in being first and most prolific," Sheehan said. "They 'got it' early on. But a lot of the energy for extended producer responsibility is coming from local governments, and that movement is sweeping down the West Coast."

The <u>California Product Stewardship Council</u> a coalition of local governments, has collected 76 endorsements for product stewardship from frustrated cities, counties and government associations.

"We're at a place in time where local government is saying, 'We're tired, we're mad and we're not going to take it any more," said Rob D'Arcy, who manages hazardous materials for the County of Santa Clara and is the council's chairman.

"Our county spends \$4 million to collect hazardous waste from five percent of households," D'Arcy said. "It's almost disgraceful, the responsibility that's placed on local government to pay for these services, when they should be functions of the market."

To help address these concerns, California Assemblyman Wesley Chesbro, D-Humboldt, proposed sweeping product stewardship legislation similar to Maine's last year, but it never came to a vote. At the end of this month, his aides said, Chesbro will introduce a new bill naming five or six products that manufacturers would have to collect, recycle and dispose of once they are discarded, including a few that are banned from landfills and a few that contaminate the ocean.

"When you try to create a comprehensive framework, you allow every manufacturer to imagine that they're going to be first on the list," Chesbro said in December. "It's not hard to scare them. That's the political difficulty we've run into."

As an example, the <u>Pharmaceutical Research and Manufacturers of America</u>, representing the leading drug research and biotechnology companies in the U.S., says product stewardship could increase the cost of drugs and create a greater potential for drug diversion through theft, because the discarded medicines would be collected in one place.

"Take-back programs do not make environmental sense when the easiest, most acceptable way to rid the home of unused medicines is to dispose of them in household trash," the trade group said

#### TURNING RESEARCH INTO SOLUTIONS

in a recent press release. "... Creating a new process for disposing of unused medicines would be a complex task that will require significant financial resources. ..."

Chesbro has had more success with a bill that would require California to recycle 75 percent of its municipal waste by 2020. His <u>bill</u> was approved last year by the Assembly and is now under review in the state Senate.

Back in 1971, Chesbro was the founder of one of the state's first recycling centers. Recycling, he said, has created 85,000 jobs in California and could create more "green" jobs, if product stewardship becomes the law.

"We talk about going green as a way of getting out of our economic troubles," Chesbro said.
"Recycling is the proven way of doing that. The problem is that the responsibility has always fallen on local cities and counties. There's never been any kind of comprehensive responsibility on the manufacturers of the products."

In Minnesota, another legislator with experience in the recycling business is promoting a product stewardship bill like Maine's. Rep. Paul Gardner of Shoreview, a member of the Democratic-Farmer-Labor Party, said, it's hard "to get people to understand what we're doing," but, he said, his bill, HF 2047, is becoming more attractive in a bad economy.

"Governments are looking for ways to cut costs, and this is one way to do it. You shift the cost from taxpayers to people who buy a particular type of product. And if every manufacturer has to comply with the same law, that can force them to work together and figure out how to pool resources."

#### The mounting trash heap

There's no question that Americans are throwing away more trash than ever before. It's up from 2.7 pounds per person per day in 1960 to 4.5 pounds in 2008, according to the U.S. Environmental Protection Agency. About 75 percent of trash is products and packaging, materials that may contain plastics, acids, heavy metals and petroleum by-products harmful to public health.

Recycling, meanwhile, has leveled out nationally at about 33 percent of the municipal waste stream. (California leads the nation with a recycling rate of 58 percent). On average, then, most of the trash in the United States is buried or burned.

Around the country, a few companies are already investing in recycling. Battery manufacturers run recycling centers for used rechargeable household batteries. Gas stations take back used oil. Coca-Cola has built the world's largest plastic bottle-to-bottle recycling plant. Anheuser-Busch has been recycling aluminum cans for 30 years. Hewlett-Packard takes back cell phones. Ford

#### TURNING RESEARCH INTO SOLUTIONS

vehicles are 85 percent recyclable. And carpet manufacturers recycle about 5 percent of used carpets.

These efforts are welcome, but they do not go nearly far enough, said Heidi Sanborn, executive director of the California Product Stewardship Council.

"Our per-capita waste generation is still going up," Sanborn said. "We're not anywhere close to where we need to be. We've got to stop the bleed. Manufacturers have to meet a collection rate, and fund and manage the system, and part of the discussion is how many products are being sold into the market. Otherwise, there is no transparency."

Generations ago, American soft drink and beer manufacturers voluntarily ran "take-back" programs to collect bottles, refund deposits and refill the returned bottles. This is "cradle-to-cradle" packaging, and many environmental groups favor it as a way to reduce ocean litter.

Geoff Brosseau, executive director of the <u>California Stormwater Quality Association</u>, a nonprofit group that supports product stewardship, said Bay Area cities and counties are spending tens of millions of dollars to capture street trash before it gets into the storm drains. The state recently ordered a 40 percent reduction in storm water trash for the region by 2015.

"We're not sure how we're going to comply," Brosseau said. "The timing couldn't be any worse. Cities have less money than even last year. They're not the source of the pollution: It's the residents and the manufacturers."

Only one prominent business group in the state, the <u>California Retailers Association</u>, has announced that it favors product stewardship, if it's phased in slowly. The owners of supermarket chains and department stores do not want to be on the hook for collecting or recycling the tens of thousands of products they sell, said Pamela Williams, senior vice president.

Williams predicts that eventually, the cost of waste disposal will pass to the private sector. The list of products requiring a manufacturer "take-back" will continue to grow and might soon include bug sprays, dog collars and even shampoos, Williams said.

"This is a massive change in the marketplace," she said, "but the world isn't going to end. We know it's coming."



#### **PPI Press Releases**

First State Producer Responsibility "Framework" Law Passed in Maine with Unanimous Bi-Partisan and Chamber of Commerce Support

March 23, 2010

Movement is Sweeping the Nation

#### CONTACT: Kathleen Goldstein, Product Policy Institute, 202-841-0295

(Augusta, ME – March 25, 2010) With a show of unanimous bi-partisan and Chamber of Commerce support, today the first extended producer responsibility "framework" law (LD 1631, An Act to Provide Leadership Regarding the Responsible Recycling of Consumer Products) was signed into law by **Maine Governor John Baldacci.** Business, environmental groups and legislators came together to make this happen. This sets a precedent for other states to adopt similar framework laws to address the growing, expensive problem of managing consumer product waste. Product Policy Institute (PPI), which developed model framework producer responsibility legislation that was the starting point for Maine and other states, commends this effort.

The law, sponsored by **Rep. Melissa Walsh Innes** (**D** – **Yarmouth**), applies the principle of producer responsibility for managing products when consumers are done with them, to reduce life-cycle impacts. The law establishes a process for creating product stewardship programs for hard-to-recycle products and packaging, moving the physical and financial responsibility for managing old products from the general taxpayer to producers, consumers, and others who benefit from products sold and used.

"Mainers can be proud of their business leaders and legislators for coming together to pass this unprecedented producer responsibility framework law," said Rep. Innes. "We are the first to enact a comprehensive producer responsibility law which addresses the economic and environmental impacts to Maine of product waste."

The legislation resulted from collaboration between the business community, the environmental community and the Legislature. In a recent *Impact* article, **Dana Connors, President of the Maine Chamber of Commerce**, said: "LD 1631 is a true example of the best of the legislative process. [It] establishes a simple and reasonable framework for identifying products appropriate for product stewardship, along with ways to improve existing product stewardship programs already on the books in Maine. ... I'm

proud of the Chamber's role in this important issue, and excited about the opportunities going forward to build on the relationships forged during the work on LD 1631."

Extended producer responsibility – also known as product stewardship - is a policy approach that is common in Europe, Canada and other industrialized nations but is relatively new to the United States. In the US, 19 states now have laws for discarded electronic products that require producers to finance or manage collection and responsible recycling.

"Thanks to this law, Maine people will have increased opportunities to responsibly recycle products that don't currently have good disposal options," said **Matt Prindiville**, **Clean Production Project Director for the Natural Resources Council of Maine**. "Product stewardship programs put the right incentives in place so that products are designed to be recycled instead of land-filled or incinerated."

"Maine's historic action adopting a producer responsibility framework indicates that this is the right approach to deal with the recycling waste products and packaging instead of a product-by-product approach," said **Bill Sheehan, Executive Director of Product Policy Institute**. "It's now time for stakeholders in other states to work together to build on this victory and follow suit."

The momentum and political will is there. Local and state EPR resolutions are sweeping the nation and could lead to state frameworks:

- Producer responsibility legislation for a range of products and packaging has been introduced in the last four years in 32 state legislatures. Comprehensive framework bills have been introduced in six states.
- In 2009, two national organizations of local elected officials -- the National Association of Counties and National League of Cities -- adopted resolutions calling for producer responsibility, including the framework approach.
- Local governments are adopting resolutions calling for producer responsibility state legislation, including framework legislation. In California, 81 local jurisdictions and regional or statewide local government associations have adopted such resolutions.

Product Policy Institute has been leading the producer responsibility movement by setting the goal of a comprehensive policy approach, and by helping local and state government officials and other stakeholders work effectively to support the new policy approach. PPI helped local governments organize Product Stewardship Councils in California, Texas, New York and Vermont; the Councils serve as hubs that bring together all stakeholders to develop sustainable solutions based on the producer responsibility principle.

The New York Times

#### Diner's Journal

Notes on Eating, Drinking and Cooking

February 1, 2010, 5:48 pm

#### **Obama Budget Doesn't Thrill School Lunch Advocates**

By KIM SEVERSON

President Obama's budget proposal is getting mixed reviews among the people watching over the quality of public school lunches. Some say it's too little to make any meaningful change, while others are relieved school food programs are getting anything when other agricultural programs have been cut.

The president is <u>proposing</u> an additional \$1 billion a year for 10 years to be divided between school food programs and WIC, the program for low-income pregnant women, women who have recently given birth and children up to age 5.

The White House, in a statement, said that the bump is "aimed at improving program access, establishing high standards for the nutritional quality of food available in school, exploring new strategies for reducing hunger and improving children's food choices, and strengthening program management."

School lunch reform advocates quickly got out their calculators and started issuing statements.

Some, like Margo Wootan and others in the National Alliance for Nutrition and Activity, which comprises 300 organizations, are <u>urging</u> people involved in school nutrition to get behind the budget proposal and work with Congress to assure the group's agenda for school food reform moves forward.

Others, who had hoped the federal government would increase by as much as \$1 the \$2.63 a day it pays most school districts for each lunch, said it was not enough money to provide healthier scratch cooking and more fresh produce to the lunch tray.

Quick calculations show that at best, the president's plan might offer less than 20 cents more per school lunch.

"That's what it costs me to put an apple on a plate," said Ann Cooper, a school lunch reform advocate who runs the Boulder school lunch program and operates The Lunch Box Web site. "Increasing lunch allotment by less than an apple a day per kid? What is that? Whether its 9 cents or 20 cents, it's way less than we need."

On Feb. 8, after a planned <u>speech</u> by Tom Vilsack, U.S. Secretary of Agriculture regarding the reauthorization of the Child Nutrition Act, Ms. Cooper's foundation and several other organizations including <u>Farm to School</u> and <u>Roots of Change</u> will launch a campaign to try to

rally a million parents to contact the Department of Agriculture and Congress to ask for \$1 more per lunch. At 5.4 billion lunches a year, that's quite a departure from whatever portion of the \$1 billion a year the president is proposing.

And they are likely to run into other agricultural reform advocates who don't like how the budget looks.

"The Obama Administration budget for food and agriculture is a mixed bag," said Ferd Hoefner, policy director of the <u>National Sustainable Agriculture Coalition</u>, who notes that the budget cuts over \$500 million in the short term and over \$1 billion long term from farm conservation programs outlined in the 2008 Farm Bill.

On the other hand, the budget has \$35 million in loans available to help finance groceries and pay for other programs that will get healthy food into urban and rural areas called food "deserts" and \$429 million for research grants through the Agriculture and Food Research Initiative.



#### **OPINION**



# City wants more food stamp usage at farmers markets

By: Joshua Sabatini Examiner Staff Writer 02/11/10

The use of food stamps at the various farmers markets in San Francisco increased by nearly 85 percent in 2009, compared to the previous year, according to the Department of Public Health.

"This success was largely as a result of the efforts of all farmers markets — especially the Civic Center Heart of the City market — and DPH Environmental Health and partners (San Francisco Food Systems, SF Human Service Agency and DPH-Nutrition Services) to increase access to fresh produce for residents qualifying for federal nutrition benefits such as Food Stamps and WIC," Public Health Department Director Mitch Katz recently said in a report to the Health Commission.

The City is now working to build on the increased usage. The department is partnering with the Alemany Farmers Market and the Fillmore Farmers Market to increase the use of government subsidy at these markets. This effort, which is being paid for with money from the Roots of Change Fund, will provide education, cooking classes and incentives to boost food stamp usage. Those who spend at least \$10 in food stamps at these two markers will receive "additional market tokens to purchase more produce."

The whole point of the effort, Katz says, is "to encourage more San Franciscans who qualify for food stamps to eat healthy, fresh, local produce grown by farmers in Northern California and to continue to expand food stamp use at farmers markets in San Francisco."

#### SFGate.com

### Mayor's agriculture plan soon to bear fruit

Heather Knight, Chronicle Staff Writer

Tuesday, March 23, 2010

Vegetable gardens will soon be sprouting in unlikely places throughout San Francisco including a building that produces steam to heat the Civic Center, Department of Public Works land in the Bayview, outside McLaren Lodge in Golden Gate Park and at the San Francisco Police Academy in Diamond Heights.

The public library has installed gardens outside its Mission and Noe Valley branches with plans for more and is leading classes for teens on how to cultivate them.

And the city may soon adopt proposals from private groups to install easy-to-assemble chicken coops in its gardens and send mobile vegetable markets to school pick-up zones and other busy destinations.

It's all the result of Mayor Gavin Newsom's executive directive eight months ago to reshape how San Franciscans think about food and choose what to eat.

"Urban agriculture is about far more than growing vegetables on an empty lot," Newsom told The Chronicle. "It's about revitalizing and transforming unused public spaces, connecting city residents with their neighborhoods in a new way and promoting healthier eating and living for everyone."

Newsom unveiled the unusual plan in July. His directive required that all city departments conduct an audit of unused land - including empty lots, windowsills, median strips and rooftops - that could be converted into gardens.

He also demanded that food vendors that contract with the city offer healthful food and that vending machines on city property do the same. He required that farmers' markets accept food stamps, though some already did. He also put a stop to doughnuts and other junk food at city meetings and conferences.

The plan was deemed silly by some who said it shouldn't be a priority for the cashstrapped city, but Newsom remains adamant there are long-term benefits to urban agriculture.

"There's no better preventative medicine and no easier way to reduce health care costs for the long term than teaching our residents and our children to eat healthier," he said, pointing to First Lady Michelle Obama's White House garden as proof it's a matter of national concern.

Newsom today will break ground on a new garden at a steam powerhouse owned by the Department of Public Works at McAllister and Larkin streets, and the food grown at the farm will go to volunteers who help care for it. Several other gardens have recently gone up or soon will. The library is eyeing gardens at seven more branches.

The city is partnering with a variety of private groups and nonprofits to build individual gardens, and it's mostly those groups that are picking up the tab for seeds and other supplies.

The Department of the Environment has started an Urban Gleaning Program to teach people how to plant fruit trees, supply local food pantries with fresh food and manage a listserv for those interested in urban agriculture.

Sales at San Francisco farmers' markets to those using food stamps increased 85 percent last year. The public health department this summer will begin hosting cooking classes at the Alemany and Fillmore farmers' markets.

A project is under way to ensure the food served at the San Francisco Juvenile Probation Department is locally grown and nutritious.

The city also helped launch a competition last fall seeking innovative designs related to urban agriculture and is likely to begin using some of the favorites. They include Chicken Cribs - billed as "the quick and easy, self-assembly urban chicken coop" - and Mobile Markets, carts stocked with produce that can easily be taken to any busy locale.

Astrid Haryati, the mayor's greening director, said the food grown on city property will either be given at low or no cost to neighbors or distributed to local farmers' markets. But she noted there's a benefit beyond healthful food: a more beautiful landscape.

"It's not only about feeding mouths," she said. "It's about feeding the soul and feeding the pride of San Francisco urban dwellers."



13 April 2010

## **Declaring our food rights**

By Melanie Redman



Photo courtesy of Flickr and protoflux

One of the highlights of Folks Gotta Eat is that awesome folks from all around the U.S. and Canada are now sending me resources to review and consider. In the last week, I've had three people send along information about <u>Fooddeclaration.org</u>. Today is Tuesday, and on Tuesday we learn about something. On this sunny morning in Toronto, we're reviewing the twelve points of the draft declaration for healthy food and agriculture - a declaration meant to represent the American people and our best interests to policy makers (and let's see if this messaging translates well into the Canadian scene).

The declaration, drafted and edited by folks as fabulous as Michael Pollan and Wendell Berry, comes out of years of collaboration of California-based foundations interested in putting their resources to the best possible uses in challenging the industrialized food system. Their rockin' organization, Roots of Change, trains a lot of fellows and funds some pretty important initiatives in California. Though the organization's work is obviously California-based, the effects are far-reaching (after all, as of 2006, California's GDP was larger than all but eight countries in the world - thank you Wikipedia for such fabulous information).

Here are the twelve points of the declaration (with my comments after):

A healthy food and agriculture policy:

- 1. Forms the foundation of secure and prosperous societies, healthy communities, and healthy people. (Now this directly under-minds the U.S. military industrial complex as the basis of society go team!)
- 2. Provides access to affordable, nutritious food to everyone. (In Canada there seems to be a real focus on "culturally appropriate" food as well. Maybe that fits here?)
- 3. Prevents the exploitation of farmers, workers, and natural resources; the domination of genomes and markets; and the cruel treatment of animals, by any nation, corporation or individual. (Obviously depending on where you stand in terms of eating animals, folks will have different opinions on this point.)
- 4. Upholds the dignity, safety, and quality of life for all who work to feed us. (Take that, union busters!)
- 5. Commits resources to teach children the skills and knowledge essential to food production, preparation, nutrition and enjoyment. (Wondering if this is the point to highlight school lunch system overhaul?)
- 6. Protects the finite resources of productive soils, fresh water, and biological diversity. (Canada has a huge vested interest in this point, as the fresh water keepers of much of the world.)
- 7. Strives to remove fossil fuel from every link in the food chain and replace it with renewable resources and energy. (No more synthetic fertilizer, please!)
- 8. Originates from a biological rather than an industrial framework. (Takin' it old school.)
- 9. Fosters diversity in all its relevant forms; diversity of domestic and wild species; diversity of foods, flavors and traditions; diversity of ownership. (Nice, here is where the cultural diversity is named.)
- 10. Requires a national dialog concerning technologies used in production, and allows regions to adopt their own respective guidelines on such matters. (This is the most interesting point, from my perspective. It's very American, this statement. I'm wondering why they chose "regions" instead of "states" in the language?)
- 11. Enforces transparency so that citizens know how their food is produced, where it comes from, and what it contains. (This is one of the easiest points for policy makers to fully implement, as there are many positive moves already in this direction.)
- 12. Promotes economic structures and supports programs to nurture the development of just and sustainable regional farm and food networks. (I refer to <u>Tom Philpott's on-going discussions of food system infrastructure</u> on this point.)

What do you think about this? What's missing? Does it translate well into the Canadian context? Would you sign it?

### THE HUFFINGTON POST



#### Paula Crossfield

Managing Editor of civileats.com

Posted: April 23, 2010

### A New Vision for the 2012 Farm Bill?

House Agriculture Committee Chairman Collin Peterson (D-MN), who last year called those who spend money on organic produce "dumb," may become the unlikely champion of a Farm Bill in 2012 that could create opportunities for more sustainable farmers.

This week, the House Agriculture Committee held the first hearing on the 2012 Farm Bill, the main piece of legislation that every five years establishes our nations food and agriculture policy. The Farm Bill affects farm payments, supplemental nutrition assistance programs (SNAP, formally called food stamps), international trade, conservation programs, the opportunities in rural communities, agriculture research, food safety, and more. Currently 70% of farm payments go to the wealthiest 10% of producers of corn, soybeans, wheat, cotton and rice. These kinds of oversights are the result of a Farm Bill that has been largely cobbled together over time.

But it seems the House Agriculture Committee is gearing up for a more serious overhaul this time around. Peterson said that he called the Farm Bill hearing Wednesday in order to get a head start on the process, saying "I think it will be very difficult to pass a statusquo farm bill in 2012." As the Environmental Working Group pointed out, Peterson has said that all options will be "on the table" for the planning of this Farm Bill.

Due to budgetary constraints affecting all areas of government, Peterson and his committee will specifically be re-considering the efficiency of direct payments, disaster relief programs, crop insurance and conservation programs. He said in an interview following the hearing that subsidy programs could phase out over the next 20 years as crop insurance programs strengthen and become less focused on commodities. "Is it right to be doing [crop insurance] by commodity, or should we be doing this with whole-farm type of situation with crop insurance and revenue?" said Peterson. He went on to say that the idea of crop insurance is easier to sell to urban voters than the conventional subsidy programs. If the new Farm Bill includes this change, it could spur farmers to diversify

their crops, spreading out their risk, thereby creating new opportunities for local food systems.

Peterson has also expressed concern that direct payments could be affecting land values and rents, asking "is that making it more difficult for young farmers to get started?"

This openness could pave the way for a broader conversation about who the Farm Bill serves, what it is suppose to do, and what the long term goals of such legislation should be.

One of the ideas that the National Sustainable Agriculture Coalition (NSAC) hopes will be a part of the discussion is an expanded "green payments" program, which would reward farmers for environmental stewardship instead of placing the incentives on overproduction. "In light of the increasing questions coming from within parts of the Agriculture Committee leadership about the commodity programs--especially direct payments," said Aimee Witteman, Executive Director of NSAC, "We think 2012 represents an important opportunity to make [the Conservation Stewardship Program] an even bolder program that shifts financial resources away from environmentally-destructive practices."

Writer and farmer Wendell Berry, plant biologist Wes Jackson and other advocates of sustainable agriculture have called for a 50-year Farm Bill in order to deal with environmental issues like soil degradation, water pollution and climate change, all exacerbated by the way we produce food now in the US.

"While we need to look at short term problems in agriculture, we also need to look further ahead than 5 years," said Jim Goodman, organic dairy farmer and Institute for Agriculture and Trade Policy fellow. "Issues of water quality, soil erosion, increasing local food production, revitalizing rural communities and decreasing agriculture's dependence on fossil fuel should be addressed with a long range focus."

Daniel Imhoff, author of the book, *Food Fight: The Citizen's Guide to a Food and Farm Bill*, said long-term thinking on the Farm Bill should focus on "Getting Perennial by the Next Centennial." The idea would be to "[use] the 5-year farm bills to push land use from monocropping of annual feed grains to broad acreages of deep rooted perennial plants that sequester carbon, filter water, protect the soil, provide habitat, and can support fewer numbers of healthier grazing animals."

Imhoff also said that this Farm Bill should take a stance of "No Subsidization without Social Obligation." "We must put an end to commodity subsidy programs that simply encourage overproduction and insurance of cheap ingredients for industrial foods," he said. "What we subsidize should contribute to an all around healthier food system"

Michael Pollan, author of *The Omnivore's Dilemma* and frequent speaker on food issues, agrees. "[The] whole bill needs to be viewed through the lens of improving public health and, perhaps specifically, supporting the first lady's Let's Move initiative," he said. "In

the same way bills in congress get "scored" by [the Congressional Budget Office] for their impact on the deficit, the [Farm Bill] should be scored on its various provisions likelihood of improving or damaging public health."

Another major issue is funding the research needed to turn the tables on climate change and the other environmental byproducts of this food system. "The federal food and agriculture research budget and agenda need to be more robust and diversified," said Michael Dimock, President of the organization Roots of Change. He continued, saying that we need "agro-ecological and organic research that will allow us to scale up the work of Joel Salatin, Wes Jackson, and others that are showing farmers how to work with diversity [and] to break out of the industrial mindset that seeks to eliminate diversity."

It is still too early to tell how this dialog about the 2012 Farm Bill will turn out, but Aimee Witteman at NSAC has some advice. "Get to know your legislators and identify champions for your issues early on," she said. "Also, don't underestimate the freshmen. We had several first-year Congress members step up and champion issues like beginning farmers and organic agriculture, folks such as Rep Tim Walz (D-MN) and Kirsten Gillibrand (D-NY)," who was a Representative when the 2008 Farm Bill was written.

Because the 2008 Farm Bill mostly followed the status quo of the bills that had come before it, despite an active base supporting change, I asked Witteman what should be different about the approach to reform this time.

"It's important for the 'good food movement' to not demonize farmers in their media and advocacy work," she said. "I think there was a tendency in the media last time for the "change" story to be written as a power play between the urban elite and the big conventional farmers supposedly living high on the hog. Not only is that depiction inaccurate, it does nothing to forge a strategic relationship between urban and rural stakeholders, or win the hearts and minds of members of the Agriculture Committee. The biggest winners from our existing farm policies are not farmers or eaters, but agribusiness companies that benefit from cheap feed inputs and unenforced antitrust regulations."

The House Agriculture Committee will hold four field meetings in the coming weeks in Des Moines, Iowa; Boise, Idaho; Fresno, California; and Cheyenne, Wyoming that are open to the public, giving individuals a chance to weigh in on the direction of the legislation.

#### SFGate.com

# Anya Fernald brings sustainable food to masses

Tara Duggan, Special to The Chronicle

Sunday, May 30, 2010





Anya Fernald has a way of tapping into the culinary zeitgeist. The sustainable food business consultant and event planner knows how to grab hold of popular food movements and channel the public's attention, all with the goal of improving what Americans eat.

Take Commando Canning, a series of Bay Area workshops she is organizing this summer. Participants will pick fruit at an organic farm and use a taco truck kitchen to make jam on the spot. Afterward, they will cook a meal together in the orchard.

It captures the current fascination with street food, canning and sustainable farming all at once.

"At a grassroots level, I want to be about pushing people to learn new skills and techniques to help them make better food," Fernald said.

One of the leaders in the Bay Area sustainable food movement, Fernald, 35, has an eye for culinary trends that capture the public's imagination. She is best known as the director of Slow Food Nation, the 2008 San Francisco festival that celebrated artisan food traditions and ecological farming practices.

After the festival, the Oakland resident started Live Culture Co. to help sustainable food companies become profitable, and to bring more of the ideas behind slow food into the marketplace.

"I really wanted to be part of the shift that in 20 years from now there is good food, accessible across the United States - food that is healthier, more sustainable and more delicious," Fernald said.

#### Bridging the gap

The company's projects range from helping a Southern barbecue restaurant chain secure a steady supply of sustainable pork to helping farms and resorts here and abroad initiate agri-tourism programs.

In its first year, her company brought in \$500,000 in revenue, both from clients and by producing events such as the Eat Real Festival in Jack London Square, a celebration of street food made with healthful and sustainable ingredients.

Fernald, who seems just as comfortable tromping through livestock pens as she is donning false eyelashes as a regular judge on "Iron Chef America," is lauded by farmers such as Judith Redmond of Yolo County's Full Belly Farm for her ability to bridge the gap between agricultural and urban communities.

Eat Real is a good example; the annual three-day festival, Aug. 27-29, will showcase food crafts and farmers and offers tastes for \$5 or less. Last year, its first, an estimated 70,000 people attended. Fernald plans to expand the festival to Los Angeles next year.

Fernald has loved food for as long as she can remember. She and her sister were born on a farm outside of Munich, where her father was pursuing postdoctoral research. They lived above a cow barn until Fernald was 3 years old, which might have inspired her obsession with cheese-making.

#### **Learning about cheese**

The family moved frequently, eventually settling in Palo Alto, where her mother taught at Stanford. Fernald wound up attending Wesleyan University in Connecticut, but she spent so much time cooking she considered dropping out of school. A summer working as a baker at a Montana dude ranch cured her of any desire to cook for a living. Still, she started making cheese from scratch.

"I was the least favorite housemate ever," said Fernald. "I had bags of curd hanging on the clothes rack in the closet."

After graduating, Fernald received a fellowship from the Thomas J. Watson Foundation to research cheese-making in places such as the United Kingdom, Italy, Greece, Morocco, Tunisia and Austria. Because dairies start the day around 5 a.m., she would often get off a train and arrive at dawn on her folding bicycle.

"I came out of it being awed by the majesty and complexity that food has in different cultures," she said.

Fernald returned to the United States to intern at Saveur magazine in Manhattan before returning to Sicily to work for a cheesemaker. From there she took a job at Slow Food International headquarters in Bra, in Italy's Piedmont region, where she met her future husband, Renato Sardo, a Bra native and at the time the organization's executive director.

#### Value-added products

Sardo said word had gotten out about Fernald's adventures around Europe, folding bicycle and all.

"That made a big impression on us. We could tell she wasn't afraid," Sardo said.

Fernald ended up at the Slow Food Foundation, which funds Slow Food International's programs for sustainable agriculture, biodiversity and social enterprise. She found herself back on the road, seeking out little-known troves of culinary treasure: Bosnian women who hand-peeled plums for fruit preserves, Bolivians making traditional llama jerky, Canadian farmers trying to save an heirloom variety of wheat.

After several years in Italy, a job at Community Alliance With Family Farmers in 2005 lured her back to California to apply what she had learned. At the alliance, a nonprofit organization funded by the U.S. Department of Agriculture, the state of California and private foundations, she expanded the popular Buy Fresh, Buy Local campaign and started a program for organizations such as Kaiser Permanente and UC Berkeley to buy directly from small family farms.

In 2007, Alice Waters of Chez Panisse, the founder of Slow Food Nation, asked Fernald to take over as executive director and to produce the 2008 festival in San Francisco. The event wound up attracting more than 85,000 people to its farmers' market, garden, lectures, music festival and Fort Mason tasting pavilion, and it garnered international media attention. As of now, a reprise of the event is not planned.

Still, Fernald thought there was a broader movement afoot, which led to her founding Live Culture Co. While much of the emphasis in the sustainable food movement has been on getting more fresh and farm-direct produce into the American diet, Fernald focuses on value-added products, particularly shelf-stable foods such as salami or jarred tomatoes made from high-quality raw materials, as a way to supplement farmers' incomes. Because the long shelf life makes the production less dependent on the fluctuations of the market, these products can provide farmers and other producers with steady revenue.

"If you think about our diet, only a small portion of what we eat is fresh food," Fernald said, pointing out that foods like bread, pasta, cheese, yogurt, cured meat and mustard are mostly outsourced to large corporations.

#### **Consumer-direct sales**

"There's no regional food industry left," Fernald said. "Forty years ago, there used to be dozens of apple juice companies in Sonoma County. Now there's one juicer left."

Fernald hopes to help re-establish regional food systems by working with producers such as Shasta Valley Meats in Siskiyou County. Live Culture consults with the farm on raising heritage pork - breeds that have gone out of fashion because of lower yields or higher fat content, but that have the best flavor. Live Culture is helping the farm install an on-site slaughterhouse so that the animals don't need to be trucked across the state, creating opportunities for consumer-direct sales at the same time.

Live Culture is also planning to release the Eat Real iPhone app, which is a guide to farmers' markets, grocers and restaurants offering what Fernald considers "real" food - sustainably sourced, wholesome and delicious - all over California.

Fernald still has ties with the people she met during her years in Italy and returns there frequently with her husband. Sardo now works as a consultant to restaurant-focused developers, including the group behind Jack London Market, which is due to open next year.

#### **Practical instruction**

This year, Live Culture hosted Massimo Spigaroli, a master salumi-maker from Emilia-Romagna in northern Italy. The highlight was a two-day, hands-on charcuterie workshop for Bay Area chefs at the kitchen of Boccalone in Oakland. In addition to overseeing all the details, Fernald was Spigaroli's chief translator, demonstrating a fluency for pig parts in two languages.

"You can't learn this stuff in school," said Fernald, a hairnet barely tamping down her wavy auburn locks. "I want to create a stage for these people."

#### **Inside**

Food: Wines for the big Memorial Day kickoff of summertime grilling. K1

**Home:** A look at custom-made grills that double as garden sculpture. **L1** 

#### To learn more

For information about Live Culture, go to livecultureco.com. For Eat Real Festival, go to eatrealfest.com, and for Yes We Can Commando Canning, go to yeswecanfood.com.



Anya Fernald, director of the Slow Food Nation festival, now helps sustainable food companies profit. Photo: Michael Macor / The Chronicle



Anya Fernald is organizing Commando Canning workshops to combine the interests in street food, canning and sustainable farming.

Photo: Michael Macor / The Chronicle

### PITTSBURGH TRIBUNE-REVIEW

### Judges uphold ban on Bayer pesticide

By Rick Wills PITTSBURGH TRIBUNE-REVIEW Saturday, March 13, 2010

A federal appeals court refused to delay a ban on the sale of a pesticide that some environmental groups claim is killing honeybees.

The decision prevents Bayer CropScience, from selling its pesticide, Spirotetramat, while the company appeals a lower court ruling that halted sales.

"Bayer has demonstrated neither that it will suffer irreparable injury absent a stay, nor that it has a substantial possibility of success on the merits of its appeal," U.S. District Judge Kimba Wood and U.S. Circuit Judge Joseph McLaughlin said in the ruling this week.

The U.S. Environmental Protection Agency is considering what to do with existing stock of Spirotetramat, known by the trade names Movento and Ultor, said spokesman Dale Kemery.

Sales of the pesticide remain legal in Europe, Canada and Mexico, according to Bayer CropScience, which is based in North Carolina. Bayer's North American headquarters is in Robinson.

The decision was handed down three years after scientists identified Colony Collapse Disorder, a mysterious breakdown of bee immune systems that each winter roughly halved the number of bee colonies the nation's large, commercial beekeepers own. The cause of the breakdown largely has eluded researchers.

In December, Manhattan U.S. District Court Judge Denise Cote banned the sale of Spirotetramat on grounds the EPA skipped steps required in any pesticide approval process, including not taking public comment. Cote's decision did not explicitly address the impact the pesticide might have on honeybees.

"Bayer has been touting this as a greener pesticide. It is designed to stop insect reproduction, and it seems to do the same thing to bees," said Aaron Colangelo, an attorney for the New York-based Natural Resources Defense Council, which, along with the Portland, Ore.-based wildlife conservation group Xerces Society, sued the EPA.

Jack Boyne, an entomologist for Bayer CropScience, said the company is confident the EPA will reapprove Spirotetramat's registration.

"It is unprecedented for a lower court to vacate an approval. We believe the decision was not correct. We have been injured improperly and believe that science is on our side," he said. "As the manufacturer, we are not allowed to sell our inventory of product to our distributors."

The EPA approved Spirotetramat in 2008 for use on hundreds of crops, including apples, pears, peaches, oranges, tomatoes, grapes, strawberries, almonds and spinach. Bayer CropScience developed the pesticide after scientists identified Colony Collapse Disorder in late 2006.

"This is one of the safest insecticides for bees," Boyne said.

According to the Department of Agriculture, bees pollinate \$15 billion worth of crops in the United States.

An estimated 29 percent of all U.S. honeybee colonies died last winter, about 11 percentage points higher than what beekeepers consider normal, but lower than losses during the previous two winters.

Colony Collapse Disorder is linked to viruses, mites, poor bee treatment and poor nutrition, said Dennis van Engelsdorp, a honeybee expert and researcher at the Pennsylvania Department of Agriculture. Yet the cause of the die-off remains elusive.

"Will we ever have one cause for cancer? That's what this is like," van Engelsdorp said.

Dave Hackenberg of Lewisburg in Union County is Pennsylvania's largest commercial beekeeper. Because of his concerns about the effect of pesticides on his bees, for the first time in 42 years, Hackenberg will not take his bees to Florida to pollinate oranges.

"I am not going to put my bees in orange groves. The chemicals they are using are doing something that is breaking down bees' immune systems," he said.



## In the company of bees

GREEN ISSUE: How a strange obsession blossomed into a crucial environmental issue

By Sarah Phelan

04/13/2010



A male Agapestemon texanus (green metallic bee) PHOTO BY ROLLIN COVILL

**GREEN ISSUE** On a rainy afternoon in April, I'm standing on an abandoned military base on Alameda Island counting bees on a wild rosemary bush. In the three minutes I've been standing here, I've spotted five large, furry bumblebees, flitting from flower to flower, performing the function that keeps the whole ecosystem buzzing.

But the honeybees I often see here are absent. I'm not surprised. As I learned from Bernd Heinrich's *Bumblebee Economics* (Harvard University Press, 1979) bumblebees are tundra-adapted insects that are better able to forage at low temperatures than sun-loving Italian honeybees.

I've been obsessed with bees for years. My sister says it began when I got stung on the bum as a toddler. My daughter says it started the day we rescued a swarm of half-drowned honeybees that had gotten stranded in high winds on a beach in Santa Cruz. All I know is that my bee obsession really bloomed when we lived on a lavender farm on the north coast of California and I found bumblebees asleep on the lavender, at night.

A beekeeper on the farm explained that, unlike honeybees, bumblebees don't form permanent colonies. Instead, they nest in empty mouse holes and form small social groups that die out each fall. The bees sleeping on the flowers were probably male, he added; they tend to be lazier, while the females do most of the work.

He told me that only the young pregnant bumblebee queens hibernate in the fall, emerging alone the next spring to start new colonies. There are more than 4,000 species of native bees in North America. Some are the size of ants; others are territorial and drive other bees off the flowers they guard. Most are solitary, nonaggressive loners, and some aren't that busy at all.

Curious, I bought a book about beekeeping from a clerk who told me his father once kept bees in Oakland. "Urban honey is the best," he said, explaining that urban gardens often contain unusual and diverse collections of plants. "City bees have far more exotic choices of nectar."

Fast-forward to the present and it seems that the general public also has taken a much more active interest in bees, particularly since 2006 when colony collapse disorder decimated honeybee populations, triggering warnings of a coming agricultural crisis and potential devastation to the ecosystem.

Scientists estimate that bees pollinate nearly three-fourths of the world's flowering plants. These plants provide food and shelter for many species of animals. A 2008 survey by the U.S. Department of Agriculture shows that 36 percent of the 2.4 million hives in the U.S. have been lost to colony collapse disorder, which translates into billions of honeybees.

Some species of bumblebees also are vanishing. Robbin Thorp, professor emeritus of entomology at UC Davis, blames their disappearance on commercially reared bumblebees that are imported to pollinate hothouse tomatoes and then escape into the wild, where they leave pathogens on flowers (see "Buzz Kill," 01/27/10).

But amid such big news, I'm still keeping a diary of notes on bees and focusing on my own backyard on Alameda Island, wondering how I can attract more bees. Xerces Society for Invertebrate Conservation heeded Thorp's thesis and petitioned to stop the cross-country movement of bumblebees, but the Portland, Ore.,-based group has also produced handy pocket guides to help people like me identify bumblebees in the field.

So far I haven't spotted the missing Western bumblebee, *Bombus occidentalis*. But I did see a bumblebee queen spiraling through a Potrero Hill garden on a mild day in early January. Reached by phone, Heinrich, professor emeritus of the biology department of the University of Vermont, told me that the queen would retreat into her underground hole when the weather got cold and wet again, which it soon did.

When he was writing *Bumblebee Economics*, which explores biological energy costs and payoffs using bumblebees as the model, Heinrich studied *Bombus terricola*, the yellow-banded bumble bee that was plentiful around Maine bogs in the 1970s.

"I could see dozens all at once. But since then, for years I didn't see any at all, and since then I've only seen a few," Heinrich said "Nobody figured out what happened."

Gordon Frankie, professor and research entomologist at UC Berkeley, told me he's happy to see the increased interest in urban bees. "People have begun to recognize that bees have a major role to play in agriculture," Frankie said, as he and Rollin Coville, who has a doctorate in entomology from UC Berkeley and a passion for photographing insects, showed me around the experimental urban bee garden they created in 2003 at the edge of a field in downtown Berkeley.

"Bees love blues, purples, pinks, and yellows," Frankie said, explaining that bees can see ultraviolet hues but not red flowers as we observe bees busily foraging on a blue lilac bush.

He also said bees love hanging out in open meadows where the sun shines and where they can see the flowers. "In the forest is no damn good if you're a bee," he said.

In July 2009, Frankie, Coville, and Thorp published an article in *California Agriculture* that outlined the results of bee surveys in gardens in Berkeley, La Canada Flintridge, Sacramento, San Luis Obispo, Santa Barbara, Santa Cruz, and Ukiah.

"Evidence is mounting that pollinators of crop and wild land plants are declining worldwide," they wrote. "Results indicate that many types of residential gardens provide floral and nesting resources for the reproduction and survival of bees, especially a diversity of native bees. Habitat gardening for bees — using targeted ornamental plants — can predictably increase bee diversity and abundance and provide clear pollinator benefits."

Frankie and Coville also helped produce a 2010 native bee calendar that features Coville's photographs of bumble, squash, mason, carpenter, leafcutter, mining, wool carder, cuckoo, and ultragreen sweat bees, plus tips on how to attract these pin-ups by planting a variety of bee-friendly plants, avoiding pesticides, and refraining from overmulching.

Researchers have observed almost 50 species of native bees at UC Berkeley's bee garden, out of 85 species recorded citywide. UC Berkeley's urban bee gardens' Web site, (<a href="www.nature.Berkeley.edu/urbanbeegardens">www.nature.Berkeley.edu/urbanbeegardens</a>) notes that bees have preferences for gardens as well as flowers.

"Gardens with 10 or more species of attractive plants attracted the largest number of bees," the Web site states, cautioning people against hanging around plants too long. "If an observer spends too long in one place hovering over the same patch of flowers, the bees will gradually begin to move on to other flowers where they won't be bothered. To facilitate counts, it is sometimes a good idea to create little paths through the garden so that all patches are accessible to the observer."

Here in California, high real estate prices have led to the increased paving over of bee habitat. And bees have come under additional stress in the wake of a 2006 *E. coli* outbreak that sickened more than 200 individuals and resulted in at least three deaths on the Central Coast. Growers have since been pressured to eliminate hedgerows, wetlands, habitat, and wildlife around farms.

But as a February 2010 Nature Conservancy report on food safety and ecological health notes, "certain on-farm food safety requirements may do little to protect human health and might in fact damage the natural resources on which agriculture and all life depend."

These concerns have a direct, if hidden, impact on Bay Area residents, whose food supply comes almost exclusively from outside urban limits. Take San Francisco, where crop production consists of \$1 million worth of orchids, flower cuttings, and sprouts on two acres of land, according to a 2008 Department of Public Health report.

Missing from that equation is the honey that local bees produced. As San Francisco beekeeper Robert MacKimmie recently noted, mites hit his hives hard in 2009. "And the summer and fall were pretty brutal since we were in the third year of drought," MacKimmie said.

He hopes El Nino-related rains will be good for this year's bees: more water means more flowers for bees, which rely on nectar and pollen to sustain themselves and their developing brood.

MacKimmie doesn't have a garden and uses other people's yards to keep his bees. "The honey serves as rent," he said, noting that he only places two hives in each yard to disperse the bees in more equitably and sustainably. He points to the work of Gretchen LeBuhn, a San Francisco State University professor who started the Great Sunflower Project in 2008, as a fairly easy way to gather information about bee populations.

Reached by e-mail, LeBuhn said her project has more than 80,000 people signed up to plant sunflowers this year. "Participants create habitat by planting sunflowers and then contribute data to our project by taking 15 minutes to count the number of bees visiting their sunflower," she wrote.

"The Great Sunflower Project empowers people from preschoolers to scientists to do something about this global crisis by identifying at risk pollinator communities," LeBuhn said. "By volunteering to collect data as a group, these citizen scientists provided huge leverage on a minimal investment in science and created the first detailed international survey of pollinator health and its implications for food production.

"Getting this kind of critical scientific data at thousands of locations using traditional scientific methods would cost so much money that it is untenable," she added.

LeBuhn encourages people to submit their bee count data at <a href="www.greatsunflower.org">www.greatsunflower.org</a>, which recommends growing bee balm, cosmos, rosemary, tickseed, purple coneflowers,

and sunflowers. Unfortunately her data shows that "at least 20 percent of the gardens are getting very poor pollinator service."

The public is encouraged to visit the UC Berkeley bee garden in May when public tours begin. But you might want to brush up on your Latin, the language experts speak when they hang out with the bees.

Coville saw a mason bee land on a lavender-flowered sage and said, "I think I just saw an *Osmia* on a *Salvia mellifera*!"

Frankie smiled at me and said, "It's bee talk."





## TAPROOT FOUNDATION AWARDED CALIFORNIA VOLUNTEERS 2010 SOCIAL INNOVATION SPOTLIGHT AWARD

Governor Schwarzenegger and First Lady Maria Shriver Recognize Taproot Foundation for Revolutionary Service Model and Engaging Corporate Community in Service

SAN FRANCISCO, CA – May 06, 2010 – California Governor Arnold Schwarzenegger and First Lady Maria Shriver presented Taproot Foundation with the prestigious California Volunteers' Spotlight Award today at the annual Governor and First Lady's Medals for Service statewide event. This top California volunteerism award recognizes a business or nonprofit who has made a broad and innovative impact on the service and volunteering sector in California.

Taproot, a nonprofit organization founded in San Francisco in 2001, was selected as this year's award recipient for revolutionizing service in California both by engaging marketing, human resources, design, and strategy professionals in pro bono service to strengthen nonprofits and by partnering with companies across the state to expand the impact of pro bono service. At the award ceremony, Taproot was recognized for having delivered over 350,000 hours of pro bono services to over 500 nonprofits in the Bay Area and Los Angeles valued at over \$30 million since 2001. They were also credited for partnering with and convening corporations, universities, trade associations, and government agencies to design and implement their own pro bono service programs—making it possible for thousands of additional professionals to engage in pro bono service.

"We have always been deeply committed to our impact in California and are honored to have been chosen to receive this award" says Joel Bashevkin, Taproot Foundation's Western Region Executive Director. "In the past year, we have really seen the expansion of our community impact through the success of our new Los Angeles office. This award honors not only Taproot Foundation but also the many amazing nonprofits, business professionals, corporations, and community leaders who have joined together to make pro bono service a reliable and wide-spread solution for our state."

The award also recognized Taproot for its dedication to cross-sector collaborations and for its impact and response to the changing economy. They were noted for the 2009 expansion of their Service Grant Program to serve Los Angeles, which within its first year leveraged pro bono consulting resources valued at \$5 million dollars to the city. Taproot was also recognized for engaging corporate leaders to increase their support of California's nonprofits. Nationwide, Taproot's efforts with CNCS's Billion + Change Campaign have helped secure pledges of over \$400 million in pro bono service from the corporate community.

"Over the past decade, the Taproot Foundation has had a tremendous positive impact on the state of California," says Karen Baker, California Secretary of Service and Volunteering. "Their innovative approach to pro bono service in their Bay Area and Los Angeles programs has allowed thousands of professionals to serve our nonprofits. Additionally, they have created a collaborative community across corporations, universities, government, and nonprofits to support our state. This past year, their work has been especially critical in filling resource gaps as economic challenges have left more professionals unemployed and more nonprofits under-resourced. Taproot's selection reflects their broad impact in strengthening and uniting our communities."

#### **About the Taproot Foundation**

Taproot is a nonprofit organization that makes business talent available to organizations working to improve society. We engage the nation's millions of business professionals from marketing, design, technology, and strategy fields in pro bono services both through our award-winning programs and by partnering with companies to develop their pro bono programs. One day, we envision all organizations with promising solutions will be equipped to successfully take on urgent social challenges.

For more information about the Taproot Foundation, please visit: www.taprootfoundation.org

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