



FREEDOM

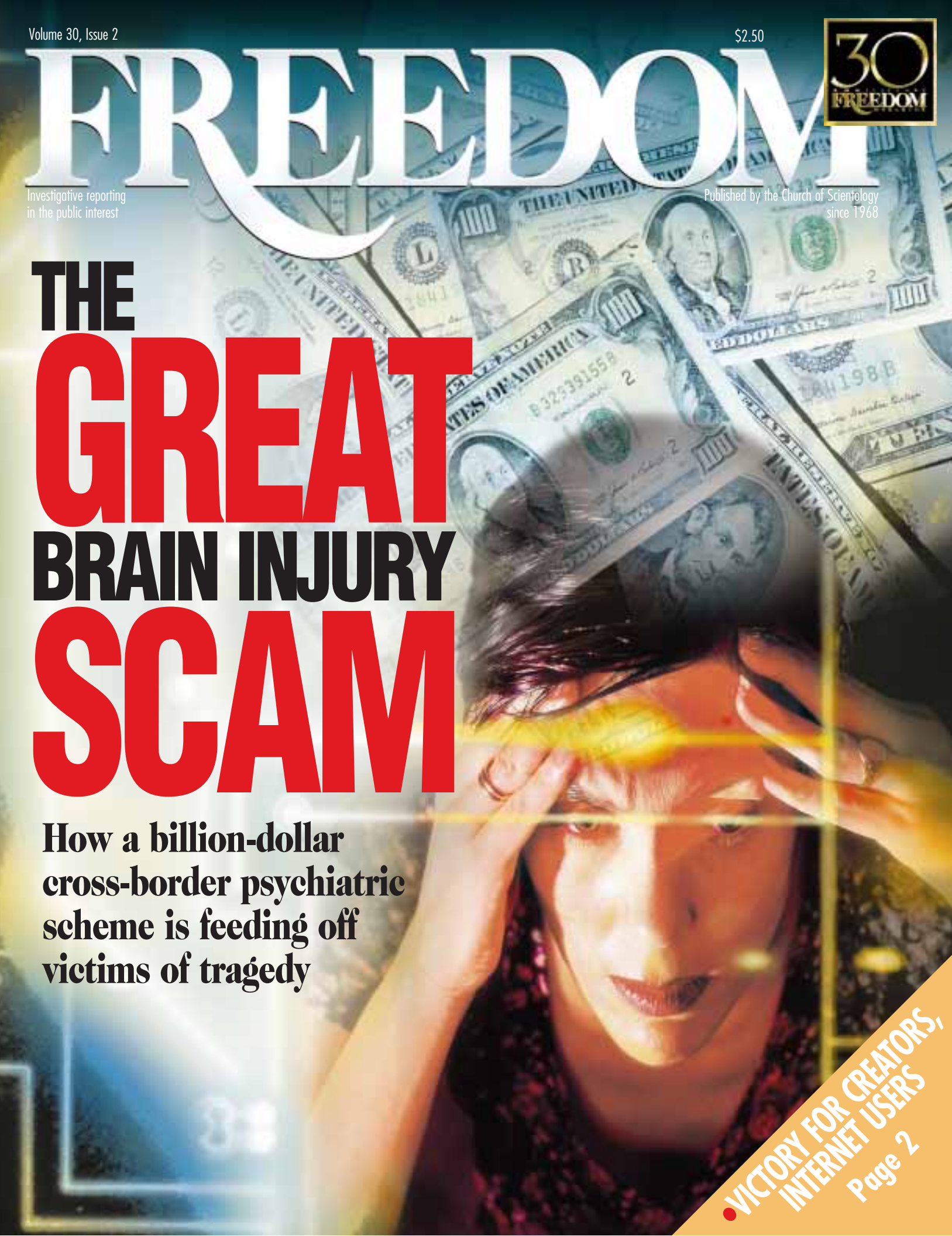
Investigative reporting
in the public interest

Published by the Church of Scientology
since 1968

THE GREAT BRAIN INJURY SCAM

How a billion-dollar
cross-border psychiatric
scheme is feeding off
victims of tragedy

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INTERNET USERS
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The Pursuit of Truth



Aron C. Mason
Editor in Chief

When French political philosopher Charles de Montesquieu set out guidelines for a modern state in the 18th century, he not only laid the foundation for the French Revolution but ultimately for the U.S. Constitution.

The principle of dividing government power into three

separate but equal parts — legislative, executive and judicial — has, ever since, been fundamental to democracy and preservation of individual liberty.

But over the years, a “fourth power” has emerged with an ever-greater presence on the stage of national affairs. And by closer analysis, this fourth factor appears, in many respects, to have elevated itself to its own “higher ground.”

I am speaking of a power almost entirely outside government control: the influence of the press.

Battles between the press and government are as old as history. And the same history teaches, rightly, that a free press is often the best check against political tyranny.

But what happens if and when the media itself becomes party to efforts to violate the rights and freedoms of others?

It is not difficult to find examples where vigorous press campaigns have influenced lawmakers to accept measures for which there was no pressing need. Similarly, the press can cause the government to minimize or exaggerate its efforts to enforce existing laws.

And then there is the matter of obscuring or distracting from issues and information

which affect the lives of millions. A politician once remarked, “If you can’t convince them, confuse them,” and recent events show that, at least for many in news media and those behind the scenes who craft their messages and content, this advice has been taken to heart, and deeply so.

Surveys show the public at large to be increasingly wise to this problem. A recent survey by the Roper Center at the University of Connecticut found that 54 percent of Americans feel that the news media “gets in the way” of solving society’s problems. Leading the list of reasons for that perception: Sensationalism.

A recent case in point involves the nation’s highest elected office and the forces mustered in a quest for the office-holder’s professional and personal demise.

There can be no doubt that immoral and dishonest conduct is intolerable and, if found and proven in any sphere of government, Americans should not disregard it. But in all the media grandstanding and the “CNN effect” — efforts to keep news broadcasts filled 24 hours a day — certain very critical factors are lost. One is the presumption of innocence until guilt is proven. Another is that media sensationalization of unproven allegations can cause not only unjustifiable personal harm to the accused, but also, in this case, to the standing of the United States in the world community. It is undeniable that to dwell relentlessly on questions of presidential misconduct based on unproven allegations has the corollary effect of hurting not just the president but the presidency.

There is another side to the news media coin: those very important issues which touch countless lives and yet receive virtually no media notice, cast aside in favor of more “sensational” issues. By way of highly pertinent examples, consider that the U.S. Justice Department’s Bureau of Justice Statistics just announced that the nation’s

prisons and jails hold no less than 1,725,000 men and women — an unprecedented increase of more than 96,100 inmates over the prior year. Consider that “solutions” to the crime problem on most tables of government are calls for more prisons, a proposition beneficial only to the contractors who would build them. (Indeed, jail and prison construction is a leading growth industry.) And consider that outside our borders, well in excess of a billion people live under other forms of confinement, governed by regimes which deny fundamental human rights mandated by the Universal Declaration on Human Rights.

These are among the matters we examine in this edition of *Freedom*, broad challenges which cry out for broad discussion and address. We encourage journalists and citizens at large to dig in to these and other social concerns and problems with an eye to *ideas* and *solutions*. As we at *Freedom* reflect on 30 years as the Church of Scientology’s voice for public service journalism, we feel the time is more right than ever to take a longer view of the world with the objective of making it a better place in the coming millennium.

Much of the news media, crying out for “reform” in others, itself could stand a good deal of introspection and reforming. In missing crucial aspects of the larger picture, the media does both itself and its consumers a monumental disservice. In stressing controversy and conflict, they miss that few beyond certain sports fans enjoy witnessing fights. In undervaluing clarity and directness, they undermine democracy, given the media is the intelligence service of a democratic people. Biased or false accounts are deadly in an intelligence system.

Franklin Roosevelt observed that “The truth is found when men are free to pursue it.” We encourage all readers to exercise their freedom to seek out the truth, and to champion enhancing that freedom both for themselves and those not so free. And, as always, we welcome your views.

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FREEDOM

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Cover: Operation Restore Trust — the law enforcement initiative to clean up health care fraud — has recovered billions in funds swindled from American citizens. But its success is as much a cause for alarm as it is for praise. *Freedom* examines a bizarre “industry” structured to profit from human suffering.



Right: President Clinton's African visit brings human rights issues into sharper focus (see page 16). Far right: The results obtained by a project to rehabilitate offenders in Los Angeles spell a breakthrough in the field of corrections (see page 30).



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Victory for Creators, Internet Users

Unanimous jury verdict upholds constitutional rights, sends a signal to copyright violators

To hear Palo Alto resident Keith Henson tell it, the real “problem” with the law isn’t figuring out how to comply with it or even get around it, but convincing others that laws just don’t matter. “Hilarious... obviously bogus,” he said of U.S. copyright laws and efforts to enforce them.

But when a federal court jury in San Jose patiently sat through both sides of the story, they unanimously disagreed with Henson and what he stands for — and in very strong terms. On May 12, 1998, the jurors concluded after a four-day trial that he had willfully infringed a copyright in an unpublished Scientology religious work and ordered he pay \$75,000 in damages.

That judgment may be the largest verdict ever handed down for an infringement of a single work. “We felt we needed to send a message to [Henson] and others like him, to prevent this kind of conduct from happening in the future,” said one of the jurors when questioned following the verdict.

Attorneys for Religious Technology Center, plaintiff in the Henson case, stressed the importance of that message both in cyberspace and the creative community. “The decision sends another clear signal to those who think that laws and property rights are sus-

ended on the Internet,” said attorney Helena Kobrin. “The federal courts and the law-abiding citizens who serve on juries will not permit a lawless clique to gut the creative rights of authors and artists through copyright infringement.” RTC holds the exclusive rights to certain unpublished works of L. Ron Hubbard, founder of the Scientology religion.

The verdict followed a ruling last year by U.S. District Judge Ronald M.

“We felt we needed to send a message to [Henson] and others like him, to prevent this kind of conduct from happening in the future.”

— Juror



“When your copyrights are under assault from infringers, and efforts at communication are to no avail, you must either go to court or risk losing your rights.”

— Attorney Helena Kobrin

Whyte which found Henson had infringed RTC’s copyright interests and awarded RTC a permanent injunction, forever prohibiting further violations by Henson. Prior to filing the suit, RTC warned Henson that he was acting in violation of federal law, and that he

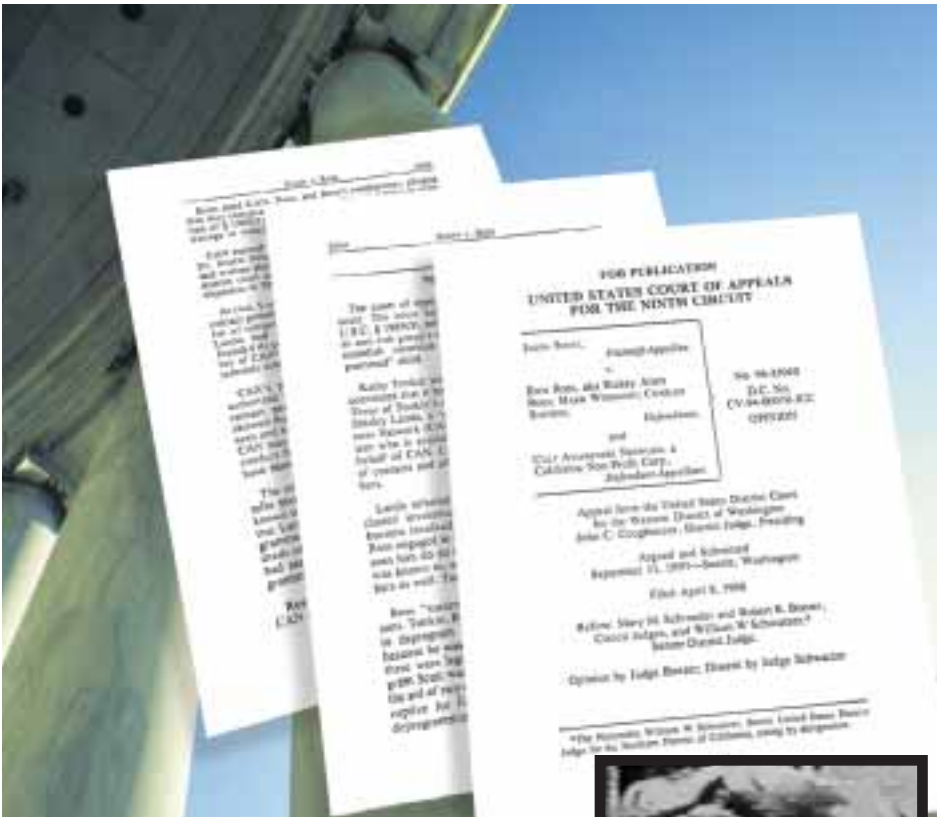
should desist from further infringement of RTC’s rights. When he rejected the warning and repeated his infringement, RTC had no choice but to sue in order to protect and enforce its rights. “When your copyrights are under assault from infringers, and all other efforts to resolve the situation are to no avail, you must go to court to protect your rights,” said Kobrin.

Kobrin also stressed the importance of the decision for the Internet as a whole. “Freedom of speech cannot mean freedom to steal, to profit from theft or injure others,” she said. “That kind of conduct can only give the Internet a bad name and hurt those who want to use it to improve their lives and help others. The greatest peril to the promise of the Internet is people who seek to turn it into a lawless frontier. This judgment should help keep the Internet safer for all.” ■



Keith Henson in police custody after an arrest in Los Angeles. During another arrest, Henson savagely bit the person attempting to enforce a restraining order. His former wife charged him with molesting his own daughter.

U.S. Court of Appeals Hands Down Landmark Civil Rights Ruling



Multimillion-Dollar Judgment Upheld Against Cult of Kidnappers

The U.S. Court of Appeals for the 9th Circuit in San Francisco affirmed in April a multimillion-dollar verdict against the old Cult Awareness Network, a clearinghouse for anti-religious outlaws. The original October 1995 judgment resulted from the

In a separate case in Chicago, a federal jury found that the old CAN was a criminal clique and that its president, Cynthia Kissler (above), deprogrammed her own sister and then went on to conduct other assaults.



kidnapping, imprisonment and attempted “deprogramming” of a man from a conservative Christian church from the Seattle area. The old CAN is now required to pay its victim \$875,000 in actual damages and \$1 million in punitive damages, plus interest from 1995.

But it is also something more: a victory for religious freedom and civil rights for people of faith in America. “This is the first federal appellate court decision which expressly holds that deprogramming violates U.S. civil rights laws,” said Kendrick Moxon, one of the attorneys on the appeal. And, given that the deprogramming attempt was, at its core, an effort to force a young adult man to “change” his interpretation of the Bible, Moxon noted that the decision “means that efforts to force someone into changing their religious views — whatever they are and for whatever reason — are clearly labeled as violations of federal law. This is a very important legal precedent.”

The old CAN was infamous for involvement in illegal acts against religious groups and their members. And its reputation was well-deserved: its founder a five-time convict charged with an array of offenses including rape and cocaine smuggling; its favorite “deprogrammer” a convicted jewel thief and diagnosed psychopath; its security chief a longtime inmate of some of the nation’s toughest jails.

The views of the old CAN’s last executive director, Cynthia Kissler, shed much light on what comprised that organization’s agenda and help explain its perverse fascination with Christians: “If [Jesus Christ] were alive now,” she told the *Cleveland Plain Dealer*, “we’d take an interest in him because of the great controversy surrounding his fringe activities.... We’d try to see if there was abuse, unethical behavior or deceptive practices. And I’d send whatever we could find to reporters.”

Faced with court losses and mounting problems with the law entangling the old CAN’s officials and deprogrammers, the September, 1995 trial in Seattle came at a crucial time — and the subsequent verdict was effectively the last straw for the embattled CAN.

Vast implications

The Court of Appeals determined that CAN’s agent in Washington state, Shirley Landa, acted for and on behalf of CAN in making referrals for what CAN euphemistically called “involuntary deprogramming” — a practice where the target is held against his will while attempts are made to forcibly alter his religious beliefs. Since the verdict against CAN, the practice of deprogramming in America, which had been a lucrative criminal enterprise, has apparently ceased. The court found CAN responsible and that “CAN members routinely referred people to deprogrammers.”

In its 23-page opinion, the court acknowledged the role played in the case by violent deprogrammer and convicted felon Rick Ross, and Ross’ ties to the old CAN, noting that “The evidence indicates that it was CAN’s practice to refer people to depro-

grammers, including Rick Ross, and that Ross was known to engage in involuntary deprogramming.”

The court also turned to CAN’s violations of civil rights laws, and the issue of whether a private organization can be held liable for the acts of its members, under a legal doctrine known as vicarious liability or respondeat superior (literally, “let the master answer”). “We conclude that vicarious liability may be imposed on CAN in this action,” said the court. “Under either traditional principles of respondeat superior or ‘policy and practice’ principles, CAN would be liable. Landa acted as CAN’s agent, and Landa acted in accordance with CAN’s practice of referring people to involuntary deprogrammers.”

Further, confirming that CAN engaged in “a conspiracy to deprive the plaintiff of the equal protection of the laws,” the appellate panel concluded that “The record shows that Landa was involved in the agreement to deprogram Scott and thereby violate his civil rights. Landa referred [Scott’s mother] Tonkin to Ross, and Landa was aware of Ross’ methods. ... The fact Ross contacted Landa for ‘legal advice’ after his arrest is further evidence of her complicity.”

CAN argued before the court of appeal that it was its “official policy” to not involve itself in deprogramming, and thus it should be let off the hook. The Court rejected this argument as contrary to the evidence at trial, saying that “CAN’s ‘official’ policy prohibiting involuntary deprogramming [does not] undermine the evidence concerning CAN’s



Attorney Kendrick Moxon: With the Court of Appeals’ recent decision affirming a multimillion-dollar verdict against the old Cult Awareness Network, “efforts to force someone into changing their religious views — whatever they are and for whatever reason — are clearly labeled as violations of federal law.”

practices...” and thus held CAN fully liable for the original judgment, plus interest.

Explaining the importance of these findings, Moxon said that “This means that

groups which violate civil rights as a matter of policy and practice cannot escape responsibility for crimes by stating ‘well, that was done by an individual employee on his own initiative.’ If someone acting for the KKK violates your rights, the KKK can be held liable, because such actions are consistent with their goals, policy and practice. The implications for a hate group like the old CAN are vast.”

In a separate case which went to trial in U.S. District Court last year, a federal jury in Chicago found that CAN was a criminal clique and that its president, Cynthia Kisser, deprogrammed her own sister and then went on to conduct other assaults.

Following the 1995 verdict, the old CAN declared bankruptcy and its name and assets were purchased by a consortium of religious groups, the Foundation for Religious Freedom, intent upon reversing CAN’s previous campaign of prejudice and intolerance. The new group promotes religious liberty and family communication and understanding to resolve disputes regarding religious beliefs. More than 5,000 individuals have telephoned its hotline to date and obtained help or information.

The new CAN’s chairman, Rev. Dr. George Robertson, vice president of Maryland Bible College and a Baptist minister, said, “We applaud this decision as the death blow to a former reign of religious terrorism, fueled by lies, fear and bigotry. We feel religious liberty is America’s most important freedom.” ■

“My SON was turned into an ADDICT, locked in a hospital room until the **INSURANCE** was gone...”



Why are school problems increasingly diagnosed as “mental disorders” which call for costly, unending “treatment” — to no result?

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THE GREAT BRAIN INJURY SCAM

How a billion-dollar cross-border psychiatric scheme is feeding off victims of tragedy

by Andy Prough & Catherine Malone

Special to Freedom

In March 1995, the Clinton administration launched "Operation Restore Trust," a law enforcement initiative to clean up health-care fraud. In its first year, it recovered \$42 million; in its second, the figure had grown to \$1.2 billion. Now in an unprecedented fourth year, the program's success has earned it expanded federal funding and resources as it moves into its next phase.

But the stunning quantum of funds recovered by Operation Restore Trust is more a cause for alarm than it is for satisfaction, for it offers a sense of just how widespread and unchecked health-care fraud has been.

Indeed, to paraphrase one Justice department analyst, there is a universe of fraud only now being uncovered. The April 6 announcement of the filing of an extraordinary \$175 million federal lawsuit in Madison, Wisconsin, against Tenet Health-care by Canadian officials is, as one attorney put it, "only a start."

The facts underlying that suit bring the connection between events in Canada and in the United States into sharper focus. In late 1997, Freedom's Canadian correspondents brought to light the story of the largest case of health-care fraud in Canadian history. Thousands of Ontario citizens had been funneled into U.S. psychi-

atric hospitals at an estimated cost of \$400 million to the taxpayer-funded Ontario Health Insurance Plan (OHIP). It was also revealed that U.S. psychiatric hospitals hired "patient brokers" or "bounty hunters" to secure patients through misleading marketing practices and fraudulent means, resulting in patients being incarcerated in costly psychiatric hospitals. Some patients were sent for "smoking addiction," and others for "weight loss."

In this issue, Freedom presents the results of a 12-month investigation by the Citizens Commission on Human Rights (CCHR) and Freedom, in conjunction with Brabant Newspapers of Canada. It is the story of the insured and incurable — brain injury survivors, who've become human cogs in a multi-million dollar cross-border psychiatric scheme.

To fully understand the nature of this tale, one must know that the Attorney General of Ontario, Canada took the unprecedented action of filing a \$130 million lawsuit against 36 U.S. psychiatric hospitals in April 1997, after CCHR exposed fraud and abuse involving Ontario residents. Five years earlier, in 1992, the FBI had raided hospitals owned by National Medical Enterprises (NME) — the same company named in the Canadian suit. The investigation of NME resulted in a \$380 million settlement.

In the summer of 1990, an intensive congressional investigation was launched into the “brain injury rehabilitation” industry. At the same time of that investigation, Lynn, Massachusetts-based New Medico, a chain of rehabilitation facilities which was once the largest U.S. network of brain injury rehab clinics, was also the target of an FBI probe.

One of the driving forces behind the investigation was brain injury survivor Lucy Gwin of Rochester, N.Y., today one of the leading voices for the rights of the disabled in the United States. Her harrowing experience at a brain injury rehabilitation facility owned by New Medico left her so outraged she was moved to document the cases of hundreds of brain injury survivors. Her findings, corroborated by government investigations and evidence obtained by Freedom, reveal an alarming pattern of human rights violations on American soil — all for a profit.

Lucy Gwin never knew what hit her — literally. After working as a professional writer for years and raising two daughters, through the reckless actions of another, her life was irrevocably changed.

In 1991, she was hit by a drunk driver in a downtown intersection. The police were called but, because of traffic delays, the driver escaped from the scene, never to be found. She was rushed by ambulance to a hospital where she remained unconscious for three weeks. When she awoke she was taken to the New Medico rehabilitation facility in Cortland, New York. Soon after her arrival Gwin walked outside to smoke a cigarette. “This place is nothing but a prison,” were the words she heard uttered by another patient as she stood outside.

The next morning, she awoke to the screams of her roommate, who was taking a shower “assisted” by staff. A cheery social worker, speaking slowly, told Gwin she would work to make her stay “very happy.”

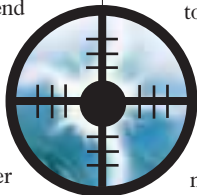
For weeks, Gwin wandered the facility, making mental notes of abuse against patients including the rape of her roommate by three staff members, watching a patient receive kicks to the head for trying to leave and psychiatric drugging of patients who questioned their “treatment.”

After several weeks, a sympathetic staff member warned Gwin that New Medico planned to send her for psychosurgery for “seizures” she never had. In desperation, she called a friend who lived nearby. The next day, amidst threats from facility staff and warnings she was insane, that friend carried Gwin out of the facility.

Despite the widely held contentions of psychiatrists and psychologists behind brain injury rehab, survivors like Lucy Gwin do remember the abuse they suffer. Indeed — and unfortunately for New Medico — the memories of Gwin and other patients are crystal clear.

“Most of us believe that when people are hurt, no one would take advantage of them,” says Gwin, who now works as a journalist in New York. “Wrong. That’s when the vultures come.”

Gwin said that during her three-week stay, patients spent their days sitting “outside at picnic tables, smoking.” When she confronted the staff about their physical abuse of other patients, she was put in a “baskethold,” a restraint similar to a Full Nelson wrestling hold, leaving the patient completely immobile. “It’s one of the most evil things you can do to a person,” said Gwin. “It’s terrifying.”



Brain injury survivor Lucy Gwin: “That’s when the vultures come.”

Her insurance was billed for substance abuse treatment even though she didn’t have a substance abuse problem. Incredibly, New Medico, the largest chain of rehabilitation facilities in the U.S. at the time, justified the billings on the basis that the driver who hit Gwin was a drunk. New Medico billed Gwin’s insurance \$10,000 U.S. for seven days of treatment.

Charges against New Medico, covered in a congressional report entitled “Fraud and Abuse in the Head Injury Rehabilitation Industry,” included, “inappropriate care, fraudulent billings, misleading marketing practices and the use of non-skilled workers.” Other allegations included “unethical recruitment of patients, virtually non-existent medical treatment, falsifying treatment records to show improvement to families, referral fees paid to hospital personnel and patient quota.”

The congressional probe heard that New Medico was charging \$2,000 per patient per day, which were hospital rates for nursing home services worth only a maximum of \$200 a day, according to the testimony of former New Medico medical director Dr. Kenneth Hoelscher.

Billed for kicking a ball

Ed De Martino was a maintenance worker turned health care aide at New Medico’s Cortland, N.Y. facility. Ironically, two years after getting the job at New Medico, De Martino’s son WayneJohn became severely brain injured after being hit by a drunk driver.

The De Martino family lived only a few blocks away from the former New Medico facility. As a staff member and parent, Ed De Martino said he

witnessed fraudulent psychotherapy on brain injured patients, pressure on staff to keep patients for as long as possible and mass billings for non-existent or useless treatment.

“There was a psychiatrist who would come in and put all the brain injured patients in the gym and kick the ball around for a few minutes,” he said. “He billed everybody’s insurance all at once for group psychotherapy.”

According to De Martino, in order to submit bills to Medicaid, New Medico would fly a psychiatrist in from another state, put him up in a hotel for several days and have him fill out invoices in the facility’s gymnasium on patients he had never even met.

New Medico hired college students to help commit patients who were questioning treatment to a nearby psychiatric hospital in Binghamton, N.Y. There, De Martino said, New Medico would attempt to get legal guardianship in order to access the patients’ assets.

But some of the worst abuses of patient rights were committed against his own son. During one of her daily visits, Mrs. De Martino was told by staff that her son was “all cleaned up” for her visit. When she pulled the blankets down, WayneJohn was covered in excrement.

“My son wasn’t fed anything but water for 21 days and went from 191 to 100 pounds,” said Mrs. De Martino. “This was the most extreme case of gross neglect I’ve ever seen.”

While in the facility, their son also was put on 20 different psychiatric drugs including Haldol and Chlorpromazine. The De Martinos’ family doctor ordered that WayneJohn be taken off every drug except one.



While in the facility for one year, WayneJohn received physical therapy only twice, which led his limbs and joints to atrophy. According to De Martino, the facility had only one rehab therapist on hand for 80 or more brain injured patients.

When the De Martinos complained about their son's treatment, New Medico sought to send WayneJohn to a New Medico facility in Massachusetts because the company could have billed Medicaid 50% more money for out of state patients — upwards of \$2,000 per patient, per day. The De Martinos refused and told New Medico they would take their son home and care for him there. New Medico officials responded by stating the parents were misguided and “in denial” for wanting to care for their son at home at no cost to Medicaid.

Violence and “confabulation”

Six years after that congressional investigation, taxpayers in both the United States and Canada should be more than a little concerned that the brain injury rehab industry is still a

University of New York at Buffalo. Willer denied claims of abuse by former Ontario patients who were hospitalized at a Texas facility called Tangram Rehabilitation Network.

But it is more than likely that Willer's indignance stems from his documented connections with the principals of the Brain Injury Association, including Tangram's owner, neuropsychiatrist Stanley Seaton. Willer is also the consulting psychologist at Anagram, an Ontario brain injury facility, which, by Willer's own admission, is modeled after and closely connected to Tangram.

“These rehabilitation programs were considered the most effective by the international rehabilitation community,” said Willer.

Yet in 1996, when it suited Willer, he appeared on a national Canadian television show, CBC's “The Fifth Estate,” to attack the former director of a hospital-based brain injury program which was moving in on Willer's turf. Within months of Willer's volley, the director was discredited and Willer was made director of the Ontario Brain Injury Association. Since then, Willer has become the leading advocate of the use of U.S. rehab facilities for Canadian patients.

Willer, who describes himself as one of the foremost experts on brain injury in North America, claims that brain injured patients' recollection of abuse at Tangram could be “confabulation”: “In the absence of good memory, an individual with brain

obtained criminal indictments against a total of three Tangram staff members, one of them the manager of Tangram's eight facilities. As a result of the cooperative efforts of the Human Services department and CCHR, the Attorney General of Texas filed a civil suit against Tangram on May 12 for abuse and failure to report abuse. Millions in fines against Tangram are sought.

For its part, Tangram vehemently denies any abuse against patients and stated it takes allegations of abuse “very seriously.”

“Nothing but abuse”

A veteran Tangram staff member told *Freedom* that she witnessed physical abuse of patients, falsification of clinical records, use of unlicensed staff and extensive, even wanton use of psychiatric medications.

The whistleblower, who asked that her identity be protected for fear of retribution, said that the physical abuse of patients was extensive: “Right



A “daily planner” for brain injured patients at Tangram.

before Thanksgiving, a client who was never self-abusive came in with a black eye, swollen ears and all black and blue. He said a staff member had put an elbow into his eye and pulled and twisted his ear. It was nothing but abuse.”

She added that she has been encouraging her peers to speak up. “I told them you're either part of the solution or you're part of the problem and if they've witnessed abuse, they need to start telling it. I'm not lying for anybody and I'm not going to jail for anybody.”

Other reported incidents include an employee brutally slapping a patient in the face and another where the side of a patient's face was smashed so viciously that it almost caused permanent eye injuries. The victim was promised a shopping trip by a Tangram executive in exchange for his silence about the incident.

Incident reports, which are required to detail injuries suffered by patients during restraints were routinely changed or omitted from the patients' file, said the whistleblower. Fictitious accidents are reported to cover up injuries suffered by patients, she said. “You'll write up the report and they'll go behind you and say, why don't you reword it to make it look more professional and make it so that no legal action can ever be taken against Tangram.”

Injuries covered up

One Canadian patient sent to Texas' Tangram facility was Robbie Thompson, who was flown there in late 1992 without his parents' knowledge or consent. Based on the latest daily rate being charged for Thompson's treatment, his five year stay at Tangram cost taxpayers an estimated \$1.2 million.

There has always been BRAIN INJURY. What is new is that the field has been taken over by profiteers, acting under the guise of medicine.

thriving, multi-billion dollar business — and that its corruption seems to know no national boundaries. Powerful lobby groups like the Brain Injury Association in the United States (formerly the National Head Injury Foundation) and the Ontario Brain Injury Association (OBIA) have successfully convinced government agencies and health insurance providers that brain injury is not a disability; rather, it requires a lifetime of expensive psychiatric “treatment.”

In brain injury rehab, beatings are termed “restraints,” psychiatric drugging is called “treatment” and claims of abuse by brain injury survivors are dismissed as psychotic ramblings.

One who dismissed the results of CCHR's and *Freedom's* Canadian investigation was psychologist Dr. Barry Willer, professor of psychiatry at State

injury will often rely on the cues of others to develop their answer to a question. Individuals with dense memory problems not only confabulate but once they generate a confabulation (which is generated to replace real memory, not a dishonest act), the confabulation becomes as real as any actual memory would be.”

Yet numerous brain-injured patients treated at Tangram had no difficulty recounting, in detail, many startling incidents of abuse at the facility over a five-year period. And once CCHR made public its Tangram investigation, the facility came under criminal investigation by the Texas Department of Human Services for alleged abuse of patients.

The case is being handled by the Guadalupe County District Attorney's Office, which on April 2 and May 7 appeared before a Grand Jury and



One of the “group homes” used for brain-injured patients at Tangram.

“A review of Robbie’s Tangram file shows that injuries suffered during restraints may have been covered up with accident reports,” said Dr. Moira Dolan, a physician who reviewed Thompson’s case at the request of his parents. For example, a December, 1995 accident report stated that Robbie fractured his finger falling in his room.

“With the location of that fracture, it’s what we call medically a boxer’s fracture,” said Dolan. “That means it’s the type of fracture you get when you defend yourself. For this type of fracture to happen from falling is just not believable.”

The Tangram whistleblower reported that staff who questioned the abuse were ostracized and harassed. “If you’re not in the clique, you’re in trouble. When you start questioning what you’ve seen, you’re an outsider.”

Dolan told *Freedom* that Tangram’s assessment of Thompson is rendered highly suspect when viewed in light of information provided by Robbie’s parents, a former Tangram employee who worked with Thompson, and her own examination of him. Robbie’s parents reported that during a year-long stay with them, their son never exhibited a behavior problem nor made threats or gestures of harm toward himself or anyone else.

“The progress notes frequently stated that, while Robbie continues to show improvement, he still needs a great deal of assistance, direction and behavior management,” said Dolan. “This is incongruous with the noted abilities to teach others how to program a complex computer-watch, assist visually impaired patients and accurately recall 80% of his day.”

Lining up for drugs

While there is a neurologist associated with Tangram who periodically examines patients, for



Victim Robbie Thompson (with physician Dr. Moira Dolan): “A review of Robbie’s Tangram file shows that injuries suffered during restraints may have been covered up with accident reports.”

several months the facility did not have a single nurse on its payroll. A Tangram staff member added that staff receive a scant 60 hours of training to work with patients. Staff also perform duties which, according to that employee, should only be done by trained medical personnel. She cited as an example that all patients line up at breakfast, lunch and dinner for their medications, many of which are psychotropic or mind-altering drugs. The medications are prescribed primarily by Tangram’s owner, Dr. Stanley Seaton.

But Dr. Vikki A. Stefans, Medical Director of the Acute Rehabilitation Unit, Arkansas Children’s Hospital, said Tangram’s liberal use of psychotropic medications is “wildly inappropriate.” “By and large,” she said, “the anti-psychotics like Haldol and Mellaril have a slightly higher risk of side effects in people with brain injuries. Anti-psychotics for everybody is bad.” *Freedom* also found that Seaton admitted under oath to using unlicensed physicians to conduct medical evaluations of patients at Tangram, which, according to legal experts, could

leave Seaton open to fraud charges.

Twenty-six year-old Craig Collings from Ontario spent five years at Tangram and said that Tangram was essentially nothing more than a psychiatric facility in the guise of a brain injury rehabilitation clinic where patients’ rights were routinely abused. “If you come at a person who’s agitated, what’s going to happen? They’re going to come at you because they feel threatened. When patients would feel threatened and try and defend themselves, it always resulted in a restraint.”

Like Thompson, Collings said he was also physically abused, that patients were restrained excessively, that patients were given “all kinds” of medication and that Tangram patients did nothing but work from early morning until evening.

Restraint

There are also serious questions concerning the right of Tangram to force any brain-injured adult to be held against his or her will. Tangram’s brochure states that only patients who are “not a danger to self and/or others” are admitted for treatment.

Yet according to Tangram’s patient consent forms, Tangram reserves the right to “hold clients on the premises of Tangram by any reasonable means and/or for a reasonable time period although said holding and/or restraint may be against the expressed desire of client.”

Texas attorney Martin Cirkiel, who specializes in health fraud cases, reviewed the consent forms from Tangram. “A competent adult could consent to just about anything. The issue here is can a brain injured person really give informed consent. This kind of fraudulent treatment is an outrage,” said Cirkiel.

Collings said if patients misbehaved, they were put “on isolation,” which meant they spent hours working, often without a break, inside or outside the facility with no pay. When they were paid, it was under the program’s token economy system, a form of money that can only be used at Tangram to pay for personal toiletries, outings or recreation.

As part of “vocational therapy,” patients raised animals including chickens, pigs and cows until they were ready to go to the slaughterhouse. Patients were expected to work until they were exhausted. “The work was really tough,” said Collings. “We were constantly on the go from the moment we got up until the moment we went to bed.” He also witnessed degrading treatment of patients by staff.

One adult brain-injured patient from Pennsylvania would often wander away from the facility. In order to “know where he was” at all times, the staff attached cow bells to his shoelaces. “I thought that was going pretty far, it was pretty humiliating,” said Collings.

Collings himself was also subject to acts of humiliation, according to a Tangram staff member. To punish Craig for trying to run away, his shoes were taken away from him for several days. In another incident, Collings had a rope tied around his hand which was attached to a Tangram employee. “They led him around like a dog,” said the staff member. “To me, that was abusive.”

For years, Collings was also told that Tangram was waiting for the Ontario government to bring him home. “I believe I could have gotten everything I wanted back in Ontario.”

But that wasn't the way the industry was set up to run. One of the architects of the brain injury industry was "behavioral expert" Ahmos Rolider, formerly of the University of Kansas.

In 1989, Chedoke-McMaster Hospitals in Hamilton, Ontario, responsible for coordinating all Ontario brain injury services, hired Rolider to run its Centre for Behavioral Rehabilitation (CBR), a small, six-bed unit created to serve the severely brain injured population. Despite the fact that Rolider had little experience dealing with brain injuries, Rolider was promoted as a "miracle worker" with the brain-injured population.

Behind closed doors, Rolider was torturing patients, screaming at them and using techniques reminiscent of those used in the military for interrogation. This was done under the guise of "aversion therapy," with the full cooperation of the hospital, even though there was no proof of medical safety or effectiveness. One of Rolider's victims was Thompson, who was referred by him to Tangram in 1992.

Even more startling was that one of Rolider's key subordinates, outreach therapist Wayne Turner, traveled to Texas to export aversion therapy. Documents show that soon after Turner was assigned to monitor Ontario patients in the United States, he joined the payroll of Tangram and eventually became director of Tangram Ontario.

"All kinds of graft"

Dr. Steve Taylor, a professor at Syracuse University, Coordinator of Disability Studies and Director of the Center on Human Policy, is a staunch opponent of the brain injury rehab "industry."

"There are two kinds of rehab facilities: One is the greedy, private, for-profit corporations where there's all kinds of graft," he said. "Even if we eliminated all the graft and obvious corruption, still the basic problem is, in most states and provinces and certainly with our federal government here in the United States, there are strong incentives to put people with brain injuries away."

That certainly appears to be true in Robbie Thompson's case. A review of patient files showed OHIP received regular requests for "90-day extensions of funding" from Chedoke Hospital on behalf of Tangram to continue a patient's treatment. The requests are form letters and in Robbie's case, OHIP approved every request for 90-day funding extensions.

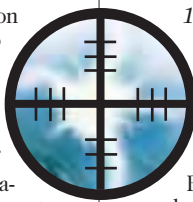
As a personal care facility, Tangram does not perform medical or surgical procedures and New Medico's facilities were former nursing homes converted into rehab centres.

Dr. Taylor said rehab facilities are nothing more than rest homes that have changed their names. "Based on what I do know, I personally consider rehab facilities — and this is not too strong a word — a scam. They're very expensive, glorified nursing homes."

A psychiatrically "created" field

Mr. Wilson Hulley, Executive Staff Member of the President's Committee on the Employment of People With Disabilities, is a brain injury survivor who said the field of rehab has been created by psychologists and psychiatrists. "It's easier for them to justify a person's rehab because they can do it from a 'creative' standpoint, as opposed to a medical standpoint."

Dr. Taylor said the kind of treatment given to brain-injured patients in institutions makes patients worse, not better.



"Now what happens when you put someone into an institution, is that the institution exacerbates any of those problems and creates a lot of those problems," says Taylor. "Within the institutional environment people are expected to be compliant. It goes back to 'One Flew Over The Cuckoo's Nest' and [Jack] Nicholson. It's that kind of thing. If the person doesn't conform to the rigid block treatment on the ward or unit, the response — and this is where institutions are especially dangerous — the response is to drug people up so that they become compliant."

Brain injury rehab is still big business. According to official estimates, there are at least 2,500 people who are severely brain injured in Ontario alone and each will cost at least \$110,000 per year for their "treatment." This translates to an incredible \$274 million in new business every 12 months. All of which could be summed up as a lot of money to invest with very little returns.

Brain injury is not a new problem. What is new is that the field has been taken over by profiteers, acting under the guise of medicine. According to Mike Boyd, a brain injury survivor from California who testified before a 1992 Congressional hearing on the brain injury rehab field, the psychiatric community "is running amok" and has taken over the field of brain injury, which has been completely subverted by psychiatric vested interests whose primary purpose is profit, not patient care.

Joe Ehman, a therapist in Denver, Colorado who has personally dealt with more than 200 cases of brain injury, says, "A lot of the so-called rehab can really be done on an outpatient basis and, what my experience has been, people who have survived injury — and survived rehab — basically all said the same thing: A lot of what they learned in rehab they really don't use in the real world."

Ehman says that the daily rates charged by facilities depend on the insurance policy of the patient — ensuring that profits are put before patients.

"When I am at this hospital for doing the re-entry program, they push the people to come back in six months to a year for re-evaluation, to see if any functioning has changed with bladder, bowels, muscles, nerves, and that sort of thing and maybe there's a need for it, but the first question they ask the people is 'What is your insurance company?' It's just a money maker. This is right now, this is today."

In Texas, CCHR is working with state senator Michael Moncrief to craft legislation which will set new, humane standards for brain injury rehabilitation. And north of the border, government officials are finally at the end of their rope, taking the extraordinary step of filing litigation in the United States to recover misappropriated funds. On April 6, Ontario Health Minister Elizabeth Witmer announced that the province had filed suit in Madison, Wisconsin against the California-based Tenet Healthcare and its former subsidiary, National Medical Enterprises, seeking \$175 million in damages. One U.S. legal analyst noted that such a suit shows extraordinary concern. "This looks like a strong case," he said, "but lawsuits like these are generally seen as too great a risk and are rarely brought — a foreign government suing major corporations in another country. It suggests a strong commitment from the Canadians." Such commitment from federal U.S. authorities is overdue.

It is long past time for the U.S. Department of Justice to launch a full investigation into those who have created or allowed a brain injury "system" which is merely a cloak for widespread fraud and abuse. ■

What You Can do

It is not enough to simply be aware of waste, fraud and crime. It is up to everyone to *do something about it*.

You can report psychiatric fraud and crimes to the appropriate authorities. You can help a family member, friend or acquaintance who is being subjected to forced drugging, emotionally or physically violent treatment, sexual assault or any of the other forms of abuse which have become commonplace in the psychiatric industry.

The following is a list of things an individual can do and whom to notify:

■ Report crimes

If you have knowledge of a crime by a psychiatrist or "mental health professional," report full details immediately to your local police, sheriff or district attorney's office.

In cases of billing or insurance fraud, provide details to the district attorney, to the nearest office of the Federal Bureau of Investigation, or to the closest Medicare/Medicaid Fraud Unit of the U.S. Justice Department. You can also report such instances to:

U.S. Department of Justice
Fraud Section
1400 New York Avenue NW
Washington, D.C. 20530

Send copies of your report to *Freedom Magazine* and to:

Citizens Commission on Human Rights
International
6362 Hollywood Blvd.
Los Angeles, CA 90028

■ Demand action

Write to your congressman and senators and urge the following:

1) That government funding to psychiatric research entities such as the National Institute of Mental Health be eliminated.

2) That government funding for psychiatric and psychological research, studies and surveys being carried out in schools and prisons be stopped.

3) That psychiatric centers and programs be removed from the community and that government funding for these programs be halted.

4) That funding only be channeled to provenly workable programs that are held accountable for measurable, useful results.

Addresses:

The Honorable _____
U.S. Senate
Washington, D.C. 20510
The Honorable _____
U.S. House of Representatives
Washington, D.C. 20515

For the names of your elected representatives, call (202) 224-3121.

■ Get further information

Write to the Citizens Commission on Human Rights:

CCHR International
6362 Hollywood Blvd.
Los Angeles, CA 90028
www.cchr.org

Or call (800) 869-2247.

Turning the Tide



As the Universal Declaration of Human Rights passes 50 years, much remains to be done — but when private citizens work alongside governments and human rights groups, there is much that can be done.

by Tal Kapelner and Aron C. Mason

When a debate between President Bill Clinton and China president Jiang Zemin was broadcast live on Chinese television in June, even skeptical human rights and foreign policy observers hailed the event not only as a step forward for U.S.-China relations, but for human rights. Shows of force can never replace genuine and self-determined change in a country's collective conscience. Such change requires open communication to nurture the principles of freedom of expression, association, and belief. As President Clinton stated to students at Beijing University, "These are not American rights or European rights or developed world rights. They are birthrights of people everywhere."



Chinese dissident Wei Jingsheng wrote in 1978 that “when [the people] call for democracy they are demanding nothing more than that which is inherently theirs.” And for the Chinese communist leaders who preached of capitalist exploitation of Chinese work, but who never delivered on their promise of self-determination, Wei wrote, “Whoever refuses to return democracy to [the people] is a shameless thief more despicable than any capitalist who robs the workers of the wealth earned with their own sweat and blood.”

Wei’s courageous call was, in truth, as much for human rights as it was for democracy. As he explained repeatedly in his letters, it was extremely unlikely for a people without a voice to protect themselves against tyranny and injustice. For his tracts beseeching the Chinese people not to follow dictators, be they reactionary or communist, Wei was imprisoned and tortured for the greater part of 18 years.

Freed in December 1997 at the urgings of the international community, including the Clinton administration — his release all the more timely given the December 10, 1997, commencement of a year-long celebration of the 50th anniversary of the Universal Declaration of Human Rights’ adoption — Wei was grateful to be out of prison, but not satisfied. The point of any struggle against a nation’s oppressive leaders is true and lasting human rights reform — which has yet to emerge in China. As Wei wrote after his release, “Chinese leaders are not so much amenable to reason as they are to pressure.”

Unfortunately, in certain respects, Wei’s release alleviated pressure on the Chinese government to improve its behavior in respect to human rights. Changes in human rights in any given region demand activity, constant pressure and vigilance. “Diplomatic solutions” have failed when not combined with the active, physical demonstration of a people’s and a society’s will.

On that score, it is well to remember it is not enough to have and enjoy a reasonably high level of human rights in the United States but care little about what happens in other nations. The Universal Declaration proclaims the “inherent dignity and ... equal and inalienable rights of all members of the human family.” History has shown us time and again that nations which abuse their own peoples are far more likely to resort to violence against their neighbors.

Moreover, considering how rapidly business in all quarters is expanding into foreign markets, and that the health of those markets is inextricably linked to the state of government, it is clear that resolution of such abuses is in the interest of every American — even if the only bottom line he considers is his own. Or as Harry Truman put it, “We must build ... a far better world, one in which the eternal dignity of man is respected.”

Success in South Africa: a Joint Effort

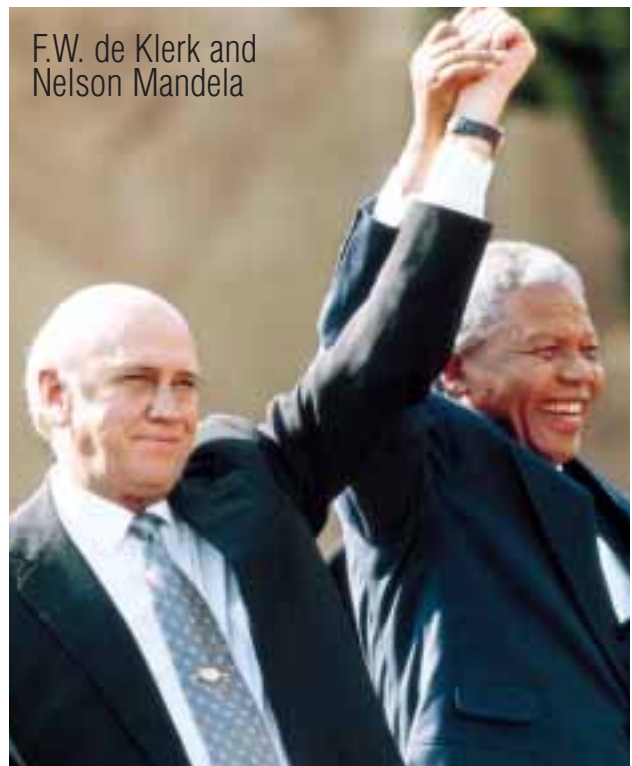
There remain a number of countries where the disregard for human rights is an entrenched way of life, and it is these nations which are most resistive to change. “All the diplomatic pressure in the world isn’t going to make a Libya or a Cuba change its course,” says veteran foreign affairs authority and retired Senator Paul Simon. “Such efforts should not be made in isolation.”

Examining a country where sweeping change finally did occur — South Africa — bears out

Simon’s view. For here is a nation with decades of apartheid policy which, as President Nelson Mandela put it, treated citizens as “disposable garbage.”

The recent visit there by Bill Clinton marked the first time a U.S. president set foot in that nation and spotlighted the extent and importance of the progress made. (See “Embracing Tolerance,” page 16.) Although many factors have been credited with bringing an end to the apartheid system, a closer examination is instructive.

It is notable that much of the momentum outside South Africa began in the United States. In 1971, a Philadelphia minister, Rev. Leon Sullivan, effectively kicked off what would become known as the “divestment movement” in the United States when he demanded that General Motors withdraw from South Africa. The movement caught fire on college campuses across the country and eventually spread to the halls of



F.W. de Klerk and Nelson Mandela

The story of South Africa teaches that the effort and vigilance necessary to topple an anti-human rights status quo can be immense, and that truly sweeping and lasting reforms are attained from the combined effort of private and public sectors, from national governments and international human rights bodies.

Congress. The United Nations stepped up pressure as well; in 1979, a United Nations committee published a list of entertainers who continued to perform in South Africa despite its racist policies.

In 1985 came a watershed event: Congress — under pressure from such members as Congressman William Gray and national leaders such as Rev. Jesse Jackson — passed the Comprehensive Anti-Apartheid Act, imposing federal sanctions against South Africa. They gathered enough support to override the veto of President Ronald Reagan.

Many Americans also refused to support companies that would not divest, while more and more companies, from soft-drink manufacturers to banks, joined in the divestment effort. Musical artists in the United States, Canada and Europe composed songs

and produced albums and concerts protesting apartheid.

Within South Africa, human rights groups and activists did their part to expose the truth about the barbarities and burst the government’s public relations bubble. In 1971, Zulu Chief Gatsha Buthelezi revived the Inkatha, one of the few anti-apartheid groups not banned by the government. Throughout the 1970s, members of the Church of Scientology worked with like-minded individuals and groups to expose barbaric human rights abuses under apartheid in South Africa. Their work included revealing in *Freedom* the existence of psychiatric slave labor camps, where up to 10,000 blacks at a time were incarcerated, with many dying from wholesale neglect and abuses that included administration of deadly electro-convulsive shock without anesthetic.

In return for speaking up and catching the world’s ear, the Church and its members encountered years of sustained assault from the apartheid regime, measures that included the banning of *Freedom*. With persistence, however, truth emerged victorious. Independent commissions vindicated and commended the Church’s work and sweeping investigations and reforms were ultimately realized.

For some, the opposition was more violent and more personal. Activist Steve Biko, leader of the South African Students’ Organization, who refused to be silenced, was killed.

Crisis Brings Change

The 1989 retirement of South African Prime Minister P.W. Botha, and his replacement by F.W. de Klerk, represented a significant political change. The imposition of sanctions by the United States forced de Klerk to accept the reality that economic isolation would translate into financial disaster for all South Africans.

But there was no single factor in bringing de Klerk to the negotiating table. It was a convergence of many forces, from Mikhail Gorbachev’s “new

thinking” to the changing class stratification of white Afrikaner society — and certainly the steady decline of South Africa’s besieged economy.

Pretoria was facing a difficult but not impossible situation when the new president made his epochal February 2, 1990, speech releasing Nelson Mandela, removing the ban on the African National Congress and opening negotiations. His was not a surrender, but an act of political strategy.

De Klerk hoped to attain a commanding position where he could neutralize the black revolution by legitimizing it, then control the negotiations to achieve his goal of “power-sharing,” in which the black majority would have a hand in government but not a controlling one. De Klerk’s strategy was designed to prevent majority rule, but by enabling the black majority to mobilize politically he ensured it.

Those who did not join the United States in imposing sanctions were correct in at least one respect: There are no sanctions that cannot be circumvented. But the price of South Africa’s bargaining disadvantage escalated over the years. In August 1985, when the anti-apartheid campaign had made it difficult for South Africa to raise foreign loans, it was forced to seek short-term, high-interest loans and then ask the banks to roll these over, year after year. Within a year, a disproportionate 67 percent of South Africa’s \$16.5-billion foreign debt was made up of these short-term loans, which could be called up at any time. For a country in political turmoil, this was a crisis waiting to explode.

That crisis came when Chase Manhattan Bank, already under pressure to withdraw from South Africa, decided to call in its loans. Within days, other banks followed. South Africa found itself facing demands for the repayment of \$13 billion within four months. The shock sent the currency plunging. Unable to meet the demand, South Africa froze the debt and imposed strict foreign-exchange controls. The effect was to turn South Africa into a siege economy, keep it drained of foreign exchange and development capital and send white living standards into decline. All of which contributed significantly to creating the conditions from which De Klerk sought escape four years later.

Thus it was that the apartheid system was abolished, full and free democratic elections were held — a South Africa totally unlike any the world has seen since whites first landed there centuries ago.

Cooperation and Success

What the story of South Africa most certainly teaches is that the effort and vigilance necessary to topple an anti-human rights status quo can be immense, and that truly sweeping and lasting reforms are attained from the combined effort of private and public sectors, from national governments and international human rights bodies.

As the millennium approaches, and as the ability to send information to more places at greater speeds draws the corners of the planet closer together, those who seek peace and tolerance still must guard against the pockets of violence and mistreatment of others aroused by bigotry and paranoia. In certain nations, such as Germany, discrimination and persecution may be fostered by leaders at top levels of government, even while those same officials proclaim they stand for tolerance, justice and equal rights. (See “Embracing Tolerance,” page 16, and “German ‘Harassment’ Condemned by State Department” page 20.)

“The degree to which a country observes and respects human rights is an excellent index of the quality of its democracy,” says William C. Walsh, a noted human rights attorney and specialist in international law, who has also served the United Nations. “What that means to Americans is that they *must* care what is happening in countries abroad, especially as they may someday do business with or in those countries. They have to ask themselves: ‘Do I want to get comfortable with a rogue state, or a nation which treats its own people intolerably?’”

The United Nations came up with both the best answer and the best defense. An absence of human rights stained the hands of governments and threatened their rules. But far too many governments have failed to sincerely implement the Universal Declaration of Human Rights. Those governments have not grasped that their very survival depends utterly upon adopting such reforms and thus giving their peoples a nation worthy of their patriotism. To bring peace where there is conflict, and to prevent future wars, it is vital that all people urge the adoption and implementation of the Universal Declaration of Human Rights and, where needful, other sweeping reforms.

Looking back upon 50 years under the Universal Declaration, it is more than evident that much world turmoil could have been averted had that document been given more notice. The United Nations, the U.S. State Department and the scores of private human rights bodies are unquestionably doing the right thing for the world by insisting on compliance with that document. The importance of such voices — and the need for more voices and more action — cannot be overstated. As South Africa has shown the world, the effort must be cooperative.

Liu Qing, chairman of Human Rights in China, put it well: “We cannot simply wait for human rights and democracy ... to happen. There has never been a dictatorial government that has voluntarily given these rights to its people. Therefore, society must act on its own initiative to force governments to change and improve.” ■

Human RIGHTS



Leadership Award

1998 Banquet to be held at National Press Club

Freedom will celebrate 30 years of public service journalism this September at the National Press Club in Washington, D.C., presenting Human Rights Leadership Awards to individuals that have distinguished themselves through exemplary contributions in the following fields:

- Freedom of Speech and Expression
- Freedom of Information
- Government Reform
- Children’s Rights
- Mental Health Reform
- Religious Freedom
- Social Justice

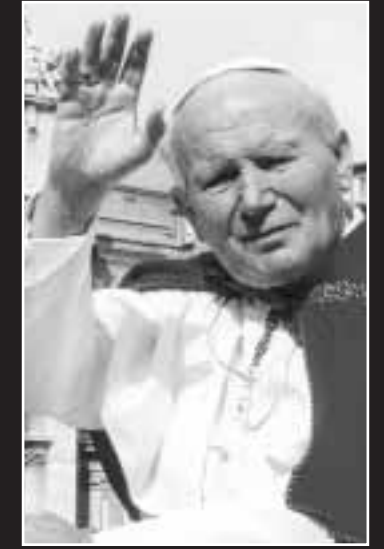
Your nominations are welcome. Please include in your proposal:

1. Your name, address and phone number, and those of the person you are nominating;
2. The nominee’s current job/position, as well as any previous positions relating to his or her human rights contributions;
3. What the person has done to qualify for *Freedom’s* Human Rights Leadership Award and
4. Documentation that demonstrates his or her contributions.

Send details to:
Human Rights Leadership Awards
Freedom Magazine
6331 Hollywood Blvd., Suite 1200
Los Angeles, CA 90028-6329

Past winners in the Freedom of Speech and Expression category have included Paul McMasters, executive director of the Freedom Forum First Amendment Center, U.S. Representative Don Edwards and syndicated columnist Jack Anderson. U.S. Senator Patrick Leahy and the late U.S. Representative John Moss, known as the Father of the Freedom of Information Act, are among the former recipients in the Freedom of Information category. Dr. Arthur A. Fletcher, then chairman of the U.S. Commission on Civil Rights, and the Reverend Cecil L. “Chip” Murray are among the past Social Justice awardees.

For further information about nominations or banquet reservations, contact *Freedom* by writing to the address above or by calling (213) 960-3500.



The message of freedom and individual rights reverberated throughout President Clinton's recent trip in sub-Saharan Africa, with Nelson Mandela in South Africa, emphasizing positive changes and growing promise. Pope John Paul II, who concluded a stay in Nigeria the day the president arrived in Ghana, also stressed the importance of human rights.

By Tal Kapelner and Thomas G. Whittle

Embracing Tolerance

Presidential, Papal Visits Focus World Attention on Democracy, Human Rights

When Bill Clinton's plane touched down in Accra, Ghana, this spring, it marked the first time in two decades that a United States president had arrived to tour sub-Saharan Africa. One of the Chief Executive's first acts was to praise Ghanaian President Jerry Rawlings before an enthusiastic audience of 500,000 "for his leadership for democracy." His visit took him to six nations — in addition to Ghana, there was Uganda, Rwanda, South Africa, Botswana and Senegal — with emphasis on the region's positive changes and the United States' awareness of its mounting influence in world affairs.

The sweep focused global attention on the growing promise of democracy and human rights. Much has happened there since the 1978 trip by then President Jimmy Carter, including the ousting of Ugandan dictator Idi Amin in 1979, the independence of Zimbabwe in 1980, the end of all remaining apartheid laws in South Africa in 1991 and the peaceful election of Nelson Mandela — a political prisoner for 18 harsh years — as president of that country in 1994.

Speaking before the Parliament of South Africa — a body in which the majority of legislators, until recent years, were not permitted to vote — Clinton praised that nation and its leader. Drawing from words on the tomb of John Dube, founder of the African National Congress, he said, "Mr. President, for millions upon millions of Americans, South Africa's story is embodied by your heroic sacrifice and your breathtaking walk 'out of the darkness and into the glorious light.'"

During the tour — calculated as three times longer than all trips to Africa by previous U.S. presidents combined — the message was one of freedom and individual rights. It was a theme that reverberated wherever he went, one that has grown in strength as democracy spreads and those who have the liberty to speak out take note where freedom lies under heel.

Building Blocks

Although certain African nations may be regarded as underdeveloped or "Third World," from a human rights perspective, South Africa and others have certainly joined the modern community of world nations — after the extensive cooperative efforts of foreign governments, human rights bodies and private citizens (see "Turning The Tide," page 12). After all, the





The first U.S. President ever to visit South Africa, Clinton, with South African President Nelson Mandela, looks out the jail window on Robben Island, where Mandela spent 18 of his 27 years as a political prisoner during the apartheid regime.

hallmark of an evolved nation is the adoption and practice of meaningful human rights standards. “A respect for human rights is a crucial index of whether or not that nation is representative of a civilized society,” says Washington, D.C., human rights attorney Bill Walsh. “It is actually a far more telling than technology or economic factors,” he added, citing the simple cultures of the South Pacific, such as Tonga and the Marshall Islands, as examples of nations which treat human life with dignity — and thus are rarely labeled “backward.”

The presidential tour served to spotlight the many positive changes that have occurred in Africa. And while significant progress has been made, several African nations remain topics of discussion among activists; most notable among them is Nigeria, for its human rights record ranks as one of the most wretched in the region.

Despite an announced timetable from the country’s ruler, General Sani Abacha, for transition to multiparty rule, to date there has been little progress toward democracy. The March 15, 1997, elections were, in the words of the U.S. ambassador, “deeply flawed.” In April 1997, the government issued Decree Number 7, which allows for the removal at will of any elected official by the head of state. Other elections were postponed but are now scheduled for August 1998.

The winner of the 1993 presidential election, Chief Moshood K. Abiola, remains in detention for “treason” after declaring he had won, with the election results annulled. In

November 1995, opposition leader Ken Saro-Wiwa and eight others were hanged. Despite strong international protests, security forces reportedly continue to murder, torture, harass human rights and pro-democracy groups, and sexually abuse female suspects and prisoners. Prison conditions remain life-threatening while government tribunals operating outside the constitutional court system undermine the judicial process. Restrictions on freedoms of speech, press, assembly and association continue.

Pope John Paul II, who concluded a stay in Nigeria the same day President Clinton arrived in Ghana, stressed the need for free elections and human rights in his public appearances. “The dignity of every human being, his inalienable rights, the inviolability of life, freedom and justice, the sense of solidarity and the rejection of discrimination — these must be the building blocks of a new and better Nigeria,” he stated. Responsively, General Abacha promised to consider a Vatican request to release roughly 60 prisoners, including prominent dissidents, pro-democracy activists and journalists.

Nations at War

Another nation where human rights have remained in danger is the Congo — despite former President Mobutu’s departure in May 1997 and his subsequent death.

Tribesmen in the Great Lakes region of Africa — specifically in Rwanda, Burundi and eastern portions of the Congo — have organized

alliances that include openly genocidal factions. Security-conscious governments in the area have shared arms and intelligence and serious human rights abuses exist on all sides.

Countries with recent or current wars, in Africa or elsewhere, present a unique set of circumstances from the perspective of human rights. There is never a “humane” war, no matter the circumstances. What has been different about some conflicts, however, is that they took on genocidal dimensions.

The alarming brutality of the massacres and sexual violence against women in Algeria, for example, commanded the world’s attention. At the end of 1997, as many as 1,000 civilians were being killed each month. Civil war as well as slavery and forced conscription of children continued in the Sudan. The government there continued to use murder, “disappearances,” torture and harassment of suspected opponents to stay in power.

Promoting Dialogue

Religious freedom — also expressed as freedom of conscience or freedom of belief — is inseparable from any discussion of human rights. And in Algeria, the Sudan and elsewhere, for example, violence has been directed against minority religious groups.

In examining religious liberty worldwide, the Secretary of State’s Advisory Committee on Religious Freedom Abroad stated in an interim report released January 23, 1998, “Throughout the world aggressive acts of religious intolerance and

persecution still occur ... [but] despite these difficulties, religious leaders and groups are playing an increasingly significant role in preventing and resolving conflicts, reconciling antagonistic groups ... and promoting human rights.” (See “Advisory Committee Cites ‘Harassment, Intimidation and Violence,’” page 22.)

The Advisory Committee’s interim report noted as an example of leadership in the religious arena the June 1997 creation of a permanent Inter-Religious Council in Bosnia-Herzegovina by the country’s leaders of the Muslim, Roman Catholic, Serbian Orthodox and Jewish communities. The leaders of these ethnic and religious groups issued a joint statement recognizing their common values and that both religious considerations as well as common decency demanded that each person respect the basic human rights of others, and for all who have erred to take responsibility for their actions.

Hope for an end to persecution and violence springs also from new forums where grievances can be aired and problems discussed. The Appeal of Conscience Foundation has hosted meetings for leaders of different religions to address conflicts and human rights crises in many parts of the world. The foundation is also mentioned in the Secretary of State’s interim report to the President as having promoted dialogue between religious communities and government through conferences, and as bringing religious leaders to speak about religious freedom issues at training sessions for U.S. government foreign service officers.

And offenders are increasingly in the spotlight. “Clearly, the central conflict in the world

today is not between the adherents of one religion or culture and another,” said Secretary of State Madeleine Albright. “Rather it is between those of all cultures and faiths who believe in law, want peace and embrace tolerance and those driven, whether by ambition, desperation or hate to commit acts of aggression and terror.”

Out of Step

In contrast to areas where progress has been made, in South Africa and elsewhere, concern continues regarding one of the supposedly democratic Western states, one where basic freedoms and human rights have been guaranteed by law for more than half a century: Germany.

Treatment of minorities in Germany — religious and ethnic — has been a continuing problem as top officials there have rejected tolerance and equality, sanctioning outrageous human rights violations. In recent years, conditions for minorities have worsened sharply, particularly following reunification, with Africans beaten to death in the streets, Turkish and Vietnamese homes firebombed, Jewish synagogues burned.

The German government — a supposedly enlightened nation — has been repeatedly labeled a human rights violator by numerous human rights watchdogs and organizations, most notably including the U.S. State Department, the United Nations Human Rights Committee, the Rutherford Institute, Human Rights Watch/Helsinki and the Organization for Security and Cooperation in Europe.

This year’s State Department Human Rights

have been sent anonymously warning that “Your Association is under observation by the SS; You are requested to cease your activities and retreat overseas!”

And Scientologists are not alone. An estimated 100 million DM are spent annually to fund attacks on minority groups. That money supports, among other things, a vast network of “anti-sect commissioners” — government officials paid with state funds and select priests and pastors who are their church counterparts. These officials forward government propaganda attacks on those singled out for ostracism, which have included Muslims, Christians and Hindus.

Even from the perspective of some major players in German media and academia, the anti-minorities campaign has gone well beyond the pale. In May, six leading scholars, including a former German federal minister, denounced the government-sanctioned hysteria in a nationally published open letter. And in June, the newsweekly *Der Spiegel* strongly criticized a government-sponsored commission to “investigate” religious minorities for manifesting the very same dangerous and anti-democratic traits they claimed were present in “so-called sects and psychological groups,” noting that more than 2-3 million DM had been expended to no meaningful result.

Censure from human rights watchdogs has also escalated. In March, after an 11-day on-site investigation into religious discrimination in Germany — during which he interviewed senior government officials as well as representatives of non-governmental organizations, minority faiths and other groups — the United Nations Special Rapporteur on Religious Intolerance recommended that “the State, beyond day-to-day management, must implement a strategy to prevent intolerance in the field of religion and belief.”

Special Rapporteur Abdelfattah Amor reported serious problems of discrimination against a range of religious minorities including Muslims, Mormons, Jehovah’s Witnesses, Baha’is, the Unification Church, Hare Krishnas and the Bagwans. Even those who said they do not experience direct persecution from the government said they suffer since “there is a climate of mistrust towards all religious minorities,” said Amor.

But in spite of such embarrassing admissions, that climate of mistrust has, in some respects, grown even more oppressive and brazen. In a very telling example of how far certain German officials are willing to go in their pursuit of persecution, an agent of the German Office for the Protection of the Constitution was arrested this spring in Basel, Switzerland, on charges of illegal espionage. Subsequent disclosures from Swiss authorities revealed that the agent was working undercover, in violation of international treaties and law, seeking to acquire “information” on Scientologists in that country. The agent stands trial in late 1998.

Naked discrimination and persecution in Germany contrast with progress toward equal rights, freedom and justice in other nations that have declared themselves democracies, showing how out of step German leaders are — violating the growing consensus that harassment of minorities, persecution of ethnic groups, and curbs against political opposition and speech are simply intolerable.

Or, as Ghanaian President Jerry Rawlings told the crowd in Accra before introducing President Clinton, “Only by allowing the individual to flourish can our communities also flourish.” ■



An estimated 100 million DM is spent annually in Germany to fund attacks on minority groups in the media and through the government. Political parties have disseminated booklets that portray religious minorities as “insects” to be exterminated and specially packaged condoms for the stated purpose of preventing the conception of “new Scientologists” while letters, bearing the Nazi eagle, swastika and “SS” logo, have threatened anonymously.

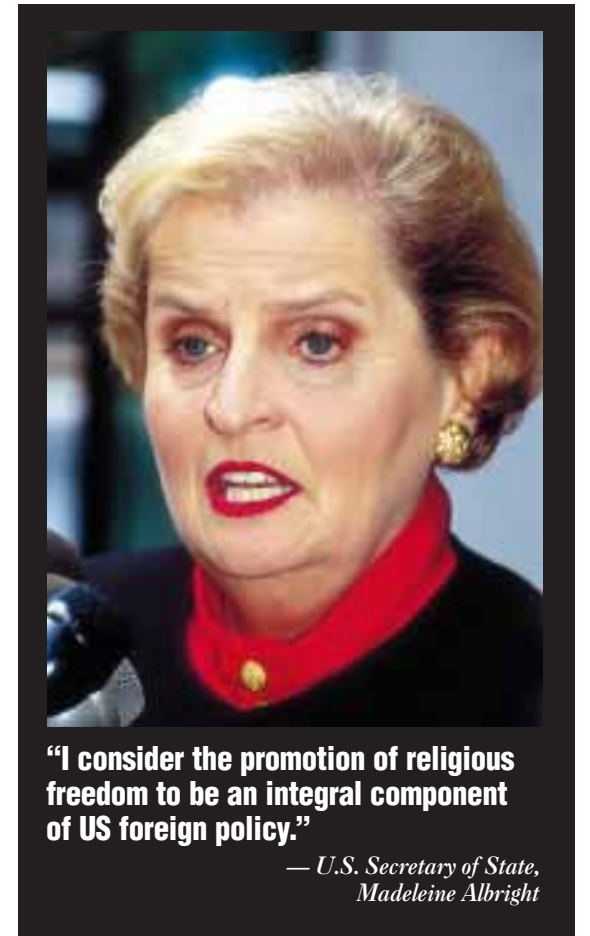


report contained that agency’s most stinging and extensive reproach of Germany since the Second World War. (See “German ‘Harassment’ Condemned by State Department,” page 20). It is the fifth consecutive year that the treatment of Scientologists was expressly criticized. Yet the situation faced by Scientologists remains a profoundly disturbing one. Teachers, students, executives, athletes, artisans — indeed, people in almost any walk of life in Germany — know that they risk losing their job, their business or their rights solely because of their religious beliefs, not because of any act of wrongdoing. Hundreds already have.

Political parties have disseminated booklets which portray religious minorities as “insects” to be exterminated and specially packaged condoms for the stated purpose of preventing the conception of “new Scientologists.” Letters, bearing the Nazi eagle, swastika and “SS” logo,

GERMAN Harassment Condemned by State Department

Human rights report names Germany for 5th consecutive year



"I consider the promotion of religious freedom to be an integral component of US foreign policy."

— U.S. Secretary of State, Madeleine Albright



As mandated by U.S. law, the U.S. State Department tendered its annual Country Human Rights Report at the beginning of the year, addressing nation-by-nation compliance with international accords and obligations governing human rights.

More than in any previous year, Germany featured prominently in the report's criticism, covering some 16 pages of the report. It is the *fifth* consecutive year the discussion of Germany has focused on serious concerns over politically sanctioned discrimination against members of the Church of Scientology.

Yet equally significant is that this year's report also criticized Germany's discriminatory and undemocratic treatment of other religious groups, including Jehovah's Witnesses and Charismatic Christians who have been subject to "vandalism, threats of violence and public harassment or scrutiny by sect commissioners."

It was the second time in less than two weeks that the German government's "sect commission" has come under fire from State Department authorities. (See "Advisory Committee Cites 'Harassment, Intimidation and Violence,'" page 22.)

Most examples of discrimination cited in the Country Human Rights report were incidents not only condoned but *instigated* by



"We have criticized the German government's treatment of Scientologists and we will continue to do so." — John Shattuck, Assistant Secretary of State.

one of Germany's major political parties: "Authorities have sometimes sought to deregister Scientology organizations.... Most major political parties continued to exclude Scientologists from membership...."

This year's report was also significant for the detail it offered in describing the oppres-

sive conditions faced by German Scientologists: "So-called 'sect-filters,' statements by individuals that they are not affiliated with Scientology, are used by some businesses and other organizations to discriminate against Scientologists in business and social dealings. Scientologists assert that business firms whose owners or executives are Scientologists, as well as artists who are Church members, have faced boycotts and discrimination, sometimes with state and local government approval. Other Church members have reported employment difficulties and, in the state of Bavaria, applicants for state civil service positions are screened for Scientology membership. Several states have published pamphlets warning of alleged dangers posed by Scientology. In October, a Berlin hotel and a firm renting meeting space reportedly refused to rent space for public events to be held at their facilities when they learned that the Church of Scientology was involved in organizing the events."

Assistant U.S. Secretary of State John Shattuck, speaking at the press conference where the report was released, framed the U.S. government's concerns when he remarked that "Scientologists are experiencing uneven treatment not for their actions but merely for their religious affiliations."

The key international documents providing the standards against which the U.S. State Department conducted its country-by-

country review include the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

The Universal Declaration of Human Rights, adopted by the United Nations General Assembly on December 10, 1948, recognizes in Article 18, that "everyone has the right to freedom of thought, conscience and religion" as a right stemming from the inherent dignity and equality of every person. It also provides the individual with the "freedom to change his religion or belief" and the "freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teachings, practice, worship and observance."

The 1998 Country Human Rights Report was the most embarrassing yet for German government officials bent on abusing human rights. "We are pleased," said Leisa Goodman, spokesperson for the Church of Scientology International, "but it is important to remember that the object of criticism by the State Department and other human rights bodies is to bring change. So long as people are denied equal rights and lives are ruined with government aid or consent, we will continue to fight until we see that change." ■

Advisory Committee Cites “HARASSMENT, INTIMIDATION AND VIOLENCE”

Earlier this year, the United States State Department's Advisory Committee on Religious Freedom Abroad published its Interim Report to the Secretary of State and the President.

Manned by religious leaders and scholars from across the United States and chaired by Assistant Secretary of State John Shattuck, the committee was established in November 1996 “to serve the Secretary of State and the Assistant Secretary for the Bureau of Democracy, Human Rights and Labor, in an advisory capacity with respect to significant issues of religious freedom, intolerance, and reconciliation abroad as agreed upon by the Committee and the Department of State,” according to its charter.

As delineated in the report, the Advisory Committee has “two broad tasks: to call attention to problems of religious persecution and other violations of religious freedom, and religious intolerance abroad and advise on how to end them; and to provide information on how to bring about reconciliation in areas of conflict, especially conflicts where religion is a factor, and promote respect for human rights, so that religious freedom can be fully enjoyed.”

In this context, and by way of a general overview, the committee strongly criticized expressions of discrimination instigated or tolerated in European countries, most notably Germany.

“Government actions that discriminate against certain faith communities, even actions taken allegedly to ‘protect’ society, in fact can seriously threaten members of the faith group and impede their ability to worship,” says the report. “Several European countries, including Belgium, France, and Germany, have recently established commissions of inquiry on sects, partly in response to fears of violent cults, such as Aum Shin-



rikyo from Japan. Unless these commissions focus their work on investigating illegal acts, they run the risk of denying individuals the right to freedom of religion or belief. In Germany, members of the Church of Scientology and of a Christian charismatic church have been subject to intense scrutiny by the Enquete Commission there, and several members have suffered harassment, discrimination, and threats of violence.”

The Committee's strong language was all the more embarrassing for Germany given the backdrop against which its discriminatory conduct was raised: the wretched human rights violations of certain Asian and Middle-Eastern nations. “In societies where the government imposes strict political ideology and control over the populace, including on religious matters, many individuals and communities of faith operate ‘underground’ and risk harassment, detention, and imprisonment.”

In releasing the report, Secretary of State Madeleine Albright announced that she was already carrying into effect important recommendations from the Advisory Committee. “I will designate a new, senior-level coordinator within the Bureau of Democracy, Human Rights and Labor to ensure that our efforts to advance religious freedom are integrated successfully into our broader foreign policy,” she said. “The coordinator's responsibilities will include developing a strategy for appropriate overall implementation of the advisory committee's recommendations.”

She concluded her remarks by both praising the committee's work and reaffirming the United States' position on matters of Human Rights: “I consider the promotion of religious freedom to be an integral component of U.S. foreign policy to be pursued not in isolation, but as part of our efforts to increase the respect for human rights around the world.”



Human Rights for All: **LEADING BY EXAMPLE**

By Rep. Cynthia McKinney

In 1998, the world will mark an important milestone in the struggle for international human rights — the signing of the Universal Declaration of Human Rights (UDHR). However, nearly 50 years after the initiation of this historic accord, there is little cause for celebration here in the United States.



tions later. The case of Abner Louima, a Haitian immigrant tortured and sodomized with a plunger by four New York police officers, illustrates just how far this trend has gone.

We must reconstitute and reinvigorate our struggle against the various manifestations of racism that exist in our society today, and thwart attempts to roll back civil rights gains. We must also seek to end the economic deprivation and marginalization that exists as a result of racism.

At the same time, we must reverse the discriminatory trends in our judicial system. The reality of an unfairly applied death penalty, in which black men are 10 times more likely to be executed than whites, is chilling. At the same time, prisons are slowly being handed over to large conglomerate multinational corporations. In the name of "efficiency," this system which has no interest in either reform or rehabilitation has given rise to an inherently sadistic industry which profits from the incarceration of our young, mostly Black, men.

Lastly, if we are to lead the world in the area of promoting human rights and democracy,

In the fall of 1998, Amnesty International will begin to address that need with the launch of its USA Campaign, the first-ever national human rights effort focused solely on U.S. compliance with and accountability toward international human rights standards. As we all know, action must begin at the local level. That is why in 1998, in coordination with Amnesty International, I will convene the first of what I hope will become a model for other cities and towns across America — the country's first "human rights awareness hearing" in Decatur, Georgia.

This "town hall" meeting will bring together human rights activists, community leaders and ordinary citizens to candidly discuss abuses and ways to safeguard human rights in their community. I have urged my colleagues in the House of Representatives to



U.S. officials regularly pay lip service to human rights and often castigate Third World leaders for not upholding the internationally accepted standards embodied in the UDHR. With each new international crisis, Congress and the White House take turns staking out the moral high ground by issuing high-browed statements and passing symbolic resolutions about the importance of respecting human rights. Meanwhile, these very same officials turn a blind eye when it comes to human rights abuses at home.

Such criticism of others on human rights seems inappropriate at best, and hypocritical at worst, when we consider that, according to Amnesty International, "the USA is a country with a persistent and serious pattern of human rights abuses." That the United States address its human rights challenges head-on is vital to American credibility and leadership abroad. Moreover, it is simply the right thing to do.

As we have seen throughout our history, American democracy is a work in progress. As we look to protect the will of the majority, we must also safeguard the rights of minorities with equal vigilance and determination. The individual, civil and economic rights of minorities are increasingly under attack. Patterns of institutionalized racism continue to plague our society.

A pattern of police brutality has taken hold in many of America's cities, and race is almost always a factor. In cases where Blacks, Hispanics and other minorities are suspects, the tendency is to shoot first and ask ques-

"On October 10, 1998, in coordination with Amnesty International, I will convene the first of what I hope will become a model for other cities and towns across America — the country's first 'human rights awareness hearing' in Decatur, Georgia."

— Rep. Cynthia McKinney

we must do so in a consistent and even-handed manner. We continue to embrace many of the world's most repressive dictators in the name of some immediate strategic objective. At the same time, the United States has often stood by human rights abusers when they were our "allies," even when faced with near total isolation in the international community. Worse still, we reward some of the world's most notorious human rights abusers with lucrative trade deals. In this way, not only do we undermine the very principles we claim to uphold, but we also facilitate and further entrench human rights abuses abroad.

The need for a domestic human rights monitoring and educational effort is clear and long overdue.

hold similar hearings in their districts or states.

The time has come to look critically at ourselves as a society and to address our shortcomings in the area of human rights. The United States cannot continue to make bold proclamations about human rights abuses abroad while ignoring our own. When it comes to human rights, the United States must lead by example.

Rep. McKinney (D-Ga.) serves on the House International Relations and National Security Committees, and is a doctoral candidate in International Relations at Tufts University's Fletcher School of Law and Diplomacy.



Human Rights Leadership

PROFILE



Ernestine Peters

Director, NAACP Western Region

by Warren Pagliaro

As one of the guests at the NAACP's 29th annual Image Awards looked around the Pasadena Civic Ballroom, appreciating the abundance of talent and influence around him, he observed, "Things have really changed. You can see it here, you can see it in the people. This is a new NAACP."

Of that there can be little doubt. Just a few years ago, the National Association for the Advancement of Colored People was awash in internal strife, financial crises and varying degrees of scandal. Then, in ways both sweeping and subtle, the changes began. Kweisi Mfume voluntarily relinquished his seat as U.S. congressman from Maryland and also stepped down as chairman of the Congressional Black Caucus to become NAACP national president. The association was reorganized and restructured, new policies implemented and

new people brought on board or moved to positions where their talents could be best put to use.

Today, with the debate over Affirmative Action still raging, race relations a top priority for President Clinton's final term in office and issues affecting minorities very much in the minds and mouths of millions of Americans, the now-vibrant association's role is increasingly important and relevant. Indeed, many civil rights authorities say the organization's influence is greater today than it has been at any time since the civil rights movement of the 1960s.

Although many had part in this comeback, many within the NAACP point to a woman who went from energetic volunteer to become, at that most critical juncture for the organization, one of the NAACP's most dynamic regional directors: Ernestine Barlow Peters.

"When you talk about credit where credit is due," says veteran NAACP official Jeanetta Williams, "you are definitely talking about Ernestine. She is 100%-plus. And I know the NAACP has always been the

important thing for her; her work has never been about herself but about this organization. She *believes* in it and she's seen it work."

The NAACP

Founded in 1909 by American citizens, both black and white, the NAACP has suffered through many uphill battles. Some 89 years ago, its primary order of business was preventing organized violence against African-Americans and, obtaining the passage and enforcement of anti-lynching laws. In the years which ensued, up through and into World War II, the NAACP shifted its focus to seeking equal rights in the U.S. military and fair job opportunities for civilians.

By the 1950s, the NAACP was plowing important judicial ground, including the landmark Supreme Court decision of *Brown v. Board of Education of Topeka* which held public school segregation unconstitutional. Later, NAACP members were instrumental in obtaining legislation mandating equal voting rights.

The organization's history features many great names in the struggle to see all Americans treated equally — people who laid the foundation for the sweeping changes which millions now take for granted. "The saying goes that you 'stand on the shoulders of those gone before,'" says Jeanetta Williams. "People like Ernestine are a little different, because they are already offering their shoulders to other people."

From her impressive efforts as coordinator for the nationally acclaimed NAACP Image Awards, her creation of the NAACP Affirmative Action and Diversity Career Convention in Los Angeles, now in its 13th year, her early award-winning work as an NAACP volunteer, to the innumerable programs she conceives, oversees or takes on, she has already established a formidable track record in advancing human rights for minority Americans. And all of this while running two NAACP regional districts, covering some 16 states and two foreign countries — the largest territory of any regional director.

A leading example of Ernestine's vision becoming reality is the NAACP Affirmative Action and Diversity Career Convention (also known as the NAACP Job Fair). Created in 1987 and first kicked off in Los Angeles, it is a forum where minority job hunters can meet face to face with corporations and shop for new careers.

Sponsored by companies large and small, attendees enter free of charge and meet representatives of more than 90 companies. Job seekers can talk to staff of the firms in the market for new personnel or just drop off resumes. Some employers, including the Los Angeles Police Department, interview and test applicants on the spot. This year's fair included as participants DreamWorks Studios, Enterprise Rent-A-Car, the Los Angeles Unified School District, Aerospace Corporation, Media One and Sony Pictures.

The program has grown a local, annual event to a national event held twice a year. Thousands have found satisfying jobs owing in no small part to Peters' dedication and vision. According to Lou Shomer, president of Showmex Productions which produces the event, "It is a pleasure working with Ernestine. She's a professional, and she gets things done rather than just talking about them."

Image Awards

The Image Awards began more than three decades ago, when, on October 22, 1962, the newly organized Beverly Hills/Hollywood branch honored Sammy Davis Jr. for his efforts to obtain fair employment for African-American entertainers. He was also acknowledged for his generous financial assistance which helped establish this new NAACP branch — the first to expressly address racism in the entertainment industry. From that first small awards dinner this event has grown to a nationally broadcast network television event, attended by thousands and honoring the accomplishments of black entertainers and those who have contributed significantly to



Ernestine Peters was a child when she realized segregation was neither natural nor necessary. "I went to an integrated summer camp and it struck me that children like me could interact without any feelings of prejudice on their own," she said. "Racism is not a natural state of being. I decided I wanted to do what I could to get rid of it."

advancing the image of black Americans in the Arts. 1998 honorees included composer and producer Kenneth "Babyface" Edmonds, director Stanley Kramer, actor Dijmon Hounsou, actress Vanessa Williams and U.S. Secretary of Labor Alexis Herman.

Peters' contributions to the Image Awards were considerable from the outset. As a volunteer in 1991, Peters produced, with musician Jeffrey Osborne, a music video which successfully promoted memberships and sponsorships at the National NAACP convention in Texas. In recognition of this and other successful projects and events, Peters was appointed as coordinator of the Image Awards. And with her at the helm, the annual event has become the NAACP's top fundraiser.

"Without Ernestine, it would be impossible to be where we are today with the Image Awards," says John Williams, Vice Chairman of the 1998 NAACP Image Awards and trustee of the NAACP special contribution fund. "She has done an exceptional job in coordinating all of the details of the event

from the budget to the pre-show, taping of the event, to the after-show event.

"She works around the clock! Sometimes I get a call from her at 6:00 a.m. ... She's always right there. Right on it. You have to be, to get done all that she does. And she uses her resources well."

According to those who serve under her, this is typical of the dedication she brings to all projects. "I became state president under her a year ago," says Ernest L. Johnson, Louisiana NAACP state president, "and I found her always very industrious, very resourceful. In fact, I could not have accomplished what I have were it not for her." He credits her leadership and direction in helping him win the coveted top state level NAACP award for 1997 — the Kelly Alexander Award — only one year after his election as state president.

The Dream

Peters is quick to put in perspective the praise from colleagues. "I wouldn't expect any less of myself," she says. "It is part of what I am and where I am from, and I have never forgotten that."

Where she is from was a deeply segregated Memphis, one of 10 children in a very poor family. There she attended racially divided schools and in many other ways knew what it meant to suffer discrimination. By contrast, she also observed the compassion of those who saw others in terms more meaningful than skin color. As a child, she was taken under the wing of a white pastor and his wife.

She was still a child when she realized segregation was neither natural nor necessary. "It was such a simple thing, but I went to an integrated summer camp and it struck me that children like me could interact without any feelings of prejudice on their own," she said. "Racism is not a natural state of being. I decided I wanted to do what I could to get rid of it."

Though she began helping her local NAACP chapter at an early age, it was later, as a mother, that another pivotal event gave her new focus. Ernestine lost her daughter, Tiffani Olympia, to childhood cancer. "I knew then that I had a mission to reach out and help other people, to touch and help as many other lives as I could," she said. Beyond expanding her work with the NAACP, she began providing extended family outreach counseling to families of children diagnosed with cancer and other catastrophic diseases. And her dedicated community service did not escape the notice of leaders outside the NAACP; she has been recognized and commended by the U.S. Congress, the Governor of California and the City of Los Angeles for her efforts and her example.

When Martin Luther King, Jr. articulated his dream of a "nation... where [people] will not be judged by the color of their skin but by the content of their character," he knew it was ultimately up to the generation which followed him to realize that dream. It is through the dedicated efforts of those like Ernestine Peters that, bit by bit, the dream of a nation where all Americans enjoy true justice and equality is becoming reality. ■



An alternative to “Revolving Door Justice”

Grassroots Program Rehabilitates Offenders, Yields Remarkable Results

by George Michelsen

With a population of more than 1.7 million, the fourth largest community in the United States is also the costliest to the average taxpayer.

In raw numbers, it follows only New York (7.3 million people), Los Angeles (3.5 million) and Chicago (2.8 million), overshadowing Houston and Philadelphia (roughly 1.6 million apiece), and far surpassing San Diego (1.1 million) and all others.

Experts predict the population in this community — America’s jails and prisons — escalating to 3.5 million by 2004.

Unfortunately, most who enter this area of the criminal justice system are never reformed or corrected. 80 percent return to prison or jail within one year of serving time. Indeed, many authorities maintain that these institutions worsen inmates as they emerge embittered, bent on revenge and better “educated” to a life of crime.

The scope of the problem explains the widespread interest sparked by positive results from a pilot project conducted in a municipal court in Los Angeles.

Over a six-month period, 67 misdemeanor offenders were referred to the pilot, now known as Criminon’s Community Education Center. As of July 1998 — 22 months after its completion — only one had returned to the court — an unheard of recidivism rate of 1.5 percent.

“It Changed My Life”

The pilot project was part of the international Criminon (“no crime”) rehabilitation program, which makes it possible for those convicted of offenses to reform and continue their lives, without further crime.

While the pilot demonstrated that people can change, Jenny, a single mother with two children, serves as a more recent case in point for long-term success of the Criminon program. After years of personal trouble, the low point in her life came when a warrant was issued for methamphetamine possession. She concluded she

Over a six-month period, 67 misdemeanor offenders were referred to a pilot project conducted in Los Angeles. Nearly two years after its completion, only one had returned to the court — an unheard of recidivism rate of 1.5 percent. The continuing success of the Criminon program has caused probation officers, judges and others to study it with sharp interest.

couldn’t live with that hanging over her head and turned herself in.

Standing before the judge, Jenny knew that her life was not something of which to be proud.

She had accomplished none of her goals and, most importantly for her, had not provided a safe family environment for her children.

Following her guilty plea, she was offered the choice of jail or participation in a program based on common-sense moral values that would help her to examine the life and behavior that had brought her before a court of law on a criminal charge. She chose the latter.



Those referred to the program are able to study *The Way to Happiness* at home but are also required to spend a minimum of two hours each week in a classroom setting. After reading each section of the booklet, they answer in writing a series of questions about what they have just read and how the information can be applied to their lives. Instructors then go over each of the student’s answers to make sure he or she fully understood all information from the section studied.

“I really needed this course,” said David, a graduate, “because I wasn’t thinking about this stuff. Now I’m doing a lot of things I should be doing. By taking this course, my life has changed for the best. I have more respect for others and also for myself. Since I enrolled in this course I have been taking all of my responsibilities like I should have from the start. And thanks to this course I am living a happier life.”

Genuine Rehabilitation

Vanderbilt University Economics Professor Mark Cohen has estimated that the nation spends \$90 billion each year on prisons, police and courts in the fight to curb crime. But the return on the investment is abysmal, as so many offenders return to crime after their release.

The “revolving door” through which criminals reenter the justice system has long been the bane of judges and those in law enforcement. And it belies the corrections system itself since, theoretically, once a criminal has been arrested, tried and sentenced, society should not have to worry about that person any longer. After all, the system is supposed to correct those who enter it.

The Criminon program fills a unique need within the system. “I’ve had very limited resources to deal with the problems facing our society, particularly those occasioned by rising crime,” one judge affiliated with the program said, noting that the traditional means for meting

“[M]y life has changed for the best. I have more respect for others and also for myself. I have been taking all of my responsibilities like I should have from the start.... I am living a happier life.”

—David, Criminon Community Education Center student

“Looking back at what happened to me over the last four years,” she said, “I was always getting in trouble.” The Criminon program was instrumental in changing that and turning her life around. Among other things, it made her realize that life itself was far too important to waste.

Because the program emphasized how her actions affected others, one of the most important results from the program for her was the decision to set a good example for her children.

“Before, I didn’t think about anything but my little area,” Jenny said. After graduating from the program, she said, “I better understood how to live my life.”

As she had never completed high school, she was proud to finish the program. “It changed my life,” she said. And in a life where many things seemed to be going the wrong way, she noted, “This program is the good thing that happened to me.” Today she is off drugs, living with her parents, taking care of her children and working part-time.

“I Have More Respect for Others”

The centerpiece of the program Jenny completed is a course based on the booklet, *The*

Way to Happiness, a non-religious, common-sense moral code. The booklet’s 21 precepts — such as “Set a Good Example,” “Don’t Do Anything Illegal,” “Safeguard and Improve Your Environment,” “Be Worthy of Trust” and “Fulfill Your Obligations” — set forth clear, practical principles which, when applied, help to improve the level of morals throughout society.

Each precept in the booklet is studied so that the individual not only understands how it applies to his own life, but so that he can utilize the precept to increase the survival potential of those around him.

out justice have been restricted to fines and jail sentences, which have not proven effective in turning people away from a path of crime.

“I now have the ability to effect significant changes in our defendant population,” he said, “enabling them to lead productive, crime-free lives as a result of their participation in Criminon.”

As of July 1998, more than 300 have graduated from the Criminon Community Education Centers. Due to the continuing success of the program, probation officers, judges and others involved in the justice system are studying it with sharp interest.

Judge Pamela Taylor Johnson of the Juvenile Court in Baton Rouge, Louisiana, is one of those who toured the Los Angeles Criminon Community Education Center, interviewing offenders on the program and discussing their progress with center staff and the court.

Impressed by the program's methods and purpose, which focus on restoring the individual's sense of accountability and responsibility, Judge Johnson noted that the atmosphere and the emphasis on results were conducive to bringing about change. In conjunction with Criminon, she established a Criminon referral program in November 1997 in Baton Rouge to which youth are today being referred.

A Community Education Center opened in Compton, California, in March 1998, while additional centers have been named for Washington, D.C., Tampa, Florida, and other communities that include, in California alone, Hollywood, San Jose and San Francisco.

Turning Lives Around

Sean Burke, director of the Criminon Community Education Center in Los Angeles, said, "In their graduation speeches, one for one participants tell their fellow students, 'I didn't particularly want to do this course in the beginning, but let me tell you, if you just stick with it and really do it, your life will change.' They start getting jobs. They start new relationships with their families. One even stated that his marriage was saved."

The effectiveness of the program is evident in the words and actions of its graduates.

One of them, Consuelo, stated, "At first I didn't care if I went to jail or not because of my



Criminon Community Education Centers operate in Los Angeles and Compton, California, with additional centers planned for Washington, D.C., Tampa, Florida, and other communities that include, in California alone, Hollywood, San Jose and San Francisco. Above: Criminon Community Education Center staffers Henry Rodriguez and Sean Burke with Criminon International Executive Director Tammy Terrenzi.

situation. But as I kept coming to class it made me think differently. It helped me to understand about life and how I can make my road straight and not go off the edge. It is up to me how I want my life to be."

Another, Silvester, said, "I began the course with the same attitude that the others had. We all felt that we knew right from wrong. The problem

was that nobody was really implementing what they knew."

He added, "This course reopened my general attitude about others and certain situations. Now, without anyone reminding me, I am more aware of my negative attitude that I used to carry with me daily. I no longer use excuses to commit an illegal act or get myself into problems which can multiply. Due to this course I've learned to handle situations in life with a more positive attitude and self-control."

In case after case, Criminon Community Education Centers are doing what the Criminon program has done for decades: Demonstrating that there is a way to close the revolving door, to genuinely rehabilitate offenders by restoring self-respect and providing a means to become productive members of society.

For more information on the Criminon program, write to:
CRIMINON, 7060 Hollywood Blvd.,
Suite 220, Los Angeles, CA 90028.

Criminon: Effective Rehabilitation

■ While Criminon, an international criminal rehabilitation program, is strongly supported by the Church of Scientology, it is independent and non-religious. Its program is open to people of all races and creeds.

Criminon has grown out of Narconon, an independent, non-profit corporation. The secular Narconon program has been operating since 1966, from its inception inside a prison in the United States; through its 39 drug education and rehabilitation facilities around the world, tens of thousands of people have benefited from it and are leading drug-free and productive lives.

Wiping Out Crime

The Criminon program operates within corrections systems throughout the United States and in other nations to rehabilitate offenders by restoring their sense of self-worth so that they can become productive members of society.

Growing out of the worldwide Narconon ("no drugs") drug rehabilitation program, Criminon's purpose is to wipe out crime by eradicating the factors that create criminal behavior in the individual. Founded in 1972, the Criminon program consists of a precise sequence of steps, each one bringing about specific results in the individual to restore his self-respect.

On-site Criminon programs in prisons and detention centers begin with the

Communication Course, with practical instruction in how to communicate and how to face life rather than withdraw from it — the action that preceded and helped to bring about the criminal condition.

That is followed with a course in learning how to learn, and continues with courses that include one based on the booklet, *The Way to Happiness*, which is the focus of the program conducted at Criminon Community Education Centers. *The Way to Happiness* helps to restore a person's innate goodness and pride. A person on the Criminon program soon discovers *he* is the one in charge of his actions, his life and his destiny.

"The Criminon program enables criminals to regain their self-respect," said

Tammy Terrenzi, executive director of Criminon International. "This is when a person realizes he is basically good and respects himself again — and wants to do good things in life, not bad. This is what Criminon is all about."

In addition to on-site programs, during any given week, roughly 2,250 inmates are enrolled on Criminon correspondence courses in more than 750 U.S. prisons, as well as in prisons in Mexico, Canada, the United Kingdom, Russia, Sweden, Italy, Poland, Hungary, South Africa and Australia.

Graduates of the program attest to its workability — as documented by the enormous volume of letters and success stories sent to Criminon offices.

Whether the program is administered by correspondence or in person, the results provide hope for a civilization where crime and violence have long been top concerns.

WHAT IS SCIENTOLOGY?

It's the fastest-growing religion in the world.

It restores happiness and self-respect.

It has helped millions create lasting relationships by really understanding and caring for their families, friends and communities.

Its members are all drug-free.

It's in the news. It's talked about on radio and TV. And it's got the answers.

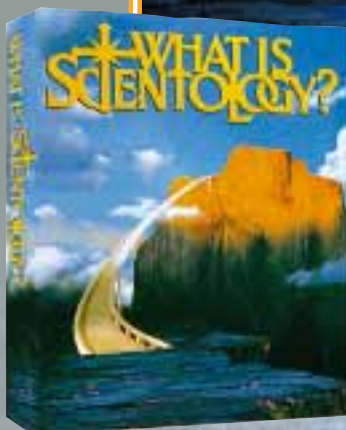
WHAT IS SCIENTOLOGY?

This 833-page volume, describing the philosophy and beliefs, catechism, creeds and codes, services and scriptures of the Scientology religion, is the definitive reference work on Scientology.

The book came about because of strong public interest in the Scientology religion and the Church, and the need for accurate and complete information. Thousands of hours of research went into this comprehensive volume on Scientology and its activities.

You can purchase your own copy of *What Is Scientology?*, the encyclopedic reference on Scientology, in either hardback (\$125.00) or softcover (\$19.95), by writing to the Church of Scientology International, 6331 Hollywood Boulevard, Suite 1200, Los Angeles, CA 90028 or calling (800) 334-LIFE.

Complimentary copies are available to religious leaders, government officials and members of the news media at this address.



The Courage to Stand Alone

Letters From Prison and Other Writings

By Wei Jingsheng

Edited and translated by
Kristina M. Torgenson
Viking Penguin, 283 pages

Reviewed by Lori Jablons

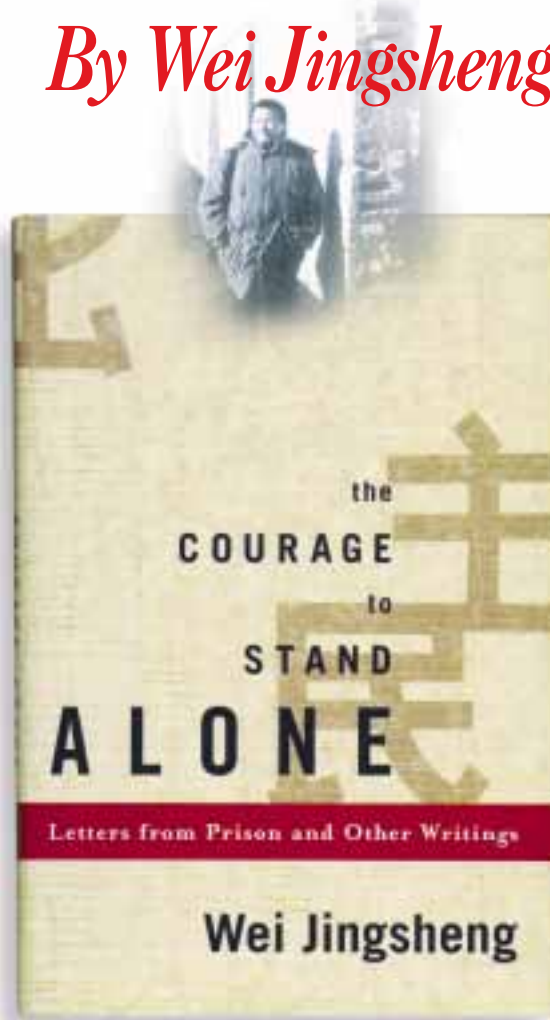
In China, 1998, it is customary to execute car thieves and cattle rustlers. It is what the Chinese people are used to and probably expect. They are also used to seeing their countrymen imprisoned without fair trial, malnourished, deprived of sleep and human contact for voicing their opinions.

The aforementioned are the few conditions author Wei Jingsheng was “permitted” to write about to his family and members of the government in *The Courage to Stand Alone*, a compilation of letters and essays from 1981 to 1993. In a move seen by some as symbolic and by others as progress, late 1997 saw Wei exiled to the United States by China, ending his second prison term for political dissidence.

China’s complete disregard for human rights is known worldwide. Perhaps the popularization of the abuses through the media and celebrity support has cast a shadow of ridiculousness or even unreality on the seriousness of the situation. But the issue of China’s treatment of its people is both very real and very serious. One need only look back a mere nine years into China’s past to find the Tiananmen Square Massacre, or read yesterday’s paper to learn of the brutality of Chinese rule in Tibet.

As explained in his book, Wei Jingsheng is the eldest child of parents committed to the Chinese Communist Party, and Wei himself grew up with the same political reverence for the party as his mother and father. As a child of the party elite, Wei and his two sisters and brother attended the finest schools and lived in a compound with other high-ranking families who shared the Communist ideology.

Wei’s schooling ended with the beginning of the Cultural Revolution in 1966, at which point Wei became a member of the Red Guard — and, one could say, his education really began. Traveling across the country to spread Mao’s



word, Wei saw the conditions in which people toiled; hardly the “worker’s paradise” propagandized at every turn. In 1969 he joined the army after the Red Guard had disbanded. He completed his military service in 1973, at which point he was assigned to work as an electrician in the Beijing Zoo.

Events continued to push Wei closer to the actions which ultimately brought his arrest as a political dissident. By 1976 his disillusionment with the CCP was complete, but he was not actively seeking freedom for himself and his fellows nor fighting the oppression they faced. It wasn’t until 1978, at 28 years of age, that Wei found his calling as an activist and writer.

During the Democracy Wall Movement, the 1978-79 grass-roots pro-democracy movement

named for the “big character” posters displayed on a large wall in the Xidan section of Beijing, Wei and young worker-intellectuals like him seized the opportunity to discuss taboo subjects by creating and publicizing these posters. The posters featured courageous political essays and experimental literary works and were displayed at various points around Beijing. For a few months in the winter of 1978-79, a low gray brick wall on Chang’an Boulevard became the focus of the movement, and the wall gave the movement its name.

Wei didn’t visit the Wall until December 4, 1978, a few weeks after the posters began to appear. So inspired by what he saw, Wei wrote “The Fifth Modernization: Democracy” the same night. It was hung on the Democracy Wall, unedited, the following evening. Wei’s tract stated that Deng Xiaoping’s “Four Modernizations” program of economic reform — agriculture, industry, science and technology — could never result in a true transformation without a “Fifth Modernization”: democracy.

Oddly, with everything posted on the Wall, democracy was never mentioned outright. Instead, the status quo was, for the most part, criticized on its own terms. The shortcomings of an oppressive communist rule were spelled out, the conclusion both implicit and obvious. “Our history books tell us that the people are the masters and creators of everything,” wrote Wei, “but in reality they are more like faithful servants standing at attention and waiting to be ‘led’ by leaders who swell like yeasted bread dough.”

The irreverence of the “Fifth Modernization” brought the first-time author immediate notoriety and was the inciting incident for his involvement in other political activities. In 1979, Wei founded *Exploration*, a journal that published the results of one of the first human rights investigations in China. Qincheng, China’s main prison for important political prisoners, was termed a 20th-century Bastille as the horrors of poor food, torture and the use of psychiatric drugs to control the unwieldy were documented.

Following Wei’s essay of March 25, 1979, he was arrested. He wrote, “Does Deng Xiaoping

want democracy? No, he does not. He says that the spontaneous struggle for democratic rights is just an excuse to make trouble, that it destroys the normal order and must be suppressed." In doing so, Wei mentioned Deng by name and for that he would be punished.

Late in the night of March 29, he was visited by some 20 police officers and taken to jail. His trial, on October 16, more than seven months later, afforded none of the Western luxuries of due process or right to counsel, and Wei, who refused to plead guilty to the charges that he "divulged military secrets to a foreigner and conducted counterrevolutionary propaganda and incitement," was convicted and sentenced to spend the next 15 years of his life confined as a political prisoner.

In literature, commonly the hero's most tragic flaw is his incapability of recognizing his tragic flaw. Wei, by contrast, knows that his "tragic flaw," for lack of a better phrase, is the inability to keep quiet about the things he feels his country should be looking at with an eye toward reformation. Wei writes: "What, then, is happiness? It is nothing less than realization of the full potential of humanity. Full and free development of personal will is the highest goal of humanity." Wei wanted freedom, not just for himself, but for his people, and he was willing to fight back for it.

After the Tiananmen Square Massacre on June 4, 1989, international awareness for China's political prisoners was heightened. Governments and human rights groups called for Wei's release. In 1993, before the anniversary of his arrest, the Chinese government made a video of Wei partaking of a large meal and visiting a museum. Of course, this was not shown in China, as it was intended to secure Beijing as the site of the 2000 Olympics. (An official, upon Wei's return from his day out, asked what impact the bustling city, new hotels and highways had on Wei's view of democracy. Wei replied, "None whatsoever.")

Nine days before the International Olympic Committee was to vote on Beijing's bid for the



"[T]he greatest pressure for change in China will come from the Chinese people. It's impossible to predict a timetable; nobody predicted the disintegration of the former Soviet Union.... Peaceful change may be very difficult to achieve. But this is still what we strive for."
— Wei Jingsheng

Games, a video of Wei signing his release papers was distributed. He was to be released into probation, and for the next six months, he would be forbidden to express his opinions, talk to the media or set up any kind of business. He would also be deprived of his political rights for the next three years. Yet, with indomitable spirit, days after he was liberated he told journalists that he would continue to demand democracy and respect for human

rights and would sue those who originally incarcerated him. He knew he would be jailed again, although his family begged him, for health reasons, to stay out of the limelight.

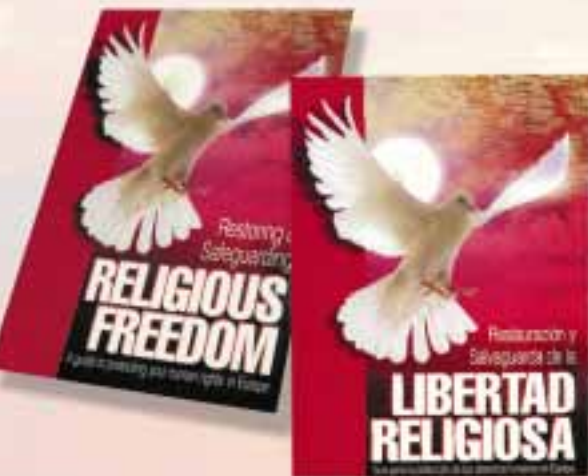
On February 27, 1994, Wei had dinner with John Shattuck, U.S. Assistant Secretary of State for Human Rights. During their conversation, Wei told Shattuck that the U.S. should extend Most Favored Nation status to China and put pressure on the country to improve human rights. Wei reasoned that imposing sanctions on China would only hurt his countrymen. The meeting inflamed the Chinese authorities, who accused Shattuck of "having broken Chinese law," then detained Wei for questioning. His detainment lasted until his second trial in December 1995, at which he was sentenced to another 14 years and sent back to his cell at the Nanpu New Life Salt Works. Now Wei was being imprisoned for expressing an opinion in line with Chinese officials.

Various human rights groups and governments worldwide condemned the Chinese government for Wei's sentence. In 1995 Wei won the Olaf Palm Award and the European Parliament's Sakharov Prize for Freedom of Thought.

Wei Jingsheng is a witty and gifted writer who is courageous beyond belief. He speaks of how "his head feels like lead" and of how he sometimes rambles in his writings, but his message and sentiments could not be more clearly understood. At certain points in reading, one may have to remind oneself that, yes, this is the reality of modern-day China.

The Courage to Stand Alone is an important book for its startling chronicle of the reality of life as a political dissident in China and one man's refusal to give in or give up. "Chinese leaders are not so much amenable to reason as they are to pressure," wrote Wei upon his release last year. "But the greatest pressure for change in China will come from the Chinese people. It's impossible to predict a timetable; nobody predicted the disintegration of the former Soviet Union.... Peaceful change may be very difficult to achieve. But this is still what we strive for." ■

Learn and Protect YOUR RELIGIOUS FREEDOMS



New publication provides comprehensive information on the most vital of human rights in thirteen European countries

The fundamental assumption of human rights is that each individual is a moral and rational being possessing certain inalienable rights. Human rights are based on respect for the individual and his beliefs.

Procedures and laws which protect minorities and give them a meaningful voice are essential to a true democracy.

Restoring and Safeguarding Religious Freedom: A guide to protecting your human rights in Europe is a new booklet published as a public service by the Church of Scientology and a coalition of religious and human rights bodies.

It contains a description of the fundamental rights guaranteed by national governments throughout Europe, as well as the international human rights standards each of these countries has pledged to uphold.

Guidelines are given for those who find their rights violated, along with a directory of human rights advocacy organizations which offer assistance.

The booklet is available in nine languages. Copies may be obtained by writing to the Human Rights Director, Church of Scientology International, 6331 Hollywood Boulevard, Suite 1200, Los Angeles, CA 90028 or by calling (888) 576-FREE.

WHORES of the Court

by Margaret Hagen

Reviewed by Mari Werner

Margaret Hagen is a psychologist. Her book *Whores of the Court* is subtitled, “The Fraud of Psychiatric Testimony and the Rape of American Justice.” How did a woman with a Ph.D. in psychology come to write such a harsh condemnation of her own colleagues?

In 1993, Hagen’s brother was sued for \$3.4 million based on alleged psychological damage. She writes in her introduction, “There was no evidence as such in this case. The trial consisted of a parade of half a dozen psychological experts of various types, all declaiming that the plaintiff suffered from one mental disorder or another and that the disorder — with all the attendant negative effects in her life — had been caused twenty years earlier by the accused, my brother — a person whom none of them had ever met.”

Her brother eventually won the case at a defense cost of \$90,000, and Hagen began the research project which culminated in the publication of this book.

As an experimental psychologist, Hagen has specialized in researching perception. Apparently she has made objective, keen perception a personal habit. The book is scrupulously well-researched, and written with a clarity and wit that make it an engrossing, enjoyable read in spite of its subject matter.

That subject matter can be disturbing all by itself. Consider, for example, the story of former Stratford, Connecticut, police officer Matthew Quintiliano. In 1975, Officer Quintiliano shot and killed his first wife a few days after she filed for divorce. He was found not guilty by reason of temporary insanity based on “amphetamine psychosis.” In other words, though his wife was dead from the bullets he fired from his

service revolver, Quintiliano was innocent of her murder because his reason for killing her was that he had been driven crazy by taking too many diet pills.

After spending three months in a state psychiatric unit, Quintiliano was released, a free man. Not long after that he remarried. In 1983 his second wife filed for divorce, and one week later Quintiliano shot and killed her.

But Hagen doesn’t stop at telling horror stories. She examines the whole subject of the psychiatric role in the justice system carefully and logically. The horror stories are not just anomalies; statistics show they are the rule and not the exception. Several studies, including one published in the *American Journal of Psychiatry*, have shown that clinical predictions of violent behavior are wrong twice as often as they are correct. “Why not just flip pennies or draw cards?” writes Hagen. “Why not put on a blindfold and choose without being able to identify the patients? It could hardly

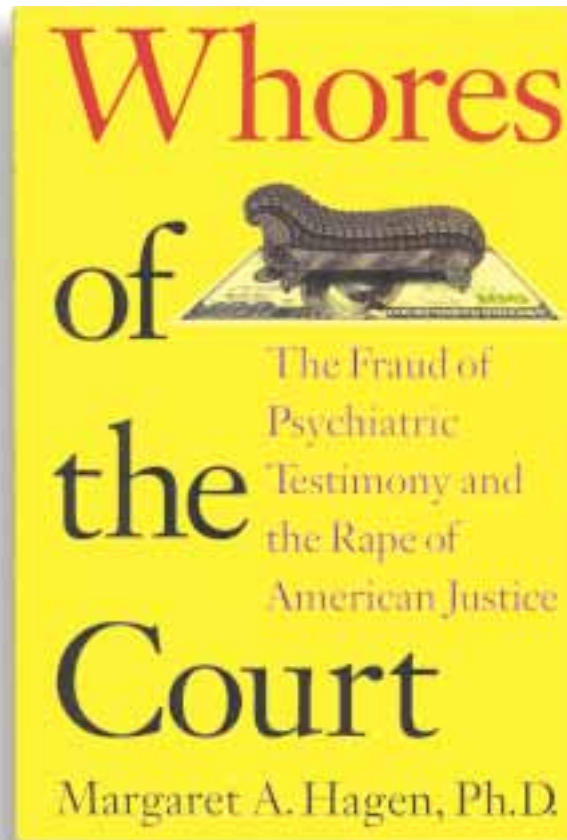
hurt an accuracy rate that hovers at less than one out of three times correct.”

The book goes further than the stories and statistics, looking at not just the blatant injustices, but at the subtle unexamined assumptions that have crept into our thinking, assumptions that many of us do not even connect with psychology or psychiatry.

The treatment of children in court is one example. This is an area that has been radically influenced by psychology over the last few decades. The practice of giving children special accommodation in court is now widely accepted. Children may be allowed to testify via video and never enter the courtroom, or they may have a parent or therapist seated next to them when they testify. Most people have come to consider this right and fair, since they are only children, after all, and need to be protected.

Hagen takes a very different view of this practice. “How do psychological experts know that testifying in court traumatizes children? They don’t; they just think it does. Their clinical intuition tells them so. Is there good, solid research to support the belief that testifying in court damages children psychologically? No. Is there good, solid research to support the belief that testifying in court is worse for a ten-year-old than for a twenty-year-old? Is it worse for a child than for an elder? That a ten-year-old child recounting molestation will be more ‘damaged’ than a twenty-year-old woman recounting rape, more damaged than the frightened eighty-year-old terrorized and beaten in a home invasion? No, no, and no.”

She goes on to examine the effect of this practice on the administration of justice: “Protecting a child from the supposed trauma of confronting and accusing an alleged perpetrator in court presupposes the guilt of the accused; protecting the child from the defendant presumes that the defendant is guilty of the crimes before the trial is heard. The whole trial is a sham.



"Are psychotherapists seated next to witnesses supposed to be invisible to juries? Are jurors supposed to be unaware of their supposedly protective role? Are they supposed to disregard as irrelevant to guilt or innocence the supportive behavior of parents and judge? Is there a standard bench instruction to that effect? 'The jury will disregard all of the extraordinary measures taken to protect this innocent child from that dangerous and guilty defendant'? Of course not."

This is but one small part of a large quantity of legal and social illogic that Hagen dissects and exposes before the eyes of the reader. If you are one of the many who have had the nagging feeling that something is wrong with what psychologists are doing in our courts, this book will show exactly what it is that's wrong, and what is so wrong about it. And still Hagen doesn't stop there. She goes on to look at the precedents and the legislation that have opened the way to the ever increasing influence of psychiatrists and psychologists in our courts.

The insanity defense has been with us for a long time. English courts in the 16th century maintained that criminal responsibility rested on a defendant's ability or inability to tell right from wrong. But how have we come from there to the point where Officer Quintiliano can walk away from murder charges by pleading diet pill overdose? Recent laws and precedents have thrown open the doors of the courtroom wider and wider to the manipulations of psychological and psychiatric practitioners. Legislation that many of us considered benign or beneficial has opened the way to a huge morass of illogic and injustice being perpetrated on our justice system.

The Americans With Disabilities Act of 1990, for example, prohibits discrimination against the disabled. The law includes both physical and mental disability under the

Hagen examines the whole subject of the psychiatric role in the justice system carefully and logically. The horror stories are not just anomalies; statistics show they are the rule and not the exception.

anti-discrimination coverage. Marry this with the American Psychiatric Association's *Diagnostic and Statistical Manual* which lists hundreds of "mental disorders" and we now have a situation where an employer who fires an employee for screaming obscenities at clients or colleagues can be sued for failing to accommodate that employee's mental disability.

More recently the topic of "repressed memory" has been brought before the courts as a reason to set aside the statute of limitations. "Judges and legislators all over the country," Hagen writes, "are not going to rewrite the law on the statute of limitations for either criminal or civil actions based on the 'scientific discovery' that people sometimes avoid thinking about awful events in the past and sometimes they forget about them. They are rewriting the law because the APA has told them that what is responsible for the absence of conscious memory of terrible events is nothing ordinary but rather the mysterious mental process of repression, whose existence has been so clearly demonstrated by the clinical techniques of Sigmund Freud and his modern descendants. Shame on them."

"The American Psychiatric Association knows perfectly well that whatever the private ideological beliefs of its members about the unconscious repression of the memory of psychological trauma, there is no scientific evidence supporting the factual existence of this hypothetical mental phenomenon. It is grossly unethical for the APA or any of its members to mislead the legal community into thinking otherwise."

In keeping with its title, the book goes on to explore the economics of this expanding psychological influence. As the courts have opened their doors to psychological testimony, the ranks of psycho-experts have swelled enormously. Where a psychological defense is used in a criminal trial, the prosecution then must hire their own psychologist to try to refute the testimony of the defense psychologist. Similarly, in civil trials, if one side hires a psychologist, the other will need one as well; often each side will use several. Also, the desired, and often achieved, end result of the psychological testimony is that the criminal is sentenced to therapy or the civil defendant is required to pay for therapy. Hagen sums it up with the biting frankness characteristic of the volume:

"Thanks to the willingness of judges and juries to believe psychobabble with scientific foundations equal to horoscope charts, babble puffed about by psychological professionals with impressive credentials, what we've got now are thousands of self-styled soul doctors run amok in our courts, drunk with power, bedazzled by spectacular fees for the no-heavy-lifting job of shooting off their mouths about any psychological topic that sneaks a toe into a courtroom."

The book doesn't paint an appealing picture of the current state of our legal system, but the ray of hope offered is that we do still have a democratic process in this country. We can make our voices heard. Now that we know we can begin to say "No." ■



A DESCRIPTION OF THE SCIENTOLOGY RELIGION

The Church of Scientology International has compiled and released an informative publication entitled *A Description of the Scientology Religion*.

This 90-page publication contains an explanation of the factual background from which Scientology emerged, and provides the reader with a detailed yet easily comprehensible explanation of the Scientology religion and its application to life. It includes more than 40 full-color photos and illustrations to aid the reader.

For a free copy of this booklet, please write to the Church of Scientology International, 6331 Hollywood Boulevard, Suite 1200, Los Angeles, CA 90028 or call (800) 334-LIFE.

If you're on the Net, you can get the booklet by asking for it at <http://www.scientology.org>



A CAUSE OF VIOLENCE

Violence stalks America and its hand seems everywhere. But it doesn't have to be that way.

This article, written for *Freedom* in 1970 by L. Ron Hubbard, explores how violent acts could be significantly curtailed through honest and accurate news reporting.

The unadulterated reality of current affairs can be daunting and confusing. Turmoil a continent away can no longer be dismissed as “over there.” International political, economic or cultural events may directly influence our lives, so we need to know what *is* happening and why — not a version embellished to sensationalize or to overly support a partisan view.

Encouraged to improve its standards, the media could justify the reason freedom of the press is so highly regarded in all democracies.

by L. Ron Hubbard

A U.S. Commission has recently recommended that mass news media pay more attention to the views of minorities and that the government provide some means where minorities can bring their grievances to light.

About 22 years ago the president of the University of Chicago stated that the practice of excluding the views and aims of minority groups from mass media was the direct cause of violence, riots and civil commotion.

Examining this idea we see that the news media does not neglect to report the violence and reactions of minorities but almost never fully reports the actual ideas and real grievances of various groups, churches or minorities. We see reported violence *against* students such as their being banned or the subduing of riots.

We are reading in essence what one might call fragmentary reports. The whole story isn't there.

Nobody has really asked either side what *ideas* are in conflict.

The Establishment has no mediators one can approach so as to talk it over or who have the power to get things straight.

Indeed the Establishment is often very cloudy on what its ideas are or what it is trying to do. But as a government gets old and desperate its main idea is that “Any dissenting opinion must be smashed.”

The Czar's government went the route that way. Students proposed reforms. The government and its press began to attack students, lie about them, ridicule them, accuse them of treason. The students demonstrated. The government increased police appropriations. The students protested. The government appointed an even more vicious head of their secret police. The students began to assassinate officials. The government began to torture student prisoners. And then BANG the populace revolted, the Czar was executed and the Communist Party took over Russia.

Nobody, but nobody ever asked the government “WHAT ideas are you supporting?” Nobody ever really asked the students “What do you object to really and how can it be reformed if it exists?”

And nobody published it.



There is no machinery in the Establishment for mediation with the people. They depend upon “elections” or polls. But they haven't got a Dept A to which a minority can go and say “Look, your idea of financing psychiatric death camps is messing things up.”

A special privilege group — the very best people only, please — can use the Establishment as a mouthpiece, use its force. They can use mass news media. And with this they can remove rivals or dissenters or competition or minorities. Usually their motives are somewhat less than nice. They have their eye on big profits or someone else's property or some

the government, to seize Catholic property. The lies and violence surrounding those times make it very difficult to get to what ACTUAL IDEA caused the terrible dictatorship of 17th century England. Those you read in the history books are only the propaganda lines of both sides. WHO started it to be able to grab Catholic property?

For instance, I can't find out, despite vast reading, why the United States is fighting in Vietnam. What IDEA is really behind it?

Students who oppose being involved personally in a war they can't understand are treated to batons and courts. They're called “Red Agitators.”

What they really object to probably is a conscript army (which is an uneconomic, inefficient and foolish idea begun by a mass killer known as Napoleon) and the specter of inflation and world unrest they know they'll inherit when, getting older, they take over the reins.

There's no cool head in the Establishment who has the job of listening and finding out what it's all about and mediating.

If the ideas in opposition actually could be sorted out, they would cease to be in total opposition and some probably

“It takes a fantastic amount of digging to find WHY some minority is being attacked. For the real private idea behind the Establishment attack is often not pleasant when exposed to view.”

overdue reforms could occur and the violence would greatly diminish.

As it stands today, both sides of the conflict are seldom reported and violence is the routine way of things.

Mass news media errs badly in acting on orders it receives to defame or attack some minority group. News media would serve a real purpose if it sought to really dispassionately discover the ideas behind today's conflicts and ignored the jingoisms and catch phrases they are handed.

They are, after all NEWS media, not as they often seem to be, propaganda machines playing a part in psychological warfare.

But, of course, the ideas behind news media itself is to sell papers and get the bills paid. The same private interests behind the Establishment are too often also the backers of the newspapers and so use them to crush the possible competition. And as today newspapers are seldom solvent they think they have to have backers behind them.

The reasons for the decline of newspaper circulation are not hard to find. The public has ceased to believe what they print, sensing that their views are not always disinterested.

Also in stressing controversy and conflict newspapers have not realized that few people beyond sports fans like to witness fights. The public today finds newspapers above the level of their ability to confront. So they don't buy so many newspapers.

However if newspapers and other mass news media could refrain from editorializing for the bosses and began to search out the central, often carefully hidden, ideas behind modern violence and expose them honestly, mass news media would again become a potent force in the culture.

In a democracy particularly, people should be correctly and accurately informed. The mass news media is the people's intelligence service. False reports or biased accounts are deadly in an intelligence system.

No population can act rationally when the data they are fed is false. And when it is exposed as having been false the whole body of news media is rejected.

Much of the news media, screaming for reform in others, itself could undergo a lot of reforming.

To begin with they could pay their reporters and announcers and workmen enough money to make life seem brighter.

Writers, photographers and artists are the most economically insecure people in our society. These are even called the “insecure professions.”

If they don't deliver exactly what their boss says, they've had it. Their own integrity has to go by the boards in the face of continual economic threat.

Freedom of speech does not apply to them.

It is standard practice for a reporter to receive from his editor the data he is to write and then go interview someone, receive contrary data from the interviewee but then be forced to write what the boss said in the first place.

No wonder they are cynics. Paid with buttons, how can they refuse orders? They'd starve.

Scanning yesterday's and even last year's headlines one sees practically the same news stories over and over and over.

Real happenings are occurring in the world, but mass news media is given its pattern of stories because somebody up

L. RON HUBBARD

A Profile

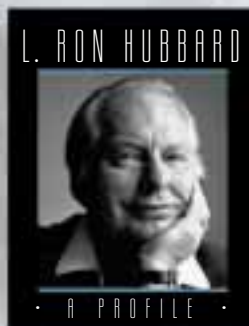


The 130-page *L. Ron Hubbard: A Profile* chronicles the life and accomplishments of the founder of the Scientology religion and the impact of his life's work on millions the world over.

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Complimentary copies are available to religious leaders, government officials and members of the news media at this address.



top wants it that way. This is called “molding public opinion.”

Psychiatric front groups wanted Scientology defamed. So the “Scientology Story” was invented out of whole cloth and written without a single reporter going near the subjects’ founder for all the 14 years of his active leadership of its organizations!

False “Scientology bulletins” were run off and distributed. Quotes never spoken were printed. But nobody ever asked the head of the movement anything and tore up and didn’t print every press handout that was issued.

The tide has turned now. There was nothing wrong in the first place.

The false reports issued about Scientology are a grim example of how a special privilege group like psychiatry can use mass news media and the Establishment to try to eradicate competitors.

Scientologists are neither violent nor political. They are a technical church group, working successfully in the field of mental health.

The false reports were so false that at last the public refused to believe them. Even the better reporters began to turn against furthering the attack anymore. It was just too corny.

Groups less sane and less stable than the Scientologists, minorities who are not able to handle such situations calmly as the Scientologists have, begin to stockpile weapons and throw stones and have a go at the police. Nobody will listen. They are maligned in Establishment and press. And they can only think in terms of violence.

Unable to express their views publicly or call attention to real abuses and hardships such minorities begin to put their messages in the solid form of bricks and bullets.

The Establishment itself has to think of their own individual jobs, none too well paid. And like the underpaid reporters they have to snap to attention when the “very best people,” the specially privileged private groups give their orders to government.

The answer to all this is not hard to find.

Governments should cease to be pawns of private interests and work honestly at their jobs in the broad interest of the whole people, not the privileged few.

And mass news media should deal honestly in what it actually observes, not in what the big boss says is so. Papers might even begin to sell again.

L. RON HUBBARD
Founder

The potential peril of searching for the ultimate answers to life.



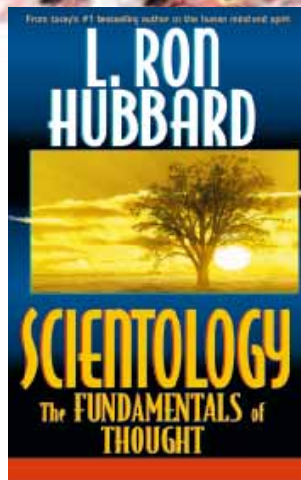
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