Anarchism

With a small *a*, the word anarchism implies a set of assumptions and principles, a recurrent tendency or orientation—with the stress on movement in a direction, not a perfected condition—toward more dispersed and less concentrated power; less top-down hierarchy and more self-determination through bottom-up participation; liberty and equality seen as directly rather than inversely proportional; the nurturance of individuality and diversity within a matrix of interconnectivity, mutuality, and accountability; and an expansive recognition of the various forms that power relations can take, and correspondingly, the various dimensions of emancipation. This tendency, when it becomes conscious, motivates people to oppose or subvert the structures that generate and sustain inequity, unfreedom, injustice, and to promote or prefigure the structures that generate and sustain equity, freedom, and justice.

— Maia Ramnath, *Decolonizing Anarchism*

imminent rebellion

TWELVE

hand bound with a **hatred** of the State infused into every page

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A politics that refuses to reduce the complexity of life to the singular logic of the State cannot be simple, it cannot be the domain of easy slogans. Nor can an ***anarchist politics*** ever make the risk of believing it has achieved a finality, even if only theoretical. This journal is therefore not propaganda, but a genuine attempt to articulate an anarchist practice and theory, one whose articulation must be without end.

'PIRATES' VS PIRATES

Somalia through the eyes of a German court

— Peppertree

Ten Somali men and teenagers have been on trial in Germany for the attempted hijacking of a container ship in 2010. The trial started in 2010 and dragged on for almost two years–but not because there was any doubt about what happened on the ship.

Image: Nigel

THE TRIAL

On Easter Sunday 2010, a group of ten Somali men and teenagers were apprehended by a specialist Dutch navy unit on the German flagged container ship MV *Taipan*. The Somali men had allegedly tried to hijack the *Taipan* and kidnap the crew in order to demand ransom. But by the time the Somali had reached the ship's bridge, the crew had retreated into a safe room inside the ship. This enabled the Dutch soldiers to attack. They entered the ship from a helicopter, covered by machine gun fire from the nearby frigate *Tromp*. The Somali gave themselves up immediately and were taken to the *Tromp*, where they were chained to the deck. From time to time they would be led to a hangar to be interrogated. After several days they were taken to the Netherlands and then extradited to Hamburg, Germany, where they were put on trial in November 2010. They were charged with kidnapping and interference with maritime traffic. After almost two years, the court found all of them guilty and sentenced them to between two and seven years.

The trial started under huge media attention and everyone expected this to be a short one—the facts were clear, all of the accused had been apprehended on the *Taipan* and a number of weapons had been found. But it soon turned out that things weren't as simple as the prosecution had wished. As the case unfolded, the mainstream media found easier stories to report on and after a couple of weeks, the public gallery contained only two observers from a shipping company and a small group of activists who were following the trial. A blog was started (reclaim-the-seas.blogspot.com), which provided background information and regular updates on the trial. Over the months, the blog became the only consistent coverage of the trial. After a while, people started visiting the prisoners and established personal contact with them. A series of public meetings, rallies and talks were held, covering subjects from the history of piracy to the mystery of the *Faina*. Even a theatre play for children was created, dealing with the trial.

It was obvious from the start that the judge was keen to be seen doing everything by the book. Therefore firstly, the age of the accused had to be determined. Since three of the ten had claimed to be teenagers—one as young as 13—the court had to determine their 'real' age. A 13 year-old could not have been tried according to German law.

But instead of accepting the Somali birth certificates, school records or statements by the mother of one accused, the court decided to resort to the dubious methods of age assessment in use by the forensic institute of the Hamburg University Hospital. The institute has established these methods to make unaccompanied juvenile refugees old enough to be declined their right to education and ultimately be deported, a practice that is common in many countries. As a result, the boy was declared to be 18. No one who has spoken to him outside the court room thinks that this is correct.

> **"We *know* our birthdays by the seasons—I am 24 and I was born during the RAINY SEASON."**

Throughout the trial, the court has never paid any attention to evidence coming from Somalia.

This neo-colonial attitude of the court is a hallmark of the proceedings. In order to get a picture of the defendants' social situation in Somalia, only European 'experts' were heard, one of whom admitted not having been to Somalia for 20 years. That is understandable, since there is a civil war there. The fact that this in itself means that the court will never be in a position to truly ascertain the situation in Somalia, did not occur to the court. The crews of the kidnapped ship *Taipan* of the Dutch frigate *Tromp* were heard, members of the German federal police were heard, but not a single witness from Somalia.

> In Somalia, everything is different from the way it is in other countries. But the court wants to see our country through German eyes.
>
> *—Statement by one of the accused after 69 days in court*

The trial dragged on for nearly two years with the ten defendants wearing huge headphones to listen to simultaneous translations of the court proceedings, given by three interpreters. Also present were about a dozen prison screws and 20 lawyers (every defendant had been assigned two lawyers in order to be able to keep the trial going when one of them was sick). Every time one of the accused took his headphones off, the judge stopped the proceedings until the headphones were back in place. Whether the defendants actually understood anything that was said was irrelevant, as long as they were wearing their headphones.

Until April 2012, all ten accused had been in custody, despite numerous applications by the defence to have them released on bail. Then the three youngest ones were finally released into a youth facility, after another court had ruled that they couldn't be held in custody for more than two years. Normally, teenagers are not remanded in custody for more than a few months in Hamburg.

> I have been waiting for my verdict for thirteen months; I've been very ill. I am a prisoner of my illness. When I try to explain my situation to my family, they don't believe me. I have instructed my lawyers not to file any more applications. There must be an end now. Enough is enough.
>
> *—Accused after 13 months of trial*

In February 2012, the trial seemed to finally be coming to a close. All the witnesses the judge had wanted to hear had been heard; some of the accused had made personal statements regarding their family situation and pretty much all applications by the defence had been declined. The prosecutor had held her closing address and demanded harsh prison sentences, between four and a half years for the youngest accused and 11 years for the

oldest. This prompted one of the accused to break his silence and make a two hour-long statement to the court, indicting everyone else and exonerating himself. He named two of his co-accused as the alleged leaders and told the court that everyone except him had been carrying AK47s or Rocket Propelled Grenades (RPGs). He, on the other hand, had only been hired to translate between the Somali and the crew and had only been carrying an unloaded pistol. He later corrected himself and admitted that the pistol was loaded.

At that point everything was opened up again, the judge spent several days interrogating the accused in order to get more indictments out of him. What he got was more contradictions. Predictably, the other defendants then decided to discredit the new crown witness. They claimed that the opposite was true, that his family had organised the whole thing and that he had participated in other attacks on ships. There is an increasing amount of evidence supporting that claim. As, often the case in these situations, the only winner is the prosecution who started new investigations against both the 'crown witness' and against the others.

By July 2012, the trial still seemed to be going nowhere. The fact that after 92 days and dozens of witnesses, there were still surprising turns in this trial was in itself an indictment of the trial. It was the inevitable result of the court's neo-colonial attitude. On the surface, the court had done everything that was required under the German statutes. It looked at all the evidence, heard witnesses and explored the social circumstances of the accused—but without ever understanding anything. In a scene that was typical for the trial, one of the accused told the court of all the vegetables he had eaten in prison in Germany for the first time in his life. This was swiftly interrupted by the judge saying that he was not interested in hearing the prison canteen's menu.

One of the crucial elements of establishing 'guilt' in the sense of Western law is the question of whether the accused had participated out of their own free will in the hijacking. Most of them

claimed that this wasn't the case, the court disagreed—but what does the term 'free will' mean in a country that is in a civil war, where people have been robbed of their livelihood, and where droughts regularly cause widespread famine? This is a country where both the 'Transitional Federal Government' and the opposition militias are busy recruiting children as young as ten to become soldiers.

'We lived in a tin hut without water. We slept on cardboard. When my brother had no work, we would go hungry for days. When I was nine years old, my brother took me to the harbour to work, unloading containers. When I had work, I could afford two meals a day.'

One defendant described to the court how he had ended up on the *Taipan*: he had been a fisherman, but when there was no more fish to be caught, he started to get into debt. A shopkeeper allowed him and his wife to buy food on credit, but eventually wanted the debt paid back. When he couldn't, the shopkeeper kidnapped his son as a security. That was when he decided to take up an offer to take part in a hijacking, being promised exactly the $1,600 that he owed. He then spent nearly three years in prison in Germany, still unable to pay his debt and his son still being held by the shop owner. In December 2012, supporters of the Somali published the story in an illustrated booklet and raised the funds for the release of the child. In January, the money was transferred to Somalia and the child released.

The court in its arrogance, attempted to apply German standards to events that took place in the Indian Ocean, involving people who had never experienced anything but civil war in their lives. The binary logic of right and wrong, which the European justice system uses to divide its population into guilty and innocent, fails even more spectacularly when it is applied to social circumstances that are so fundamentally different from what most Germans have experienced. It is not surprising that this approach failed. However, it is the defendants who are suffering from this failure.

'Life in Somalia is nothing but war, guns, hunger, fleeing. Robbery and murder are everyday things. Learning in Germany, that these problems only exist in Somalia and not elsewhere, made it even worse for me. I used to think that war was everywhere.'

—One of the accused who witnessed his parents being killed by a grenade when he was 6 years old

And they have been suffering. Several of them were on anti-depressants for months. They are worried about their families, left in a war-torn country that has also been suffering from a drought. They feel helpless, being locked up in a prison cell, when they feel that they should be supporting their families. As one of them said: 'My soul has been destroyed. I have been taken here, but I cannot be here any longer.'

'PIRATES' AND PIRATES

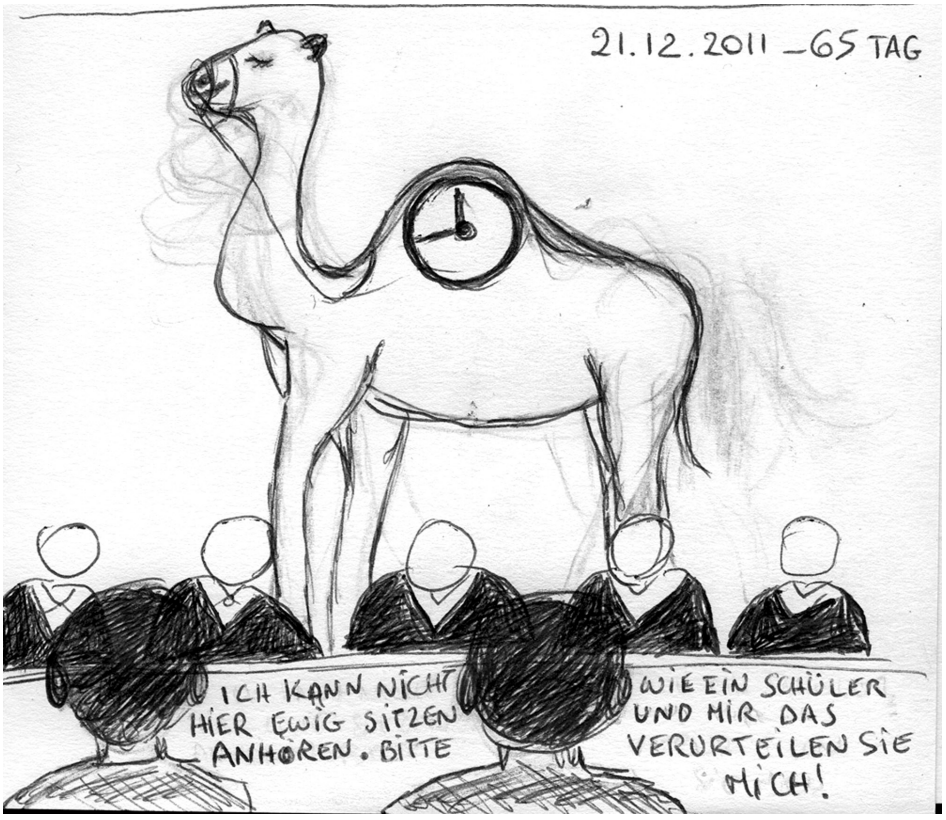
Ever since Somali dictator Siad Barre was toppled in 1991, the country has been in a civil war. The 'Transitional Federal Government' that is in place

controls merely a few blocks in the capital Mogadishu. The absence of a real government has been exploited by the rest of the world. Fishing trawlers from Europe, North America and Asia have been helping themselves to the huge fishing grounds off the 3,300 kilometre coast of Somalia. In its peak, this IUU trade (Illegal, Unreported, Unregulated) in Somalia generated some US$300 million annually for the first world, according to calculations by the UN. This is a world-wide problem, and the UN estimates that about one in five fish consumed worldwide is fished illegally. The pirates come in large fishing trawlers from rich countries (who have long ago depleted their own fishing grounds), registered under flags of convenience of countries who never signed any agreements on fishery quota. The depletion of what was once described as 'a rainforest of fish' soon removed the livelihood of the coastal population of Somalia, who were defenceless against these pirates.

The industrialised countries also discovered another use of the Somali waters: as a giant waste dump. Ever since the London Convention of 1993 banned the dumping of waste on sea, industrialised countries have been looking for a way out. Greenpeace reports of ships cruising the oceans for years, trying to find a 'suitable' place to dispose of their cargo.[1] While the disposal of a tonne of toxic chemical waste in Europe costs more than €200, dumping the shit in Somali waters costs as little as €2, so the economic incentive is obvious. For radioactive waste the ratio is even steeper. Organised with the help of the Italian Mafia, pretty much every European country got rid of their unwanted waste this way for years. Other countries, like Australia joined in. The extent of this scheme was literally uncovered during the tsunami of 2004, when hundreds of rusted barrels were washed up along the coast of Somalia, poisoning many people.

According to United Nations Environemtn Programme (UNEP) spokesperson Nick Nuttal, 'Somalia has been used as a dumping ground for hazardous waste starting in the early 1990s, and continuing through the civil war there. […] And the waste is many different kinds. There is uranium radioactive waste. There is lead, and heavy metals like cadmium and mercury. There is also industrial waste, and there are hospital wastes, chemical wastes—you name it.'[2]

With little fish to catch, some of the out-of-work fishermen decided to take matters into their own hands and started their own 'coast guard' operations. They stopped foreign fishing vessels and demanded money from their owners to compensate for the fish they had taken. As the new Somali coast guard became successful, others copied the business model. Regular trade vessels were hijacked and ransom was demanded. According to reports by Reuters from December 2009, a stock exchange system has been set up in Haradheere. A former pirate at the time said: 'Four months ago, […] we decided to set up this stock exchange. We started with 15 "maritime companies" and now we are hosting 72. Ten of them have so far been successful at hijacking. The shares are open to all and everybody can take part, whether personally at sea or on land by providing cash, weapons or useful materials... we've made piracy a community activity.' In a country where almost half the population has to get by on less than one dollar a day, even a small percentage of the ransom going back to the community makes a difference—and aren't we constantly lectured about the benefits of the trickle-down effect by the proponents of capitalism?[3]



Court drawing
Day 65: "I can't sit here like a pupil forever and listen to this. Please sentence me!"

But for some, the profits continue to roll in. Ship owners have been wanting to insure themselves against the risk of being attacked. Greg Bangs from Chubb Insurances says that '[...] this is a new and rapidly developing insurance market.' And increasingly, armed security guards are being deployed on a lot of vessels, generating profit for security companies. The *Financial Times* estimates that the two major global security companies charge the shipping industry in the order of US$55 million a month—many times the amount the pirates ever retrieve in ransom.

Caught in the middle of it all are the ships' crews. Underpaid and working under appalling conditions, a lot of them come from extremely poor countries themselves, like the Philippines. They, who are at the bottom of the capitalist picking order, find themselves being held hostage by people with even less to lose than themselves. Every delay in the ransom negotiations is a threat to their lives. Once the ship has been freed, they return home traumatised, often without any support from the shipping company. They can refuse to sail through the Gulf of Aden, at the risk of being blacklisted by the shipping companies and never being able to find work again. Also at their expense is the danger coming from the deployment of armed guards on some ships—this has prompted the Somali groups to increase their firing power as well, and many in the industry are fearful of an escalation.

The so-called international community never did anything to stop the real pirates. No warships ever stopped the poachers or the ships with poisonous waste. Instead, Somalia was declared a 'failed state' and simply written off. Only once the

Somali population started defending themselves, did the rest of the world react. As soon as 'free trade' was threatened, the rich countries decided to gang up and deploy warships. The Horn of Africa is one of the world's busiest shipping routes—more than 20,000 ships pass there annually. The industrialised world simply cannot allow the population of a country without a real government to have any form of control over the shipping routes.

> We were a group of fishermen, who couldn't catch fish anymore. The worst period was when the tsunami came. Everything was washed away—our boats, our houses. Since then life has been miserable. The well was poisoned; we couldn't drink from it. During the tsunami, aid organisations came and helped us survive. They gave us food, so we managed to feed ourselves. But because of the civil war, the aid organisations left, and we were left to our own devices. Many of us died. I had to feed two families, but I had nothing. For a long time, we suffered from hunger. I was longing for an opportunity to find food for my family.
>
> *—Statement of one of the accused during the court hearing*

Germany's foreign minister Guido Westerwelle made clear what it's about: 'Pursuing our economic interests, including pursuing our interests in resources, must be part of our strategic planning. I am surprised that the deployment of soldiers to combat piracy, which I support, has been portrayed as morally not justifiable by some members of parliament.'[4]

THE EMPIRE STRIKES BACK

The Dutch frigate *Tromp*, which led the arrest of the ten Somali men, as well as a German reconnaissance plane that assessed the situation beforehand, were part of the first ever joint European military operation: Atalanta. The operation, which was started in early 2009, comprises of up to 40 warships from some 30 countries. Its official mission is to protect humanitarian aid shipments to East Africa, but these shipments are few and far between, so in their spare time the navies are tasked with hunting pirates. The operation's mandate has recently been extended until 2014. It is largely financed by its member states contributing their navy resources. Germany alone spent €95 million in 2012 on sending navy vessels and personnel.

Atalanta is only one of several international operations around the Horn of Africa. There are also the Combined Task Forces 150 and 151, initiated by the US to be the maritime side of 'Operation Iraqi Freedom', aka the invasion of Iraq. New Zealand is part of these deployments and at one stage was the leader in 2011. Then there is Operation Ocean Shield, which is part of NATO and shares its headquarters with Operation Atalanta. There is also an unofficial group called the 'Independent Navies', which includes China, In-

dia, Iran, Japan, the Republic of Korea, Malaysia, Russia, Saudi Arabia and Taiwan. All of these operations are based on a number of UN resolutions. The fact that Japan had to change its constitution to be able to participate shows how much incentive there is for every capitalist nation to have a presence in the Indian Ocean.

This presence makes for an interesting political constellation—nowhere else in the world can one see US and Iranian warships patrolling together. And that is also the reason why none of them can pull out. Even if the 'piracy problem' was solved, none of the countries currently present in the Indian Ocean could remove their warships out of fear of giving other countries access to East Africa.

GOING INLAND

In March 2012, Atalanta's mission was officially expanded to include strikes on land. The navies are now entitled to commit air strikes up to 2 kilometres inland in Somalia in order to destroy 'pirate infrastructure'. There have been reports about individual navies going inland to chase pirates all along, but now this has become official policy, supported by a UN resolution.

At 2:30am on 15 May 2012 the first such strike took place, followed by a euphoric press release claiming that 'surveillance of the area during the action indicates that no Somalis were injured ashore as a result of the EU action.' Apparently, several speed boats, some fuel containers, a ladder and mobile phones were destroyed in the strike. Just how helicopter pilots can distinguish pirate boats from fishing boats in the middle of the night remains unclear and is something locals are worried about: 'Westerners can't clarify who is the pirate and who is civilian.' *Somalia Report* cites the mayor of Gumbah, a small fishing village in Puntland, as saying that a strike against a fleet of fishing boats took place on 16 April. A helicopter had appeared and, without warning, had fired seven missiles, striking two boats and injuring two fishermen.[5]

What seems like an intrusion by foreign military into another country, is seen by the EU as a piece of development aid. A spokesperson for the EU foreign policy office: 'This action against piracy is a comprehensive EU approach to the crisis in Somalia, where we support a lasting political solution on land.'[6]

A lasting political solution is what most people in Somalia have been waiting 20 years for. But it is hard to believe that this solution will be delivered via air strikes from battleship helicopters.

It's likely that these air strikes are only the thin edge of the wedge—sooner or later the EU will engage in proper land missions. There is more to be poached from Somalia than just fish. Large oil and gas reserves, as well as iron ore and aluminium are suspected, and exploitation of a uranium mine is under way. These are the resources that the German government was talking about, and the reason why every country wants to be involved in the 'battle against piracy'.

BACK TO THE TRIAL

So why did the German state spend more than a million Euros (meticulously calculated by the tabloid papers) on trying ten young Somali who failed in capturing a medium sized container ship?

It is hard to imagine that anyone expected the trial and the resulting sentences to be a deterrent. Other countries have tried Somali pirates in the last few years, in one case passing sentences of some 400 years to each accused. Even the boss of

the company that owns the *Taipan* admits that piracy won't be stopped by this trial.

On a larger scale, piracy isn't really that much of a problem to the global economy. Only one in a thousand ships sailing through the Gulf of Aden is actually hijacked and only smaller, slower vessels are usually in danger. Ships travelling at more than 17 knots have hardly ever been attacked, but a lot of shipping companies sail at lower speeds in order to save fuel. The problem is made out to be bigger than it is, but it is a good excuse for why countries need to be present in the region around Somalia.

It seems that the reasons had more to do with the German government wanting to justify the €95 million spent on its military presence in the Indian Ocean in 2012 and with establishing Germany as a worldwide military force, than it has to do with delivering justice.

As usual, the wrong people were on trial. Instead of trying the owners of the real pirate vessels who for years destroyed the livelihood of many people who didn't have much to start with, those who are pretty much defenceless were put through the courts.

One person who showed better insight into the circumstances than the court is Dierk Eggers, the captain of the hijacked ship *Taipan*. Despite being fired on and then spending several hours in the safe room of the ship not knowing what was going on, the then 69 year old said, after seeing the Somali for the first time in court:

> ***I was curious*** to see what they looked like […] They are poor sods. *They got involved in something they hadn't thought through* and haven't ***been able to foresee.*** Now, they are the ones who are weak and **I have a weakness for the weak and shattered.**[7]

An attitude the court would have been well advised to adopt. ■

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Lizard's Revenge

— Unnamed Collective and the Ban Uranium Mining Permanently Collective

In July 2012, around 500 activists from Australia (and other parts of the world) converged on Olympic Dam for Lizard's Revenge. This event was the result of many years of activism around BHP Billiton's Olympic Dam uranium mine, and the proposal to expand it into the world's largest open-pit mine.

The police presence at Lizard's Revenge demonstrates the extent to which the state will go to protect corporate interests. Nevertheless, Lizard's Revenge gives us reasons to hope: the convergence had significant support, and was an inspiring experience. It also demonstrates the vitality of the opposition to uranium mining, which will be important over the coming years as we face more proposals to mine or dump uranium in Australia.

OLYMPIC DAM URANIUM MINE

The Olympic Dam uranium deposit was discovered in 1975 and formally opened by Western Mining Corporation (WMC) in 1988. It is now owned by the mining giant BHP Billiton. It contains the world's largest known uranium deposit, the fourth-largest copper deposit and the fifth largest gold deposit. It is also one of the world's most contentious mines on the issues of Aboriginal rights and environmental degradation due to its unique position granted by way of the 1982 Roxby Downs Indenture Act, legislation that grants the mining company the right to be a law unto itself.

The Indenture Act is a unique bill of rights, or rather a bill of no rights for the environment and Aboriginal people. It exempts the mine operators from a whole spate of state environment and Aboriginal heritage laws; it gives wide-ranging exemptions from the Environmental Protection Act, the Natural Resources Act, the Aboriginal Heritage Act, the Mining Act and the Freedom of Information Act. It also gives the mine operators a free ticket to extract water from the Great Artesian Basin at Lake Eyre (Arabunna country) at no cost and with no compensation to the local traditional owners.

Water usage is one of the most contentious issues for Olympic Dam. Under the Indenture Act the mine operators are allowed to 'mine water' from the Great Artesian Basin at a rate of up to 42 million litres of water per day at no cost to the company and with no compensation to the local traditional owners, the Arabunna people. Current water usage is estimated to be around 36 million litres per day. If the expansion goes ahead that will increase to 200 million litres per day, an increase to 42 million litres from the Great Artesian Basin and the remainder from a yet-to-be built desalination plant at Point Lowly near Port Augusta. The water use from the mine has already had a serious impact on the desert ecosystem with many mound springs drying up. The springs are also sacred places for the Arabunna people, and their destruction causes serious cultural and physical distress for them.

Indigenous resistance to the mine has always been very strong. A long-standing collaboration between Indigenous and non-indigenous activists has existed from the very start. In 1982 the construction of the Borefield Road some 50 kilometres from the mine site was stopped by local Aboriginal people blockading at Canegrass Swamp, with the government capitulating and diverting the road. In August 1983 activists from the Campaign Against Nuclear Energy organised a blockade at the mine site resulting in 300 arrests; the blockade lasted until November of that year. And from 1999 to 2004 Uncle Kevin Buzzcott established the Arabunna Going Home Camp in his traditional lands on the shores of Lake Eyre, some 130kms from the mine, to protest the mine's water usage from his country. The Keepers of Lake Eyre, as the Aboriginal and non-indigenous activists were known, engaged in daily stop-work actions on the water bores, and blockades and occupations of the mine site, as well as many Federal and Supreme Court challenges.

THE PROPOSED EXPANSION

The expansion of the Olympic Dam uranium mine will exacerbate the existing problems with the mine. The proposal will mean digging for five years before even reaching the ore body, creating the largest open pit mine in the world. The environmental impact of this will be enormous, and

include a massive carbon footprint; significant exposure of radon gas; radioactive tailings dams which would leach into the groundwater system; and a massive expansion of the water use to 200 million litres a day.

The potential effects on workers are also notable. Gas masks and other safety equipment that workers in uranium mines are provided with is often uncomfortable and hinders free movement, and is therefore often used incorrectly. BHP Billiton's workplace safety evaluations have focused on cost analysis, evaluating safety on the basis of cost rather than workers' health. There has been no information on the effects on workers at Olympic Dam, due to the exclusion of the mine from the Freedom of Information Act.

The
police
presence consisted of
hundreds of officers
with 24-hour road block, canine teams, police horses,
police on off-road bikes,
and *a police helicopter* that was seen in the sky,
day and night.
All of this was mobilised to
monitor and *harass*
peaceful protesters.

DIRECT ACTION AT THE CONVERGENCE

The convergence embraced a diversity of tactics, and over the five days of the event actions included blocking the road with a game of cricket, dances and speeches on the effects of the mine and of the uranium industry more generally.

On 17 July six protesters were arrested on Olympic Dam Highway at Roxby Downs. The arrestees, who were part of the larger Breakfast Not Bombs creative road block, were transported to Roxby Downs police station. Four were charged with failure to comply with a police direction and two were charged with failure to cease loitering. The two who were charged with failure to cease loitering were required to provide a DNA sample to police.

Following transfer to Roxby Downs police station the arrestees did not apply for bail and were segregated into male and female holding cells. Male arrestees were held four to a cell designed for one, given two blankets between them and repeatedly refused requests for more blankets. One arrestee was not given the opportunity to speak to a lawyer or make a phone call until very late at night, which his lawyer did not answer.

The arrestees were held at Roxby Downs until past midnight after pressure to accept bail conditions. The conditions, which were all refused, included two hours to collect their gear and leave the festival, and not to leave the state until their yet-to-be-set court date probably in early September. The arrestees were repeatedly advised that they would be transferred to Port Augusta in the early evening. The arrestees were transported just after midnight. The transportation van had no seatbelts and was air-conditioned, and arrestees were refused blankets or extra items of clothing necessary for the cold. Arrestees arrived at 3.30am and were put in single cells.

The arrestees were put on trial the next morning, entering their pleas and receiving the verdict over a speakerphone in the police station without any external observers. All but one protestor pleaded guilty to the charges and were fined $150 plus extra costs, totalling $624 each. One protestor pleaded not guilty to the charge of failure to comply with a police direction and ap-

peared in Port Augusta Magistrates Court in September; he was found guilty but had no conviction recorded.

A BROADER CRITIQUE OF THE ROLE OF THE STATE

One of the biggest issues at Lizard's Revenge was the manner in which the police pandered to corporate interests. The area around the mine was declared a protected area under new South Australian legislation, the Protective Security Act (2007). This legislation grants police the power to issue instruction to any persons in the area: the refusal to follow these instructions regardless of the nature of them will result in arrest.

The refusal of the police commissioner of South Australia to answer questions about police numbers and costs borne by the state in relation to this protest reveal the level of secrecy and collusion that exists between corporate entities and the State. This is by no means a new occurrence nor was the police presence unexpected by either the protesters or the media.

The police presence consisted of hundreds of officers (though no one would admit how many), with 24-hour road block, canine teams, police horses, police on off-road bikes, and a police helicopter that was seen in the sky, day and night. All of this was mobilised to monitor and harass peaceful protesters. The cost of an operation of such logistical intensity must have been significant.

Every person entering the protected area had their identity recorded, including their name, address and date of birth. If these details were not given the police would refuse permission to enter or the leave the area. Many cars were ticketed for minor, often comical, defects. Cars were often

searched by police dogs. The police's excessive presence was designed to do one thing: intimidate those assembled for a peaceful protest. The myopic stupidity of corporate greed coupled with the power and the use of legitimised violence by police resulted in significant intimidation of the people who were there simply to protest uranium mining.

EMBODYING ALTERNATIVES

While the police attempted to intimidate protesters, the Lizard's Revenge camp embodied a different kind of politics. We set up a small camp with our Perth group, where we slept, ate, regrouped after actions and argued politics whilst drinking wine and listening to ukulele around a fire late into the night. Sounds pretty chilled, right? It was. The people that converged at Lizard's Revenge from all over Australia—all over the world!—were amazing, compassionate and inspiring.

Bands and cabaret acts performed on the stage every night, a great wind-down after the tension of the day's actions. The music was great, and the main stage became a meeting place to find friends made during the day and share a drink with them around a fire or dance like mad to whatever band was playing.

The Food Not Bombs kitchen made breakfast and dinner every day of the festival. People volunteered to help prepare and serve the food, which tasted AMAZING.

The toilet crew seemed to be working all the time, trying to find spare hessian and star pickets from people in the camp, digging great big 'shit pits' in the ground and filling them in when they got full. The toilet seats were on plastic chairs, surrounded by a hessian screen that gave you some privacy (from the camp, though I'm sure the police helicopter got a great look). People volunteered to be on the toilet crew! Don't tell me that self-organising autonomous communities can't work, not when people stand up and volunteer for what was literally the shittiest job in the camp.

There was space for diversity of tactics and solidarity between a group of people that had converged from every state and many other countries. There was intense respect for Uncle Kev and the traditional owners. It was the first time some of us had done anything like this, and it seemed many of us moved from a state of apprehension to empowerment, motivation and connection with so many incredible people. We are ready to do it all over again!

HOW EFFECTIVE WAS LIZARD'S REVENGE?

Lizard's Revenge was an incredibly important milestone for the Australian nuclear-free movement. Following the victories of the 1990s, when a large and powerful movement stopped the Jabiluka uranium mine in Kakadu National Park, blocked the Pangea international nuclear waste dump in Western Australia (WA), and forced the governments in most states and territories to put bans on uranium mining, nuclear power generation and exports, the nuclear industry was forced onto the back foot. The movement too entered hibernation, with only a few flash points during the 2000s. However, protests across the country have been mounting in the last few years in response to some serious threats: a nuclear waste dump in the Northern Territory (NT), the disbandment of the national three-mine policy which has led to a fruitless boom in uranium exploration and proposed new mines in WA, NT and South Australia (SA), the expansion of Ranger uranium mine in the NT and, of course, Olympic Dam. The narrative of Lizard's Revenge was that the Sleepy Lizard will wake and claim revenge, so in true form the anti-nuclear movement awoke. A large, well-coordinated and confrontational gathering of over 500 people in the desert signals that the Australian nuclear-free movement is again ready to oppose and avenge years of uranium mining, tailings leaks, accidents, safety breaches, non-compliance and failed rehabilitation. There are thousands of dedicated activists willing to take the fight directly to the source and blockade deadly mines and dumps.

Only weeks after Lizard's Revenge, BHP Billiton announced they would delay a decision on the expansion of Olympic Dam until 2014, perhaps in part in response to protests, but more likely as a result of 'tough economic conditions' internationally. Only days after BHP Billiton's announcement, Canadian company Cameco announced they too would delay their proposed uranium mine at Kintyre in the Karlamilyi National Park in West Australia. These are positive developments, but it doesn't mean we've won. Not only do we need to build a movement that will stop further proposals to expand Olympic Dam (and the existing uranium mine there), Ranger in the NT, and the suite of projects across NT, SA and WA, we also need to address other serious threats, such as the proposed mine at Wiluna which is currently being fast-tracked through environmental assessments. We need to reclaim the ground that has been lost since the '90s, to connect up all the struggles and confront the nuclear industry and governments wherever their ugly head rises. ■

```ruby
class Vote < ActiveRecord::Base
  class UserCanVoteValidator < ActiveModel::EachValidator
    def validate_each(object, attribute, value)
      unless value && object.motion.can_be_voted_on_by?(User.find(value))
        object.errors.add attribute, "does not have permission to vote on motion."
      end
    end
  end
  class ClosableValidator < ActiveModel::EachValidator
    def validate_each(object, attribute, value)
      if object.motion && (not object.motion.voting?)
        object.errors.add attribute,
          "can only be modified while the motion is open."
      end
    end
  end

  POSITIONS = %w[yes abstain no block]
  POSITION_VERBS = { 'yes' => 'agreed', 'abstain' => 'abstained',
                     'no' => 'disagreed', 'block' => 'blocked' }
  belongs_to :motion
  belongs_to :user
  has_many :events, :as => :eventable, :dependent => :destroy

  validates_presence_of :motion, :user, :position
  validates_inclusion_of :position, in: POSITIONS
  validates_length_of :statement, maximum: 250
  validates :user_id, user_can_vote: true
  validates :position, :statement, closable: true

  scope :for_user, lambda {|user| where(:user_id => user)}

  attr_accessible :position, :statement
```

Loomio

↳ *Making self-organised governance convenient*

— Ben Knight & Richard D Bartlett

There's a very simple definition of anarchism that I like a lot: democracy, but without the government. Everyone loves democracy, but no one is particularly in love with the government. When the concept of centralised government is defended, it's usually on the basis of practical concerns: we need centralised government to get things done efficiently. The idea is that decision-making needs to be centralised in one place so that specialist politicians who have access to all the right information can take clear action on our behalf, to keep things running smoothly.

But you don't often hear ideological or philosophical arguments in favour of centralised government systems. Very few people will argue that authoritarian rule is the optimal form of social organisation. Participation in decision-making, freedom from coercion, and cooperation are all held as desirable everyday ideals no matter where someone sits on the political spectrum. Of course a system based on equality and autonomy would be better. So why is the idea not taken seriously outside of anarchist circles? Why is there so little public discourse about shifting towards better ways of organising things? For most people, the idea of self-organised governance just doesn't seem feasible—it seems so impractical that it's dismissed out of hand or never considered as a possibility at all.

IT LOOKS LIKE THIS MIGHT BE CHANGING...

This is a story about things that I've been fortunate to observe and participate in over the last few years that give me hope that this situation is changing. Social and technological developments are gradually opening up space for self-organised governance to go beyond being a nice idea, becoming a practical way of organising things on a large scale. When the best way of doing things is also the easiest way of doing things, that's when real change happens. The need for this change is greater than ever, because traditional forms of centralised governance are failing to keep up, and are exhibiting increasingly bizarre behaviour with horrendous consequences for the world.

THINGS HAVE BEEN GETTING WEIRD...

15 October 2007 was a strange day in New Zealand: breakfast news scenes of gun-wielding paramilitary police, talk of a national network of 'Al Qaeda-style' terrorists, an entire town surrounded by police blockades, and a school bus full of kids held up and searched at gunpoint. Maybe it was just because it was happening so close to home, but the whole thing seemed particularly absurd in the New Zealand context. The police, media and government told us with a straight face that there was good reason to believe that a nationwide terrorist network was plotting to assassinate world leaders. They forgot to mention their worries were based on eavesdropped conversations about catapulting a double-decker bus onto the head of George W Bush.

This has been happening for years in countless other countries since September 11th. The spectre of terrorism used to justify suppression of dissent of all kinds, spreading from government to government like a bad meme, but seeing the phenomenon arrive so starkly in New Zealand was a startling wake-up call.

The 'anti-terror raids' are a shocking local example of a global trend toward institutional insanity—crazy things happen when you set up systems that are geared towards perpetuating and expanding themselves at the expense of the public whose interests they're supposed to represent. When governments care only about their own interests, they end up passing wildly unpopular policies with no regard for public opinion or the negative impact on the vast majority of the population.

The ongoing global financial crisis is the inevitable result of banking institutions operating with a legal obligation to maximise profit and minimise risk. The environmental consequences of this system are disastrous. Averting environmental destruction is good for every person on the planet, but because it's politically unpopular and bad for business in the immediate term, nothing much seems to happen about it.

Globally, the divergence between institutional interests and human interests is so blatant that it's become impossible to ignore.

LUCKILY, IT'S GETTING EASIER FOR PEOPLE TO GET TOGETHER AND DO SOMETHING ABOUT IT...

Four years on from the raids, 15 October 2011 was a different story altogether. The international day of solidarity with Occupy Wall Street marked the arrival in New Zealand of a wave of globalised citizen responses—Tahrir Square, the Indignados movement in Latin America and Spain, and the Occupy movement—to institutional self-interest and its consequences. After starting in New York, Occupy rapidly spread to every continent on the planet (yes, there was a 99% banner on Antarc-

tica). By mid-October this massive wave of broad-based grassroots protest movements reached more than 3,000 cities, involving tens of millions of people. This mass coordination emerged incredibly quickly, spreading organically without any centralised planning or masterminding.

The movements in each place had unique features adapted to local conditions, but with some common emergent characteristics.

First, these movements were explicitly transformative rather than revolutionary, calling for a systemic overhaul and the peaceful decentralisation and distribution of power and wealth rather than forcefully seizing it from one small group of people and handing it to another.

Second, the use of communications technology was distinctively prevalent. The mass demonstrations in Tahrir Square were organised through online social networking and text messaging. Communications tents full of laptops were common scenes at Occupy camps worldwide. Mass-media coverage of the protests was extremely slow and extremely limited, with most information flowing to New Zealand through informal citizen-produced media, distributed through online social networks. Slogans and imagery spread between countries via the internet, right down to the graphic design, colour schemes, and typefaces used on banners.

For me, the most salient feature was the way these movements were organised.

Participants typically organised in a directly democratic, decentralised way, with decisions made by consensus in public general assemblies at times involving up to several thousand participants. Distinctive features including hand signals used to convey agreement and disagreement, specific terminology and communication techniques were spread internationally through informal online networks.

GETTING SUCKED INTO THE WAVE...

In Wellington, the Occupy general assembly (GA) was my first experience of collective decision-making on a large scale. The initial day of action on 15 October attracted several hundred people, with a buzz of anticipation and little coordination. It didn't feel at all like a traditional activist crowd, with plenty of people who had never attended a protest and many who wouldn't identify themselves as activists at all.

As in Occupy camps around the world, with no central dictate or coercion, the growing population of the Wellington camp made a series of consensus decisions that organically structured the community into working groups, each around a shared purpose. These groups then structured into more specific sub-groups, and sub-sub-groups, down to some degree of self-chosen specialisation of role for each person. A kitchen group provided three meals to up to 70 people a day, supplied with donated or dumpstered food. A 'hospitality' crew welcomed new arrivals, day and night. A comms team put out press releases, gathered and reported back information about the international movements, and communicated with camps around NZ and elsewhere. General assemblies were held each morning, with every working group reporting back to the wider community, with an appropriate level of autonomy mandated to each group to efficiently take care of their sphere of activity.

THE BRIGHT SIDE

When the collective process functioned well, participating in the GA was a truly transformative experience. A public general assembly held on Labour Day, at the height of the Occupy movement in Wellington, was the archetypal demonstration of the power of consensus-based decision-making at its best. Seeing a crowd of several hundred excited individuals, quickly coming to decisions that were better than anyone would have ever proposed on their own, with every voice heard, and

no one alienated from the decision-making process. Knowing that this was happening all over the world, at the same time, on a massive scale, was like nothing else I had experienced.

THE DARK SIDE

The other side of the general assembly process was much less cheerful. When the decision-making protocol broke down, empowerment very quickly turned into soul-destroying alienation. The immense amount of time and effort required was crushing. Sharing information is critical for building consensus, but is extremely difficult in the context of a face-to-face meeting in a rained out campsite. People speaking the most often with the loudest voices often exert disproportionate influence over group decisions, meaning marginalised voices go unheard. I had read about the tyranny of structurelessness in consensus-based groups—the lapse into factions, the emergence of informal dictatorships—but I'd never seen it face-to-face. The knowledge that this was happening in Occupy camps all over the world was intensely depressing.

The mass participation of millions of people in the 2011 movements was a clear global call for more public participation in decision-making at every level. People all over the world were having visions of decentralised direct democracy on a global scale, redistributing decision-making influence from self-interested institutions back into the hands of people and communities.

But the face-to-face experience of Occupy drove home how fragile collective decision-making can be, even in relatively small groups. Though frustrating, this fragility didn't seem irresolvable. In large part, the organisational problems we faced at Occupy were the result of mundane practical constraints. Simply requiring everyone to be

in the same place at the same time means that the cost of participation in the decision-making process was too high for it to be accessible for most people, or to involve people who were geographically spread. Resolving this technical challenge seemed like a sensible path toward realising the promise of transformative change that motivated the Occupy movement.

A CHANCE ENCOUNTER

In late October, a small group of Occupy supporters bumped into Enspiral, a non-hierarchical collective of tech-minded individuals focused on spurring positive social change by solving technical problems, headquartered in Wellington. One of the distinctive features of Enspiral is the recognition that to be effective on a large scale and avoid dependency on government or charity, social change projects need to be able to supply their own resources. Under the present state of affairs, this usually means they need to generate revenue.

I've always been extremely sceptical of 'socially responsible business'—the idea of a profit-maximising company that happens to tack some charity work on to the back of their exploitative business activity seems somewhat schizophrenic—damaging the world with the left hand then fixing up some of that damage with the right.

But the Enspiral model of social enterprise is fundamentally different, explicitly recognizing that most existing business is based on theft, taking more value than they produce, from society, from the environment and from their workers. Making money for the sake of making money clearly has disastrous consequences. But generating revenue directly through a beneficial activity (i.e. making it economically viable to do good things) as an engine to achieve a clear social mission can have huge positive impact. Social enterprise might sound like an innocuous phrase, but it's a fundamentally disruptive concept, reversing the backwards incentives that consistently divert businesses towards maximising profit at the expense of all else.

THE COLLABORATION BEGINS…

We approached Enspiral, asking them to build us a tool so Occupy general assemblies could run online, as a first step toward remedying some of the practical constraints we were facing. Our glorious sleep-deprived vision was that local general assemblies would be able to scale up, then connect with general assemblies around the country to make national-level decisions, with the ultimate goal of massively decentralised consensus-based decision-making on a huge scale, with international general assemblies coming together to make decisions about issues of global relevance. We thought it might take them a couple of weeks.

Enspiral's response was not quite what we had hoped: 'We need something like that too. So does pretty much everyone else. But you're going to have to build it yourselves…' It was a little disheartening, but a perfect demonstration of how a self-organising autonomous network functions.

Through the Enspiral network, the idea of the project reached people who had identified the same challenge in totally different contexts—reducing the cost of participatory decision-making in large community organisations, in business, in grassroots activism, and in open-source software development. A team assembled around the idea and started building.

LOOMIO IS BORN

Twelve months on, with lots of hard work and the support of some generous crowdfunders, we've built a humble app called Loomio that creates a space for groups to make collaborative decisions online. It's not the techno-utopian goggle-eyed global solution that was talked about in the fervour of Occupy, but it's providing a good starting point to develop further. A few hundred groups are already using it to make participatory decision-making and collaboration easier, from activist collectives through to city councils, open-source software projects, local businesses, and nationwide community organisations.

> The mass participation of millions of people in the 2011 movements was a clear global call for more public participation in decision-making at every level. People all over the world were having visions of decentralised direct democracy on a global scale […] But the face-to-face experience of Occupy drove home how fragile collective decision-making can be, even in relatively small groups. Though frustrating, this fragility didn't seem irresolvable.

The importance of good participatory process has been baked into the development of Loomio, guiding the design principles and the social structure of the project.

BOTTOM UP

We're taking a distinctively bottom-up approach. Rather than tackling national- or international-level decision-making, we've started by building the simplest possible tool to give small groups of people an easy way of having productive discussions and make good decisions together. Development is rapidly iterating as we scale out to larger groups with more complex and contentious decision-making. The more groups of people and communities get together to govern themselves effectively, the less of an excuse there is for centralised decision-making or top-down authority.

OPEN SOURCE

To us, open source means freedom of association and free exchange of knowledge. As an open source app, the informational framework of Loomio is held in the public good. Anyone is free to modify, study, and contribute to

the code. It's one of many projects that make up the third wave of internet technology—a return to peer-produced communication infrastructure, collectively built and commonly owned.

SELF-REFLEXIVE

From its infancy, Loomio has been used to make all decisions about the way it's developed. This means that development is adaptive and self-reflexive, guided by the collective decision-making of all the developers and supporters of the project using the tool itself.

DYNAMIC/FLEXIBLE PROCESS

Loomio doesn't use a majority-rules adversarial voting framework, but neither does it require strict adherence to pure consensus or complex collective protocols. Rather it's a flexible, dynamic process, where people can change their mind in response to new information that comes to light in the discussion, or as concerns are raised. It provides a space for collective wisdom to play out, with a framework that inherently encourages the emergence of better solutions than any individual would have thought of on their own.

TECHNOLOGY AS FACILITATOR OF CULTURE

The technology is ridiculously simple, essentially nothing more than a graphic interface for the social process of building shared understanding, coming to productive, collectively-agreed-upon outcomes, and allowing remote, asynchronous participation. Any technology is only as useful as the cultural context in which it's embedded allows it to be—Loomio is about setting up a purpose-driven environment that incentivises cooperative behaviour and disincentivises behaviour that promotes self-interest at the expense of others.

REDUCING THE TRANSACTING COST OF PARTICIPATION IN DECISION-MAKING

At its core, Loomio is about reducing the transacting cost of participation in decision-making, dissolving the old justifications for hierarchical non-participatory organisational structures. Few people will explicitly advocate dictatorial top-down decision-making as the best way to run things, but plenty of people will very openly say that bottom-up decision-making takes too long, is impractical and expensive. This is what Loomio is working to change.

SOME INTERESTING THINGS ARE HAPPENING...

Working on the Loomio project has exposed me to what feels like a very broad shift in the way that people are working together, which is coupled with a transformative shift in the way people are thinking.

> The language is not the traditional vocabulary of anarchism, and it's coming from unexpected places. Self-organised governance, participatory democracy, active citizenship, neighbourhood democracy, direct democracy, workplace democracy, open-source politics, decentralised decision-making, and networked organising are increasingly advocated as common-sense solutions to practical problems—not mainly in activist circles, but in community organisations, in neighbourhood groups, in business, in city councils, and even central government.

This is not an organised political effort, but a raft of social trends moving in a convergent direction at the same time, developing in a continuous feedback loop with decentralised information technology making information sharing and collaboration easier and easier. Loomio is just one tiny contribution to an ecosystem of social technologies that empower individuals and communities to collaboratively achieve things that were previously the domain of institutions.

Wikipedia is a nice example of what these new types of peer-production can achieve: a decentralised non-coercive creative endeavour that has produced a self-improving knowledge base that's more comprehensive than any formal institution has ever produced. These principles are being applied everywhere. A few examples: crowd funding is democratising large-scale production, the principles of open source software are now being applied to hardware, and disaster response is increasingly focused on utilising citizen social media.

CONCLUSION

What's happening is not a coordinated effort to displace State power, but a series of small practical developments gradually rendering it redundant. All of these processes reflect a move towards people and communities governing themselves, based on free association and mutual aid.

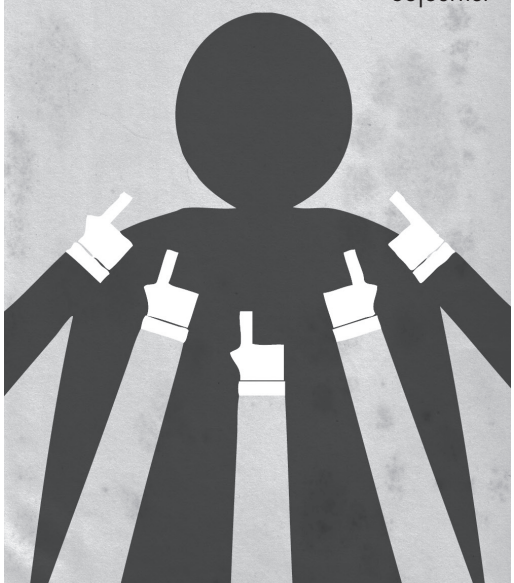
This is not to say we should sit back and wait for a techno-utopian paradise to arrive. There's a distinct chance we're past the point of no return—energy crisis (followed by peak-internet), environmental collapse, social upheaval or a turn to neo-fascism in response to desperate times—none of these things are out of the question. If we have any hope of making things better, there's a huge amount of work to do with a very high level of urgency.

Luckily, it's getting easier and easier to put more heads together to figure out the best solutions. At every level, when more people contribute, good decisions are more likely—decisions that take account of all perspectives without alienating anyone, generating collectively agreed outcomes that balance individual interests with the collective interests of everyone affected.

These projects are all collaborative. They're waiting for your input. ■

the trial

— Sojourner



The raids of October 15th 2007 took place over five years ago; the trial of the 'Urewera 4' over one year ago.

It was a case long coming—the February 2012 trial of Taame Iti, Te Rangikaiwhiria (Rangi) Kemara, Emily Bailey and Urs Signer. They were the only four, arrested as a result of police Operation 8, to ultimately appear in court for a defended hearing. Their trial ended with convictions on some Arms Act charges but a hung jury on the more serious charge of *Participation in an Organised Criminal Group* (section 98[A] of the Crimes Act).

Two months after the trial, Taame and Rangi were each sentenced to two and a half years imprisonment. Three weeks later, Emily and Urs both received sentences of nine months home detention. An appeal against the convictions and sentences was lodged and in August 2012 it was declined; a subsequent application for leave to appeal to the Supreme Court was rejected in April 2013. In the meantime Taame and Rangi have spent nine months in prison and are now on parole. Emily and Urs' sentences—temporarily suspended awaiting the appeals—have resumed following the end of that process.

The whole saga has been drawn out, but after taking nearly five years for the case to get to court, the actual trial was over relatively quickly.

OPERATION 8—THE 'UREWERA 4' COURT CASE

The case was set down in the Auckland High Court for three months, but it lasted little more than four weeks and involved only 24 days of actual court time.

On the first day, Monday, 13 February, the jury was selected and the next day the crown began to present their case. By midday Tuesday, 6 March, after 14 days of legal talk that included more than 40 police witnesses, a handful of civilian witnesses, a military expert, grainy videos and numerous photos and other images, the prosecution case was concluded. It was then the turn of the defence. Only Taame and Urs elected to call evidence, and their evidence was presented in just two and a half days. The crown, followed by the defence lawyers (all four defendants used lawyers), then gave their closing arguments and on Thursday, March 15th the judge summed up. In the afternoon the jury retired to make their decision.

On Tuesday, 20 March, after 19 hours of deliberation, the jury returned with their verdict. They could not reach a decision on the charge of *Participation in an Organised Criminal Group*, but found the four guilty on some of the Arms Act offences.

After the verdict was read, for many of us there was a feeling of jubilation and relief that the jury had not bought the 'criminal gang' story. On a more selfish basis, there was also the elation that people could leave Auckland. We could go back to our homes, families and communities, away from that building that carries so much pain and away from the daily chore of attending court and having to listen to the crown attacking and blaming Ngai Tūhoe for Operation 8. However, we were all aware that there was still the matter of sentencing. The actual court process was still not over.

The wider effects of Operation 8 were also still not over. Operation 8 was never just the four people who ended up in court. Operation 8 was a lot more. It was a blatant reminder of state control and the history of this land.

It was people frightened, harassed and intimidated by police during the actual raids on 15 October 2007: people held at gunpoint, stopped, searched and photographed; people held captive in their homes, some children locked in a shed; a school bus boarded by armed police; people woken out of sleep and forced to kneel at gunpoint in the rain against a fence. Homes and land invaded.

Also on that day, there were the other people arrested (with four more arrested in 2008). Most of these people only had charges dropped against them in September 2011; one had them dropped in October 2008. One of the people arrested died in July 2011.

In the days following the raids of 15 October 2007, what also became apparent was the ongoing surveillance that was part of Operation 8. There was surveillance of individual people and of groups. There was also spying and trespass on Tūhoe land. From April 2006, as part of Operation 8, police had begun to enter te Urewera. In the months before the raids and lockdown of Rūātoki, they set up spy cameras and entered marae and

even overnighted on the land. All this done at the same time as the State was negotiating with Tūhoe over the Te Urewera settlement.

What happened during Operation 8 was not new. It was a reminder and a repeat of what has happened in this land since the 1800s. What happened in the courtroom was also not new; it was the daily grind of justice.

I was one of the supporters who was able to attend every day of the trial. I made detailed notes each day, and after the case, I was asked by many people to describe what happened. This is a written attempt.

THE JURY

The jury was selected on the first day of the trial. There were rumours that a near record number of people had been called for selection, and the court foyer was busy with would-be jurors coming and going.

Outside the court was also busy. A small number of us were there from 8am with banners and pamphlets. An hour later a large number of people marched up the road from the university marae, including a large Tūhoe contingent. As they arrived, there was no chanting or speeches; there was just a quiet, determined and strong presence. It was powerful. Numbers swelled dramatically, and the space in front of the court was dominated by banners, tino rangatiratanga and mana motuhake flags. We occupied the space the whole day.

Police were also there. There were consistently about 15 of them but their numbers would double as they marched on and off the forecourt to change shift.

For us, the whole day was spent standing outside in the Auckland sun, talking to people, and periodically hanging around the room where the jury selection process was going on. For Taame, Rangi, Emily and Urs the whole day was spent being held in the court cells and being led in and out of the courtroom.

Finally at around 4pm it was over: a jury had been selected. There was a 15 minute break and then the court was in session.

We packed the back of the court, acknowledged our friends in the dock and watched the jury walk in and take their seats. There were ten women and two men—on appearances it looked like a jury of various ethnicities and classes. Some were dressed poshly in suits; others wore hoodies and jeans. Some were caked with makeup, others more natural-looking. They looked to be aged from between their late 60s to mid-20s.

After the jury was seated, the judge, Rodney Hansen, introduced himself to them. He also introduced the other court workers, the lawyers and the defendants. He explained how a High Court trial works before going on to focus on the role of the jury. He said that a jury had to focus on the facts of

Urs Signer and Emily Bailey, speaking to media outside the Auckland High Court.

a case whereas a judge was only interested in the law. A judge's job, he said, was to focus on the law; facts did not matter to a judge.

One fact the judge told the jury to ignore was the fact that the thirteen other people who had been charged as a result of Operation 8 had had the charges against them dropped. He told the jury not to try and understand the reason why and pointed out that Taame, Rangi, Emily and Urs had been charged with *Participation in an Organised Criminal Group* before the charges against the other 13 had been dropped. He mentioned that fact three times.

Another fact the judge also never mentioned was that there was a fifth person who had also been charged with *Participation*. The judge did not explain that even though Tuhoe Lambert had passed away the year before, evidence would be presented against him as if he were standing in the dock. He did not say that fact and dismissed the jury shortly before 5pm.

The jury's job began properly the following day when the prosecution made its opening statements.

On the fifth day of the case, one jury member was dismissed. There had been a family death. The jury numbered only eleven for the remainder of the trial.

THE PROSECUTION

The crown prosecutor, supported by two others, was Ross Burns. He is described on the crown law firm's website, as 'typically found prosecuting serious violent and organised crime.' However, during the trial he said that this was his first prosecution

of a *Participation in an Organised Criminal Group* charge.

In court, Burns' bushy grey hair made him look like he was wearing an old-fashioned legal wig. When he spoke he would stand and talk a lot with his hands—it looked like he was imploring the jury to believe him. When he spoke, the judge, in my mind, appeared to lean forward and listen more attentively.

On the first day of the case Burns gave his opening address. He managed to summarise nearly two years of surveillance and millions of dollars of investigation into an hour-and-a-half speech. At the same time he officially introduced several boxes of big fat evidence books (many the size of a ream of photocopier paper), and showed some video footage, photos, two sound bites of gunfire, and a powerpoint presentation. After the speech, each pair of jury members was given their own boxes of the books—there was little elbow or legroom on the jury bench.

The whole trial appeared to be high theatre for Burns. But on that first day he spoke particularly dramatically. He held evidence books high as he quoted from chat-log texts. He often paused and appeared to look in wonderment at the jury as he spoke of the 'military camps.' He would shake his head in disbelief and sigh before making another point.

One point Burns made on that first day, was that the case was 'not about politics.' He said, 'in this country we don't prosecute people because of their beliefs. We prosecute them for what they do.' But later he introduced as evidence the fact that one of the defendants owned two books, one about the Zapatistas and one about Che Guevara. He also told the jury that the same defendant happened to have a lot of left-wing literature and DVDs, even an Oliver Stone movie. He also repeatedly referred to the film *Tūhoe: A History of Resistance* as something devious.

He also often talked about mana motuhake and the aspirations of Ngai Tūhoe.

And at one stage he even managed to name-drop Osama Bin Laden. A gun that was mentioned in a computer chat-log, he said, was the same type used by US Seals to murder Osama Bin Laden. That was enough for Burns to pause, look at the jury, and say again 'Osama Bin Laden.'

Other names Burns kept dropping were the names of people who had had the charges against them withdrawn. He identified three times one of the supporters in the courtroom as one of the original defendants. In the video clips he also pointed out others previously charged. With his red laser, Burns would identify people in the video, saying their names slowly and loudly. These people were all members of the supposed 'criminal group' that made up the key charge faced by Taame, Rangi, Emily and Urs.

The video clips were played regularly throughout the trial, and at each playing Burns would name people and emphasise the fact that some people were wearing balaclavas, some had scarves and some wore camouflage clothing. He was ominously quiet when people with no balaclavas, no scarves, or no camouflage clothing could be seen in the clips. And there were many like that. Instead he would wait for the next picture to roll across the screen and point his laser beam at a person wearing a balaclava, 'see,' he would look across to the jury and shake his head.

Throughout the court case the crown's story of what the people were doing at the camps was often vague. Several times Burns made the argument that no 'clearly defined crime' was planned

and that 'training was not for a specific purpose.' Then on the other hand he would argue that the 'organised criminal group' had the objective of 'serious violent offences,' and people attended camps to learn to '… kidnap people, commit acts of sabotage and basically armed combat—for want of a better word, to commit guerilla warfare.'

The organisers of the camps were Taame, Rangi, Emily, Urs and Tuhoe Lambert. Taame was the chief, Rangi the armourer, Emily and Urs were the Wellington coordinators, and Tuhoe was the training officer. The crown argued that the five arranged times and dates for the camps and also transport to and from the camps.

During the first week, Burns consistently spoke of the camps as 'military camps,' but from then on he called them 'rama.' As the days of prosecution went on, it was interesting to hear the language change.

The stories also changed. Back in October 2007, the news was about police finding military training camps deep in the bush of Te Urewera. Again and again it was belaboured how isolated the camps were and how lucky the police were to stumble upon them. In court, Burns kept reiterating that the camps were close to town, close to a marae, to a school, to roads and people—some were even held in open paddocks.

Four and a half years ago the camps were dangerous because they were hidden deep in the bush, but in court they were dangerous because they were close to town.

Also, in the different pre-trial hearings prior to the court case, the group was 'an imminent threat' that needed to be stopped. At court, the story was that they may or may not have acted some time in the distant future.

The objectives of the 'organised criminal group' also changed.[1]

On the first day, Burns talked of people training to burn houses down. On that day, he said Taame had 'two plans to claim Urewera for Tūhoe'—'Plan A' was to continue to negotiate with the crown, and 'Plan B' was 'at the point of a gun.' But then the two plans were barely mentioned again and only resurfaced in the crown's summing-up in the last days of the case.

In his closing argument Burns said that there was a 97% mandate for Ngai Tūhoe to follow peaceful negotiation with the crown. The remaining 3% on the other hand, he said, were antagonistic to the crown and prepared to fight if the negotiations came to nothing.

Using that logic, 3% of Ngai Tūhoe became part of the 'organised criminal group.'

And according to the crown, the four people in the dock, along with Tuhoe Lambert, were the leaders of the group. To support that hypothesis, Burns quoted comments supposedly made by Tuhoe Lambert and excerpts from a zine article by Emily.

The objectives of the group were those cited in the so-called 'scenario document' written, according to the crown, by Urs. Citing that document Burns listed the serious and violent offences as, 'murder, arson, intentional damage, endangering transport, wounding with intent, aggravated wounding, discharging a firearm or a dangerous act with intent, using a firearm against a law enforcement officer, and finally, kidnapping.' The illegal activities the defendants had facilitated were the possession of firearms.

However, the group were not planning to act unless 'Plan A' failed and negotiations did not work.

Rangi Kemara and Taame Iti, within the Auckland High Court.

THE DEFENCE

The defence took just over two days. Each of the four had a lawyer defend them but only Taame and Urs called evidence in court. Throughout the trial each defence lawyer questioned and argued the case. The key arguments put by the defence were that information was often shown out of context, that there were numerous contradictions in the evidence, and that the crown had failed to prove a criminal objective for the training camps.

Further, Taame and Rangi's lawyers both raised the possibility that the training was legitimate, that it was training for security work. For any of the defendants to be found guilty, the criminal objectives of the group had to be proven beyond reasonable doubt by the prosecution. The lawyers wanted to raise an issue of doubt as to the objectives of the 'camps.'

Taame's lawyer, ex-Labour MP Russell Fairbrother, also tried to place Operation 8 in political and historical context. To give background to the case, he called three expert witnesses. In order of appearance they were Paul McHugh, a reader in law at Cambridge University, Tamati Kruger, Tūhoe spokesperson, and David Williams, professor of law at Auckland University.

Through these men, the court heard stories of Ngai Tūhoe and what happened when England annexed this country and made it New Zealand. We heard about sovereignty, governance and autonomy. Among other things, we heard about the Confiscation Line, the scorched earth policy, the

making of Ngai Tūhoe complicit in the deaths of Fulloon and Volkner, the chasing of Te Kooti by the crown, the 1871 Compact, the 1896 Urewera Reserves Act, the visit of the Waitangi Tribunal in 2005, the Waitangi Report, and the 2011 Compact. It was a powerful couple of days in the courtroom.

The message came through strongly that mana motuhake is viable, and it should be a given for Ngai Tūhoe.

Through the expert witnesses, Fairbrother argued that it was 'ludicrous for the crown' to allege that Taame and the other defendants were planning 'murder and mayhem' when Ngai Tūhoe was 'on the brink of major change.' Taame, said Fairbrother, would not jeopardise that.

The overt racism of the case was highlighted by Jeremy Bioletti, Rangi's lawyer. Bioletti said that the crown was trying to fearmonger and play on Pākehā fear. He said the crown deliberately used words such as 'urban warfare' to 'stoke fears' of Māori fighting Pākehā in the cities.

He argued that the evidence had been looked at through a 'Pākehā prism' and the end result was 'Māori people plus guns equals crime. M + G = C.'

Bioletti also pointed out the historical parallels between Operation 8 and the 'institutional revenge' taken against Ngai Tūhoe in the past. He implied that the crown attributing hatred to the 3% of Ngai Tūhoe who did not support the mandate, was also racist.

The main thrust of the defence put forward by Urs' lawyer, Christopher Stevenson, was that the allegations made by the crown were so 'preposterous that they bordered on the fantastic...' Three witnesses were called to attest to Urs' integrity and strength of character. One witness, Ruakere Hond, a Rangatira of Parihaka, also spoke in support of Emily.

Stevenson also focused on the issue of police surveillance of Urs and other 'like-minded' people. Under cross-examination police admitted that there is surveillance on 'issue-motivated groups.' In Wellington this appears to be through the Special Investigation Group (SIG). In other cities and areas different police taskforces work in this field, including the Auckland Metro Crime Support Group.

The over-enthusiastic and excessive approach police can have to surveillance was obvious when Detective Adam Eltham of the Auckland Criminal Investigation Bureau confirmed that in his own free time he had undertaken surveillance work, photographing Emily as she sat at a table collecting signatures on a petition. Another officer, John Fagan, told Emily's lawyer that police 'have a lot of information on everyone.'

None of the lawyers were able to get the police to talk about the use of police spies or infiltration of 'issue-motivated' groups. But when Rob Gilchrist was briefly mentioned the police became extremely uncomfortable.

In his closing arguments Stevenson talked about the dangers of surveillance and information taken out of context. Examples he used included bullets the crown alleged Urs had for arming, but were actually for duck hunting. He also cited the example of a document given the title of 'War Document' by the police but it was actually a *W((i))ndy Wellington*—a newsletter of community news and events in Wellington. 'Snippets of info,' said Stevenson, lead to paranoia. Paranoia creates suspicion and 'Suspicion […] applies its own proof.'

Emily's lawyer, Val Nisbet, said this trial was the first court case he had been involved in, in which, 'nothing happened' and that there was no plan for anything to happen.

Nisbet also spoke of 'snippets of information' and 'incomplete pictures.' He talked of the 'thermite bomb recipe,' which the crown presented as crucial evidence in their case. In the opening days, the crown had said the 'recipe' was found on one of the formerly co-accused's desk. In reality, however, 'it was found in a cardboard box at the bottom of some shelving, underneath a tupperware container that obviously contained papers as well […] and was returned to its owner.'[2]

The whole crown case, Nisbet said, was 'fanciful' and in his summing-up, he said the case 'should be … taken to the dump.'

That was a common theme in each defence lawyer's summing up: the case should be just thrown out—that Taame, Rangi, Emily and Urs were not guilty of any crime. The whole case was based on police and crown fantasies.

THE DEFENDANTS

In this article I do not speak about the defendants much, because their role in the courtroom was minimal. The court case may have been about them, but during the process they were chiefly silent observers on display for the media and public.

They had bail throughout the case, and each morning they had to report to the court's side door and be locked up before being led into the dock once court started. They were lucky to be allowed bail at lunchtime, able to be outside in fresh air before returning to be locked up again, and then put on display back in the dock.

THE JUDGE

The judge was Rodney Hansen, an older Pākehā who became in 1969, at the age of 25, both a lawyer and an accountant. In 1995 he was made a QC, and in 1999 a judge. His home happened to be just around the corner from where Urs and Emily were staying during the trial; I wondered if he ever saw them trudging past to the bus stop.

In the middle of the court case he had to have a day off to attend the funeral of a close family member. It raises the question of stress for him during the trial.

In the courtroom, he was a 'normal judge'—polite at all times. But like most judges, he treated the defendants with less respect than other people present in the court. It was also clear, I believe, that from the beginning he bought the crown story of 'armed militant struggle.' It was the way he would lean forward to listen attentively to the crown and their case and certain questions he would ask.

He did not appear to know much about the history of this land. He seemed appalled at the tactics used by the state against Ngai Tūhoe, especially the confiscation of the lands in the 1860s and the famines that followed. He asked legal questions about the 1896 Urewera District Native Reserve Act—an act that recognised a form of local autonomy for Tūhoe.

Urs, Taame and Rangi emerging from the court holding cells at the conclusion of the trial.

But it is in his three-hour summing up that his partiality became very clear. He said the crown had 'basically met the criteria' to prove the existence of an organised criminal gang. 'The absence of detailed planning' was not an issue as 'the objective of committing serious crimes […] can be the objective.'

By the end of his summing-up, I had no doubt in my mind that the jury would convict on the *Participation* charge. I thought the four would be going down for a long stretch.

THE CONVICTIONS

After two and a half days spent waiting outside the courtroom, with the only interruptions being when the jury returned to question the judge, we were told they finally had made a decision. The call went out, and the room was quickly packed—even some of the key police involved in the case could not get through the open doorway. It literally was standing room only. The judge told us supporters to behave ourselves, then Taame, Rangi, Emily and Urs were brought back up from the cells. Those of us sitting all stood in solidarity as they walked in. At 5.32pm the jury was called back in.

The court registrar spoke to the jury foreperson; she said that she understood that the jury had been unable to reach a unanimous verdict in relation to the *Participation* charge. The jury foreperson confirmed that that was correct but when the registrar then asked in legal talk 'did the jury reach a majority verdict,' the foreperson replied, 'Yes, we have.' The jury immediately confirmed with the court registrar that they had been unable to reach

a unanimous verdict on the *Participation* charge, and then the official process began. A sigh of relief went through the room.

The court registrar then resumed her job, and each of the remaining 11 counts were read and for each charge the foreperson had to give a verdict in relation to Taame, then Rangi, Urs and last, Emily.

Taame, Rangi and Emily were convicted on six charges each under the Arms Act; Urs was convicted on five. The judge thanked the jury foreperson. He then turned to the four and told them that they were convicted on all the counts they had been found guilty of and remanded them for a pre-sentence report. He then thanked the jury for their hard work, saying that the community was indebted to them. The jury left the room and as soon as the door closed behind them, Ross Burns jumped to his feet to say that the crown opposed bail. The supporters were made to leave the courtroom and the court went into chambers. Only media and police can stay in the courtroom when it is in chambers. After a brief argument bail was granted to all four.

It is interesting to note that the only charges that the four were convicted on were those where video surveillance was used as evidence—this is the same evidence that the Supreme Court had declared illegally obtained by police and could not be used against those 13 other original defendants who had only been charged under the Arms Act.

At the back of the building, after the four were released from the cells and out into the Auckland dusk, there was jubilation: a celebration that the immediate agony of attending court was over and that the jury had not bought the *Participation* charge. We felt like it was a victory of sorts.

THE SENTENCING

Two months later Judge Hansen sentenced the four. The day before the sentencing there was a public meeting at Auckland University in which the court case, Operation 8 and surveillance were discussed. That night people maintained a vigil outside the court building, and in the morning the supporters gathered to walk in with the four. There was a lot of media, and people sat on the floor and in the aisles in the courtroom.

The morning began with the crown and each of the four defence lawyers presenting their submissions on the sentencing. There was a lot of legal jargon and citing of precedents as the lawyers argued for each defendant to be treated leniently by the court. Ross Burns argued for harsh sentences. The speeches ended, and then at 11.11am, after a 15-minute adjournment, the court was back in session for the judge to pass sentence.

During that sentencing, Judge Hansen retried the four. He said that what they had done 'went beyond criminal offending'—and he cited the example of a member of the 'organised criminal group' saying 'smash the state' combined with the presence of weapons at the camps. He said that the four had to 'be held accountable' for the damage they had done to the 'growing but fragile trust between Tūhoe and the crown.'

Despite the jury not being able to reach a verdict on the *Organised Criminal Group* charge, the judge said that Taame, Rangi, Emily and Urs had been establishing 'a private militia.'

Judge Rodney Hansen sentenced them on the *Participation* charge.

For establishing 'a private militia,' Taame and Rangi were sentenced to prison and Emily and Urs got home detention.

Taame began a waiata, and the supporters in the courtroom joined in. The judge picked up his papers and left the room. Court workers tried to usher us out as the waiata continued, and Taame, Rangi, Emily and Urs were taken from the dock down into the cells. The courtroom was full of angry, defiant and sad people.

CONCLUSION

I do not know what most people thought would happen in the courtroom or what the outcome would be. Maybe some people thought justice would be found in the court. I believe it is nearly impossible to find justice in the State's institutions, especially one with such a long history.

The Auckland High Court occupies old ground in the colonising history of this country—the two pohutukawa trees behind the court mark the entrance to the former Parliament House that occupied the site between 1854 to 1865. In 1865 the Supreme Court was built on the site.

When entering the front doors of the building, everyone has to walk past a display of the tools used to murder people when the court was still able to hand out the death penalty.

> Attending that court every day was a reminder for me that what passes for justice in a system based on State violence has little to do with the concept of justice. Justice is a tool used by the state to control people, and this trial, like the majority, was an exertion of State power and control.

The trial of Taame, Rangi, Emily and Urs may have been a more overt showcase of political paranoia on the part of the State than has been seen for a long time, but at the same time it was the normal circus called state justice that is dished out daily in the courts. What happened in the court and what Operation 8 was, was not any outrageous attack on 'activists' by the State, rather it was just the usual maintenance of the status quo.

I hope we can learn something from the trial. If it is only that we should not only be jumping up and down decrying the fact that four people were in the dock; that two were sentenced to prison and two to home detention. We should be demanding fairness not only for them, but we should be attacking the system as a whole and building and creating alternatives. We should be putting stronger feelings and actions behind the words we chant on the streets. When we say 'no justice, no peace'—we should mean it.

There is no justice in this land, and there should be no peace for the powers that be until there is. ■

For background on the case, see october15thSolidarity.info

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1 For an overview of the Participation charge, see Scoop, 'Urewera Trial – Participation in an Organised Criminal Group.' 13/3/2012. www.scoop.co.nz/stories/HL1203/S00126/urewera-trial-participation-in-an-organised-criminal-group.htm

2 Discussions about thermite bomb recipes and the ingredients can be found on the NCEA chat-site 'Science Infoblog' run by johnwest.edu.blogs

Never Ceded

— Anna Clare

An interview with Marianne Mackay on the struggle for Aboriginal sovereignty

How would you introduce yourself?

I'm a Whadjuk Yued yorga: yorga means woman in Nyoongar language, in Whadjuk really. Whadjuk and Yued are my nana and grandfather's two different countries, or clan groups. It's the south-west of Western Australia, from around the Perth metro area and north of Perth.

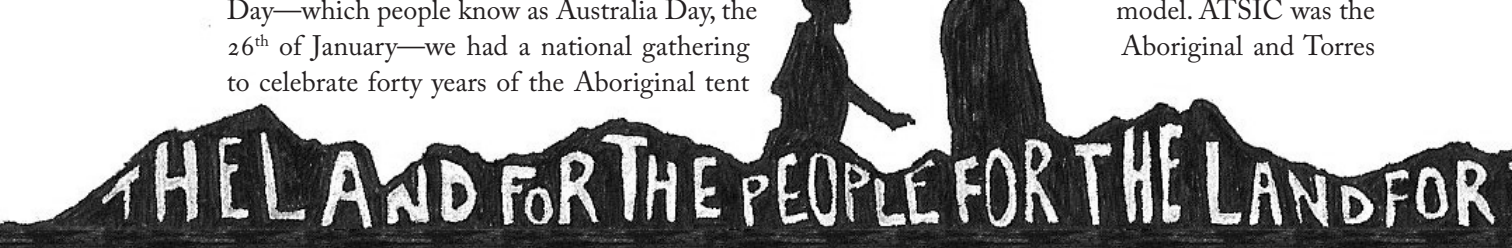
You've been involved in the Nyoongar tent embassy lately?

The Nyoongar tent embassy has been going since early February. We've tried to maintain a constant presence down there, but since last month's rain no one has camped there. We'll be heading back there soon. We're still having regular meetings, and still talking about ways we can counteract the actions of the government with what we really need as a people.

The Ngoongar tent embassy came about from the Canberra tent embassy. On Invasion Day—which people know as Australia Day, the 26th of January—we had a national gathering to celebrate forty years of the Aboriginal tent embassy in Canberra. A motion was put forward, and a national Aboriginal women's council was formed to assert our sovereign rights to this country. What happened with this group, called Dindima Yiina Iina, was a resolution was put forward for us to go back to our communities and start up tent embassies as branches of Canberra, so that we can create a national movement for sovereignty. We started virtually straight away because Colin Barnett (state premier of Western Australia) announced the native title offer that we're not happy with.

Can you tell me about that? What's the offer?

What he wants to do is offer a billion dollar native title settlement out of court, and that's only because the federal government has told him that he has to negotiate with us. What they want to do is create another ATSIC model. ATSIC was the Aboriginal and Torres



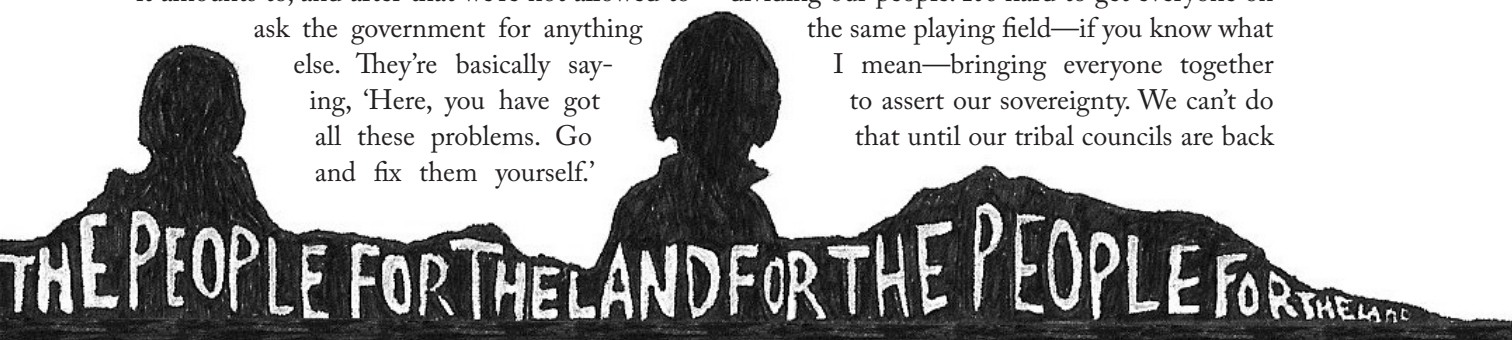
Strait Islander Commission, which was our national Aboriginal body. All of our funding and a lot of programmes and services were run through ATSIC. With ATSIC we had different models throughout the regions, because there are 14 nations within Nyoongar Country.[1] We had regions right across Australia. It was a bit like elections for parliament: we had elections to elect the counsellors who sat on those committees, and so they controlled everything to do with our people—well, apart from the government's total control of our people, you know.

And so that's the model that Colin Barnett is offering: five regional corporations with a sixth corporation on Whadjuk Country, which would be the central corporation. Funding would be fed through each of the corporations. Each corporation would decide what issues needed to be addressed in each area, and it will get funding relating to those issues. They have to specifically combat those issues. With the way the government consults our people, I can't see that working, because they never let us do anything the way that we want to do it.

So there is that offer of the ATSIC model, and what they want to do is put half a billion dollars into a trust fund. In 10 years that'll accumulate to about $935 million. Every year, money will be given to those corporations to run, but there will be that extra money at the end of the ten years. It works out to be a 2-litre bottle of milk a day for every person for a year or two. That's what it amounts to, and after that we're not allowed to ask the government for anything else. They're basically saying, 'Here, you have got all these problems. Go and fix them yourself.' They're missing the whole issue, which is the invasion, and what they call colonisation. There is intergenerational trauma and social justice issues that are the result of the government oppressing our people, because of their continual want for the land—the land grab. There is the high rate of incarceration of our people, deaths in custody and the future for our young people. We are the constant subjects of the law and order game in the political arena.

It's really horrible how the native title offer is like that: Colin Barnett is basically dictating, 'Here, take it. We don't care. There you go. See you later.' The government is forever brushing off our issues. That's what he wants to do. He also wants us to co-manage national parks. So he says, 'Look at all this land I want to give you back, but I'm not actually going to give it back to you; you can just help us manage it.' And it's all national park anyway.

We didn't cede our sovereignty, and we were never a conquered people. We are still sovereign; we don't need to negotiate with the government. But because of all the issues—the invasion, the stolen generation, stolen wages which is slavery, really—this is where we are at. It is really frustrating that they can just ignore us the way that they have and just not listen and realise that we are sovereign people. I want say, 'Don't tell us what to do. Work with us; treaty with us. Don't try to keep us down.' Instead, they continue to do what they do. And because of all that, they are dividing our people. It's hard to get everyone on the same playing field—if you know what I mean—bringing everyone together to assert our sovereignty. We can't do that until our tribal councils are back



in place. We have little councils here and there, but we don't have a main council to walk that path of sovereignty and assert it. So that's what we're working on as well through the Nyoongar tent embassy.

You had a gathering at the Nyoongar tent embassy earlier this year, was that a success?

Yeah, it was good. We wanted to get the Matagarup declaration signed with everyone coming. We had full representation on the first day, but by the third day there was probably about a third of the mobs left. So we should've gotten the declaration on the first day, but what we're going to do is come back together at a later stage. We were hoping for August, though now that the walk has come up, we'll put it back until after Christmas to form the tribal councils. We'll still be working constantly to spread that message and get it out to everyone.

Can you tell me about the walk?

My nephew is Preston Colbung; his grandfather was Uncle Lenny Colbung, which a lot of mob around Australia will remember, because he was right into the sovereignty movement. He was there with the embassy in Canberra in '72 and '92 and throughout the times in between. So Preston's his grandson, and my little nephew. He's a young 20-year-old man who has been studying at uni because he wants to be a lawyer. And what he's done is defer his studies, because he said he wanted to organise a walk all the way from Perth to Canberra, which is like a couple of thousand kilometres. It's one side of Australia to the other. He's been working really hard on that and organising that. It starts in September to arrive in Canberra around 15 December. It will follow the bus route that goes through the Nullabor and Ceduna, through South Australia and into Victoria and New South Wales to the ACT.

The walk is about promoting sovereignty, the message of sovereignty. We know everyone can't come to all the embassies around Australia. I think there's about 14 now as a result of what happened in Canberra in January, so we'll try to walk through as many as possible. We want to try to get to everyone because the message of sovereignty is so important. We want everyone to know about it, so we can create a strong nationwide front and move to the international level to assert our sovereignty.

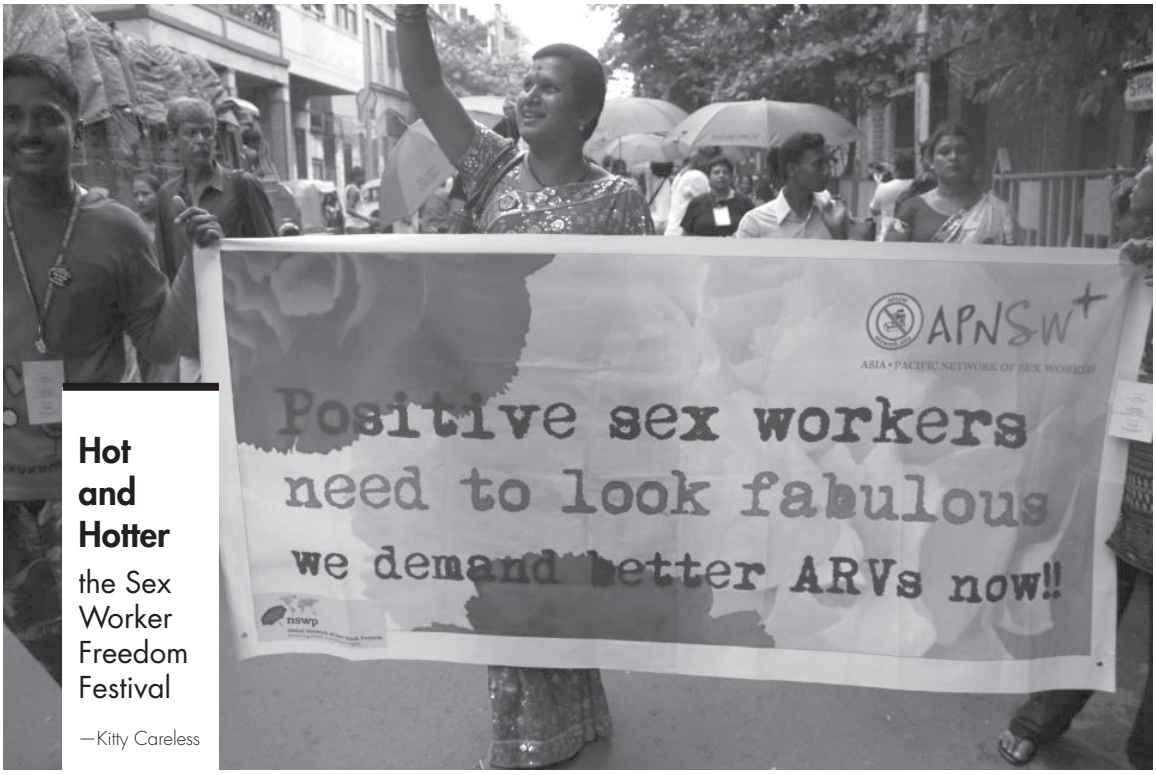
How do you think people from New Zealand can support that sovereignty struggle?

Try to learn more, get onto Facebook and stuff like that, and find people who are involved in sovereignty and the whole movement. Connect with people and a have a yarn and promote it. Even writing letters to our politicians to let them know your thoughts on how Aboriginal people are treated in Austra-

lia helps. It's really hard trying to overcome issues when the main force that is the reason for those issues is constantly creating new barriers. When there is outside support, the government tends to pay more attention to the issue. Letters and even videos of support, letting our people know that there are people outside of Australia who are listening and watching and seeing what's going on is really helpful. And when you find any good Aboriginal organisations that rely on donations, donate… anything! Even $5 helps people. We battle to get proper funding for what we want to do; on the activism front, it's always so hard trying to get funding. Do anything you can do to get that word out there and let people know that you are supporting them and give them that encouragement.

And if you know any good lawyers in Australia that have the balls to face the government, get in contact with us 'cause they're all so scared here! ■

1. It was a national body, administered through regions loosely based on tribal boundaries, for example in South West, regions based on 14 Nyoongar nations.



Hot and Hotter

the Sex Worker Freedom Festival

—Kitty Careless

Every two years there is an International AIDS Conference (iac), where scientists, health professionals, politicians and ngos go and try to figure out what to do about the global aids problem. This year it was in Washington, as a reward to the usa for finally lifting the travel ban on people living with hiv.

The explicit travel ban on sex workers and drug users has stuck though; The US government restricts entry to anyone who has engaged in prostitution in the last 10 years. No criminal conviction is required as prostitution in defined as 'moral turpitude' and the restriction also applies to sex workers from countries where prostitution is legal.

Sex workers' rights activists decided to throw this exclusion right back at them and organised the biggest international sex worker gathering of its kind; the Sex Worker Freedom Festival, in Kolkata, India. Over 140 sex workers from around the world met together, as well as hundreds of sex workers from across India. Hosted by Durbar, a sex worker union of 65,000 sex workers, the festival focused not just on HIV, but demanded a set of interconnected freedoms: freedom of movement and to migrate; to access quality health services; economic empowerment and the right to choose an occupation; freedom to associate and unionise; freedom from abuse and violence; and freedom from stigma and discrimination. The week-long gathering included performance, workshops, meetings, and the biggest sex worker demonstration I have ever seen.

I was there to film with Sex Worker Open University, and despite our lenses steaming up and monsoon rains, despite a constant desire to sit in on simultaneous workshops and generally be in three places at once, we did manage to film quite a few interviews. Here are some excerpts.

Interview with Daisy Nakato, Women's Organization Network for Human Rights Advocacy (WONETHA), a sex-worker led organisation in Uganda.

Your group is fighting for the decriminalisation of sex work. Why is this so important?

Sex work is still illegal in Uganda, but the law is not very clear. It's only proven when you're caught in the action. When we are arrested we are charged with being idle and disorderly, loitering, this kind of crap. The punishment for sex work when proven is seven years but it's very difficult to prove. So you go to prison for three months, or you pay a bribe. If you are taken to court, you give some bribe. All the time you have to keep on giving bribes, because every night police officers patrol and arrest sex workers. They come with their truck and put you inside, knowing that when you reach a certain corner you will say 'please stop, have some money', because you know, you left kids at home and you don't want to go in jail. And when you are arrested of course the media will come: 'prostitutes, whores, kandahar[1] sellers'—they will put a lot of names on you. So you think, let me pay a bribe instead. Which is again making us lag behind economically because there is no way you can save money.

Does criminalisation of sex workers also affect HIV infection and access to treatment?

It impacts a lot. Because, for example, when a sex worker is arrested, if you don't have money the police officers will demand sex. And they don't use protection. I've never heard a sex worker saying 'I was raped by a police officer and he used a condom.' It has never happened. They always go for unprotected sex. And if there are five police officers in one truck they will all have sex with you. So you can imagine for example, I'm HIV positive, so if they rape me, that means they take the virus—if they didn't have it. And if they have it, that means I'll have a re-infection.[2] And then the following day they rape others. They continue carrying on the disease. Because they have the power, they have the guns, they have that uniform on. And they know what you are doing is illegal.

We were talking to activists from Cambodia and they said the same thing: she is HIV positive, she is a sex worker, and gets raped by the police and they won't use condoms either. It's really mind blowing. We're not saying that the problem with the rape is the lack of condoms—we demand an end to rape—but it is an added violence with deadly consequences. It is killing sex workers.

In the past it has been difficult for sex workers to even get tested for HIV. It has only become easier since our group started. Before sex workers were asking 'why should I get tested? I am raped every night; men force me into unprotected sex because they have guns. They have all that power because the work I do is illegal, so why should I get tested?'

So we started convincing other sex workers—even if you find out that you're HIV positive there is ways to help you and keep you alive longer and better than if you stay not knowing. So people now get tested. But the worst thing is when they find out they are HIV positive and find there is no treatment. There is not enough medicine in our country.

When I tested positive my hospital told me I have to wait until one person dies before I could get medication. Because there is no space for you, someone has to die. It will not be too long, a per-

son will die and you will get medicine. So I waited. After some time they came and visited me. Yet I was really bad off by this time because my CD_4 count[3] had dropped to 4, and it was like I was dying at anytime.

You are out as being HIV positive. Given the stigma of HIV and of sex work, why did you make that decision?

In the public you are called a whore, and when they know you are HIV positive this is when people will now start saying you are the ones who are infecting the whole world. So sometimes people tend to keep their HIV status to themselves instead of opening up and getting treatment. You live in that denial.

When I make myself public I am trying to help other sex workers who are keeping quiet, who are feeling shy, who are feeling it's the end of the world to be HIV positive. If I tell them I have been positive for the last 13 years, they say 'oh my god you look good!' I am on medication, I've been doing sex work for all those years, I'm HIV positive and I've never infected any person. Because normally when I'm with my clients I become a health worker: 'you have to use a condom, this is the way you use it, etc.' I insist. I make sure I am selling you sex with condom and you even pay more than what you wanted to offer for unprotected sex.

But I wouldn't really like a married woman in the neighbourhood to go and start telling all the women in the neighbourhood that I'm HIV positive. It would not make sense, why should you tell everyone? But for my work, if I keep quiet about my HIV status then I'm killing other sex workers. I'm not helping them at all.

Interview with Amra Padatik, self run-organisation of the children of sex workers, Kolkata, India.

When was your organisation created, and why? What was the inspiration?

In 1992, in the red-light area of Sonagachi there was many violations and violence given by male pimps, by madams and by the local people. It was decided that a sex worker organisation was needed, and that sex workers themselves can form the project. It was formed on a grassroots level—sex workers started uniting together to form an organisation called Durbar. It was also in response to an organisation working against trafficking by trying to criminalise sex work. Durbar thought that sex work is work, and it is a human right basically.

Amra Padatik was established in 2006. There is a section of law which says children of a sex worker cannot live off the earnings of his or her mother. I can't live off the earnings of my mum. That is why we formed the organisation, to fight against discrimination and to fight for our rights, for our mothers' professions, and for their rights also. If the children do not respect their mothers' occupations, then how can the people in the rest of society respect it? We have united together to speak up, to voice our own opinion. There should be no third person to speak on behalf of us. We are the children of sex workers; we should speak for ourselves.

Currently the membership of Amra Padatik is 500. We go around the red-light areas, and every field where Durbar works. We talk to other children, we motivate them, inspire them to come together and work for the rights of the children, and the human and professional rights of their mothers.

What kind of projects do you work on?

The main objective of Amra Padatik is to be together. We came to know that the children of sex

workers have a lot of skills, a lot of talents. A few of us can dance very well, a few of us can play football very well, a lot of us can sing very well. [Two members of our group] are going to Mexico very soon to play football at the Homeless World Cup. We are very proud of going to play in Mexico and to represent the slums of India.

There are also two shelter homes for the children, one home which is only for the children of flying sex workers (those who do not have a fixed place of business).

One of us lives in the Kidderpore red-light area, in 2007 he was in Amra Padatik, and saw there was a lot of child labour; the children need money and basically they have all dropped out of school. 30% went to school and 70% were doing child labour. With the help of Amra Padatik and members of the central committee of Durbar, we formed a drop-out centre called DIC. They started coming [to] the DIC and learning, taking a lot of lessons, it helped a lot of them to get entry to school.

Sex workers in the red-light district of Sonagachi formed a co-operative bank called Usha in 1995 because they couldn't get bank accounts and there were big problems with loan sharks in the red-light areas. Usha is now very successful, and they employ children of sex workers to collect deposits from workers in their homes and workplaces. Are you involved in that project too?

Usha is run by the sex workers, for the sex workers and their daughters, not the boys. The daughters can be account holders, but the boys they are not yet... It is in process.

We also saw your group performing during the sex worker protest march on Tuesday.

We perform in India and go abroad to perform, we want to go to every corner of the world! We have also won many prizes.

We don't like to ask really personal questions, so if you don't want to answer it's ok. But in Europe, for example Portugal but also other countries, children of sex workers can be taken from their mothers by the state solely on the basis of their mothers' profession. What would you say to others in this situation?

This kind of question you should ask before anything else.

It's very very important to form a group of children. The children of sex workers also need to form their groups in other parts of the world, and if they need our help we will definitely be there, we will definitely help them. To be together is very important.

We are surviving from our mums' money, we are learning from our mums' money, so if we don't respect our mums' professions, then we do not help them, we do not stand by them, we do not support them—how can it be?

And another thing, how can they arrest the mothers? How can they take the children away? It is a question of human rights, they are violating our rights by taking us away from our mothers. How can they violate the human rights of the children, as well as the rights of our mothers to work?

The last thing we want to say is: sex work is work! We fight for our mothers' rights. ■

1. Slang for cunt in Uganda.
2. Re-infection of HIV also known as 'superinfection,' is likely to lead to a more rapid disease progression.
3. CD_4 are 'helper' cells that organise the immune system's response. HIV treatment should start before the count drops below 350. A count of below 200 is one of the qualifications for a diagnosis of AIDS.

Up a Mighty River Without a Paddle

— Barrie Sargeant, AWSM

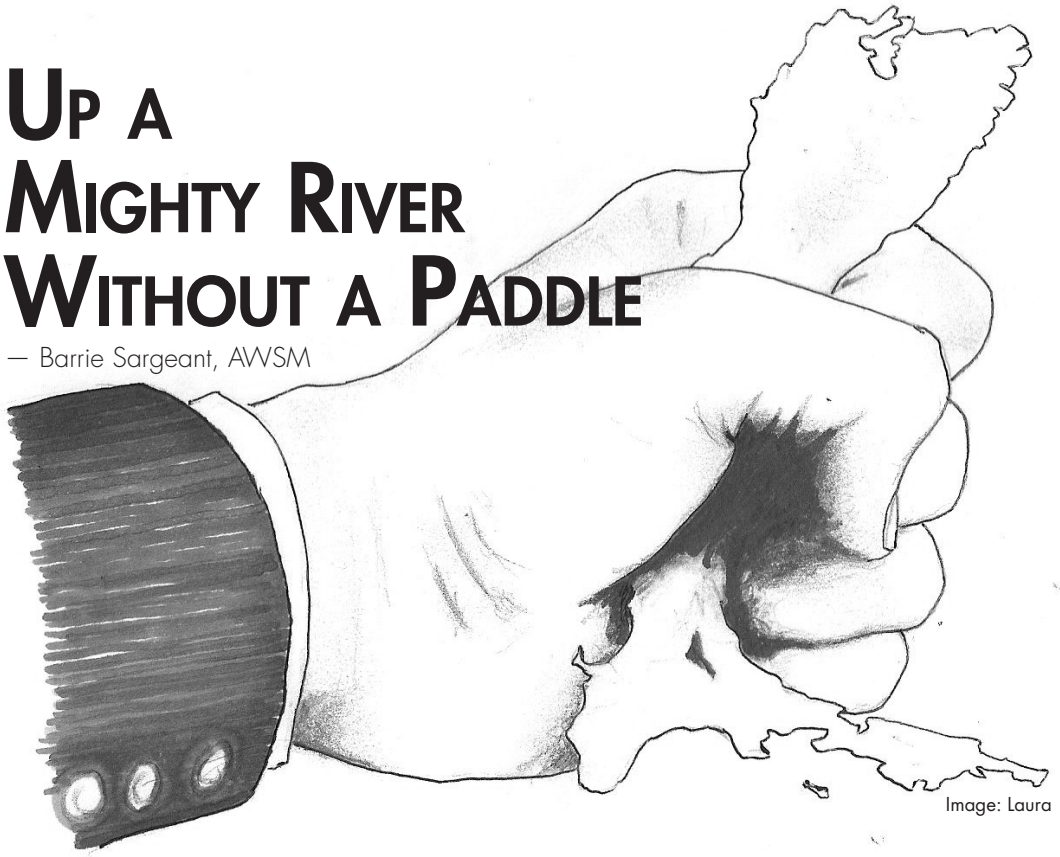


Image: Laura

During the last election the centre-right National Party, lead by multi-millionaire John Key, said it would partly privatise certain state assets if re-elected. Its main losing rival was the Labour Party, at the time lead by the uncharismatic Phil Goff, who had been one of the architects of the privatisation push in the 1980s.

National has now decided to press ahead with its threat. The power company Meridian is the current focus of attention, with other goodies up for grabs in the future. What will the effects of greater privatisation be? What options exist for workers in Aotearoa/New Zealand?

Aotearoa was one of the first countries where the neo-liberal brand of capitalism gained momentum during the 1980s and '90s. The fourth Labour government began the process in 1984. In terms of finance, foreign exchange controls were removed, the dollar was floated, new banks allowed and keeping inflation low became an obsession. Regarding trade, import tariffs were severely reduced or eliminated and subsidies to farmers ended. The labour market was weighted increas-

ingly in favour of employers, with legislation such as the Employment Contracts Act (1991),which enabled strong attacks on unions, in the name of 'flexibility.' A regressive Goods And Services Tax (GST) was introduced, with a corresponding reduction in income and company tax. The State-Owned Enterprises Act in 1986 required remaining government run assets such as Telecom and Air New Zealand to operate on a 'for profit' basis. All this so the market could be free to work its magic of bringing greater efficiency and prosperity to the country.[1]

Subsequent Labour and National administrations have sped up, slowed down or modified elements of this process, but none have reversed it. After three decades of these measures, there can be little doubt as to the effects of privatisation. Most workers have no union coverage and are left to bargain alone against employers. Many work long hours, subject to irregular shifts and job sharing in precarious positions on short-term contracts. Earlier attacks by previous governments have been extended by the present one, in the form of the 90 Day Act. This permits workers to be fired within that period without explanation and limits union access to worksites.[2] Wages have not matched the higher levels of productivity squeezed out of workers.[3] Welfare beneficiaries are continuing to be attacked and stigmatised. One of the more recent measures, for example, being the drug testing of beneficiaries.[4] The individual beneficiary is being blamed for his or her situation rather than the failure of the system to provide meaningful jobs. GST has increased to 15% with no exemptions and basic food items are becoming hard for some working families to buy regularly. This has caused dependence on food banks (which have sometimes actually run out of stock due to high demand[5]), private charities and extended whānau. Rents are high, especially in the main centres and many families have given up on the dream of ever owning their own homes. In short, there is very little prosperity to be seen out there, though a minority have of course benefited. A lot of people are getting by bill-to-bill, rather than living in the financial paradise held out by the neo-liberal theorists.

Asset sales also interrelate to the deeper history of this country in terms of colonialism and its consequences. The New Zealand nation state is intrinsically based on the confiscation of Indigenous land and destruction of Indigenous communities. From at least 1860 onwards, the crown broke its guarantees set out in the Treaty of Waitangi and even overrode the fact that many iwi had not signed it. The crown simply invaded and stole.[6] Having the land, culture, people and knowledge decimated, has impacted tangata whenua for generations since. As in other countries with similar histories, the Indigenous people continue to be over-represented in crucial social indicators such as poor health, gambling, homelessness and high conviction statistics.[7] Most hapū have essentially lost all rangatiratanga—the ability to determine what happens to your land. Asset sales are just another way of transferring assets from one owner to another without Māori being able to even participate in the discussion of how that happens, let alone making any decisions.

As for the question of efficiency, recent governments have had to implicitly admit the failure of privatisation of SOEs by either buying back assets, selling off some or putting tax payers' money into others. In 2001 the Labour-lead government bought an 80% stake in a nearly bank-

rupt Air New Zealand.[8] Rail services were taken back into state control and renamed Kiwirail in 2008 after being run down for years. Telecom made multi-billion dollar profits but did very little to develop its infrastructure. Consequently it is now being hugely subsidised to upgrade its network. The Solid Energy coal company became nearly $400 million in debt due to a combination of bad investments and poor management and is now on the list of assets to be sold by this government.[9] Mighty River Power has been 49% privatised, supposedly in order to reduce government debt, and others will follow.

Opponents of *neo-liberalism* have *searched* for ***alternative approaches*** to **asset sales** and **privatisation**, with nationalisation being put on the *agenda*. [But this] simply entails the ***transfer of resources*** from control by **private business** to that by ***politicians*** **and unelected bureaucrats.**

The neo-liberal privatisation approach has failed in Aotearoa, even on its own terms. This country is far from unique in this regard. Socio-economic damage has consistently been the case globally wherever it was applied, from Chile to Britain. Opponents of neo-liberalism have searched for alternative approaches to asset sales and privatisation, with nationalisation (state ownership) being put on the agenda. Traditionally in the English-speaking world, nationalisation has been promoted by sections of the ruling class as a means of building infrastructure in sectors of the economy that are natural monopolies and therefore less open to easy profit making.

Current calls for selective nationalisation overseas, have come from some business-friendly members of the elite. Examples include Nigel Lawson, ex-chancellor of the Exchequer under Thatcher[10] and Ilse Aigner, a cabinet member in the ruling conservative government of Angela Merkel in Germany[11]. The Labour and Green parties here are also promoting it as a better way to manage elements of the system. The Greens argue that selling off our publicly owned companies would mean more foreign ownership and less accountability to do what's best for New Zealanders.[12] Their perspective is one mired in a petty nationalism that sees opposition to asset sales as helping 'us', meaning the nation of fellow Kiwis, regardless of social class. It is no accident that these parties find themselves alongside the right-populists of New Zealand First, headed by the zombie egotist Winston Peters and his racist MP Richard Prosser. The latter spout very much the same rhetoric, arguing that any profits should stay at home.[13] Strangely, even some of those claiming the label 'socialist' see nationalisation as a useful tool. This is because to them it is a transitional mechanism on the road to eliminating the entire current economic system, rather than merely a defensive measure to maintain it.[14]

The fact that nationalisation can be adopted by various wings of the contemporary establishment and has been used historically by all manner of regimes—from the Nazis, to Stalinists, petty dictators in Africa, South America and the Middle East—should give people pause for thought. It cannot be viewed as an inherently progressive move that will secure resources for the majority of the population. Instead it simply entails the transfer

of resources from control by private business to that by politicians and unelected bureaucrats. The fourth Labour government's actions showed that this process can be reversed too. The state has not played the role of kaitiaki and can't be relied on to do so in the future either.

Under state ownership workers can more easily be bullied into compliance with government policies. This can be done by a combination of laws and cops at the 'tough' end of the spectrum[15]. At the opposite end there are top-down union structures with 'friendly' union bosses who act as soft cops. They warn members not to rock the boat and to put their faith in the idea that 'consultation' with government will win a few scraps from the table. It's hardly surprising they would do this, given the number of union bosses who get rewarded with safe Labour Party seats in parliament and other perks once they retire.[16]

Under neither privatisation nor nationalisation do those who actually produce goods and services have control or ownership over them. In addition,the myopia of 'Kiwi first' nationalism that nationalisation would be based on, is a dead end. It fails to deal with the reality that this country is part of an interlocking international economic system. Therefore any solution to economic failure has to extend outwards to deal with it. In this regard John Key at least acknowledges that asset sales are tied to the need for the government to react to the global economic crisis. The attempt by the Labour Party, Greens, New Zealand First et al to mobilise workers against 'foreign investors' and overseas companies is a cheap trick. Workers in this country are experiencing the effects of the global crisis in the same way as workers everywhere else. It isn't foreign speculators, foreign banks or foreign companies that are the problem. It is a global capitalism which knows no boundaries and the global ruling class with material interests in common (despite internal squabbles) that is responsible for the mess the world is in.

Anarchists don't accept the false dichotomy of private ownership or state ownership. We see our goal as a transnational economy where those who produce things collectively and directly own and control those resources. We envisage a world where we actually determine the social and economic ways of organising ourselves in our workplaces and communities. Decisions would be made in a truly democratic way, with direct participation by all and accountability to the collective for those decisions. Given the complexity of operating any economy in the modern world, this would require coordination between the various organisations the communities establish. This can be achieved by federations that span wider and wider geographical areas. No doubt, there would be teething problems, especially if a democratic economy arose after a protracted revolutionary upheaval. However, given that the workers of the world currently produce everything anyway, efficiently controlling resources on our own behalf is not an impossible task if the opportunity arises. In addition, with the full possession of the factors of production, the material basis would exist for the whole of society to live comfortably, rather than the minority that do at present.

Collective and federative ways of organising are not new. Many aspects of our lives—from bands to community groups or marae—already include truly democratic and collective ways of operating. Plus, history is full of examples of people doing things together for the community as a whole and not for the betterment of a few individuals.

Moving from the political options available to modes of struggle, what can be said about the latter in the present environment? Opposition to asset sales has taken a reformist and legalistic shape. For example the Maori Council appealed to the Supreme Court, arguing that the government's actions interfered with the Treaty of Waitangi process. This temporarily held up the prospec-

tive partial privatisation of Mighty River Power but ultimately failed when they lost the case. The Greens and Labour along with the Mana Party,[17] some unions and Marxist-inspired grouplets have formed an anti-assets sales campaign. One tactic being applied is collecting signatures for a petition to be submitted to parliament. The petition recently reached the minimum 300,000 names needed to initiate a non-binding referendum on asset sales. However, with a glossy government advertising blitz in favour of selling Mighty River Power shares, you would almost not know any petition existed at all! The very fact it has been successful shows that there is a significant level of disagreement with the government's plans. It also adds credence to the idea that even during times of increased capitalist pressure, the population is rarely entirely passive.[18]

Unfortunately for the signatories and the rest of the country, Key will ignore the referendum. His argument being that the election, in which nearly a quarter of the population refused to participate, gave him a mandate to push through whatever he wants. The experience of the opposition movement so far proves once again that if a form of protest is permitted by the powers-that-be, it's probably because they know it offers no more than a symbolic threat to them (ie. no threat at all). An accompanying tactic has been street demonstrations. These have managed to gain some attention and thereby raised awareness of the issue. Though fluctuating attendance has been a feature of them too. However, the nationalistic approach has also made neo-Nazis and anti-Semites comfortable participating in 'Aotearoa is Not for Sale' marches.[19] This demonstrates the slippery slope that this really is. Unless we are explicit that our campaign is anti-racist and racists are not welcome (from Rightwing Resistance's Kyle Chapman to New Zealand First leader Winston Peters), we legiti-

1 An accessible orthodox Left critique of neo-liberalism as applied in NZ in the 80s and 90s can be found in J Kelsey, *The New Zealand Experiment* (Auckland, 1996)
2 See AWSM, *Solidarity* Issue 1:1 2009 for more on this legislation.
3 Bill Rosenberg, www.stuff.co.nz/dominion-post/comment/5824465/New-Zealanders-get-low-wages
4 See http://www.stuff.co.nz/national/politics/7496309/High-cost-for-drug-testing-beneficiaries-Health-ministry
5 Sophie Rishworth, *New Zealand Herald*, 3/11/2011
6 Of course there were variations in experience within the colonisation and confiscation processes but the basic picture is clear. See R Boast & RS Hill (eds), *Raupatu* (Wellington, 2009)
7 For a wide-ranging view of the various social problems experienced by Māori today, see T McIntosh & M Mullholland (eds), *Māori and Social Issues* (Wellington, 2011)
8 en.wikipedia.org/wiki/History_of_Air_New_Zealand#Rebirth_and_re-nationalisation
9 For a summary of how this problem arose see www.stuff.co.nz/dominion-post/business/8489664/Why-Solid-Energy-has-ended-up-on-the-slagheap
10 www.investmentweek.co.uk/investment-week/news/2240785/exchancellor-lawson-calls-for-full-nationalisation-of-rbs
11 www.spiegel.de/international/business/member-of-merkel-cabinet-calls-for-nationalization-of-german-power-grid-a-877576.html
12 www.greens.org.nz/koa

mise racist and anti-Semitic rhetoric. Overall the demonstrations and referendum hardly have the government quaking in its boots and are likely to degenerate further in the direction of electioneering in favour of the Greens and Labour in the next election.

While anarchists have participated in demonstrations and disseminated our message regarding asset sales, we have done so with no illusion that this is sufficient. Real change will require workers and communities across the country to take direct action for themselves. This can come in many forms including strikes and occupations that put resources under their immediate control and begin to threaten the stranglehold of the state and capitalists. This will have to be undertaken in coordination with similar actions in other places across the globe. On the face of it, this seems highly unlikely to happen soon in Aotearoa. However, something being unlikely doesn't make it wrong, just difficult, and failure to act at all will guarantee defeat. The fightback, though limited here, has begun and will hopefully continue to gain momentum as this ideologically (and in some cases literally) bankrupt system lurches from crisis to crisis. ■

13 nzfirst.org.nz/what-we-stand-for/no-asset-sales

14 For example, Socialist Aotearoa which is the New Zealand affiliate of the International Socialist Tendency.

15 Of course, it is the nature of the state to attempt to act this way, regardless of the exact proportion of government or private control over the economy. Something even right-wing libertarians appreciate. Nevertheless it is easier when the state has more direct control. The classic example of draconian intervention by the New Zealand state in industrial warfare was the 1951 waterside dispute. See Scott, *151 Days* (1952)

16 For example, Andrew Little, a current Labour MP, spent his entire previous working life as a union bureaucrat and obtained his seat via a prime position on the party list, despite having been resoundingly rejected by voters in an electorate seat.

17 A small Left split from the Māori Party, which had chosen to enter into coalition with National.

18 See Toby Boraman, *The Myth of Passivity,* www.anarkismo.net

19 See notafraidofruins.wordpress.com/2013/04/30/stop-ignoring-anti-jewish-racism/

— Jared Davidson

Unpicking Arcadia

Philip Josephs and early New Zealand anarchism

"'God's Own Country' is not safe from the vagaries of the person who believes in the bomb as opposed to argument,' bellowed the November 1907 *Marlborough Express* in response to a Wellington gathering of socialists and anarchists.[1]

The group, which included the Latvian-born Jewish tailor Philip Josephs, had come together to mark the execution of the Haymarket anarchists—an occasion remembered simultaneously across the world. This event, as well as betraying the typical (and long-lasting) flouting of the anarchist-cum-bomber stereotype by the capitalist media, illustrates two key points: the existence of a nascent anarchist movement in New Zealand, and its rootedness in a wider, transnational milieu.

Yet despite the existence of anarchists and anarchist ideas in New Zealand around the turn of the 20th century, early anarchism has been relatively neglected. Indeed, the most substantial work to date on anarchism in New Zealand during the 20th century's turbulent teens is the indispensable 32 page pamphlet, *Troublemakers: Anarchism and Syndicalism—The Early Years of the Libertarian Movement in Aotearoa/New Zealand*, by Frank Prebble. The result of this collective omission is that the roots of our current anarchist movement are both obscured and forgotten.

Ignoring the early anarchist movement in New Zealand also gives weight to the traditional Labourist narrative that radical, direct action politics at the point of production was not enough to bring about socialism, and therefore the site of socialist struggle shifted from the workplace to the benches of parliament. Anarchist tactics are seen to be found wanting, and everything prior to the 1935 Labour government's parliamentary election is simply its 'pre-history.'[2]

However, as *Sewing Freedom: Philip Josephs, Transnationalism & Early New Zealand Anarchism* (AK Press, 2013) shows, anarchism in New Zealand has a legacy that can date back to 1904, if not earlier, thanks to the personal perseverance of Philip Josephs and others like him. Anarchists were a valid part of the wider labour movement, imparting uncredited ideas, tactics, and influence. Likewise, anarchist agitation and the circulation of radical literature contributed significantly to the development of a working class counter-culture in New Zealand, and the syndicalist upsurge of the 'Red' Federation of Labor (FOL) era (as well as the syndicalist movements during the WWI and after).

This far-from-Labourist line—struggles throughout New Zealand's history that have aimed to go beyond the limitations of state forms—can be traced from anarchists like Josephs and the upsurge of anti-parliamentary politics. Its early development was fragmented—typified by the decentralised activity of various anarchists placed in their immediate socialist milieu—but existed nonetheless, giving birth to both New Zealand's first anarchist collectives in 1913, and 'dissent from the [Labourist] consensus before, during, and after the [1913 Great] strike.'[3] Despite the claim otherwise, reformism during the 20th century has been challenged by New Zealand anarchism, albeit as a minority movement.

It is hard to squeeze *Sewing Freedom's* evidence of such claims into one small article. I say this not as a crude attempt to promote buying my book, but because the activities of Josephs and other early anarchists across New Zealand—Dr Thomas Fauset Macdonald, Fay McMasters, Carl Mumme, Len Wilson, Wyatt Jones, Syd Kingsford, J Sweeney, Lola Ridge—were surprisingly rich in depth and detail. Their involvement in organisations like the New Zealand Socialist Party and the Industrial Workers of the World (IWW), the trade union and anti-militarist movements, and all the strikes, struggles and radical cultural work these encompassed, deserves full appreciation.

Take the actions of Fay McMasters, for example. It is common knowledge (in labour history circles at least) that the building of the Otira Tunnel on the West Coast of the South Island was fraught with struggles between workers and management. Wildcat strikes, equally decried by bosses and union 'leaders', were a reoccurring form of direct action on the job. Yet what is not commonly known (or not seen as connected) was the presence of self-described anarchist communist, Fay McMasters. A former soldier of the 'Black Watch' with experience in giving popular lectures, McMasters would soapbox 'in the evenings from 9 to 10.30 [...] in the smoking room for the instruction of all who cared to listen.'[4] A month after Jack McCollough noted this entry of McMasters into

Philip Josephs, Glasgow c.1903

his diary, Otira workers were on strike—without the blessing of union officials.[5]

What about the rise of syndicalist tactics, or the revolutionary ideas of the FOL—an organisation that wielded a significant influence on the labour movement of the day and featured prominently in its key conflicts? Vocal members of the FOL, such as the fiery Bob Semple and Paddy Web, subscribed to the anarchist newspaper *Freedom* through Philip Josephs' tailor shop-cum-infoshop. Indeed, mere months after his arrival in 1904, Josephs was stocking international anarchist material in copious amounts—from *Freedom* to Emma Goldman's *Mother Earth*. Not only that, he was publishing revolutionary critiques of the labour laws of the day before they became popularised by the FOL.

Of course it is wrong to conclude that Josephs was the key factor in the rise of revolutionary rhetoric in New Zealand. There is no doubt that he and the various individuals across the country who identified as anarchists, form but a small part of the revolutionary upsurge that was the pre-1920 period. But it is not a stretch to say that he and his pamphlets contributed to it in some way. Josephs' activity, and the actions of other anarchists like him, surely had a hand in the normalisation of syndicalist tactics and the ideology of direct action—an ideology that crystallised into one of New Zealand's most fraught and revolutionary periods.

Josephs' transnational diffusion of anarchist doctrine, his links to the wider anarchist movement, and his involvement with Freedom Press (through the distribution of their anarchist politics), ensured anarchist ideas and tactics received a hearing in the New Zealand labour movement well beyond its minority status. Despite Erik Olssen's suggestion that 'few rank and file revolutionaries had much knowledge of syndicalist and anarchist ideology,' it is clear that anarchism—alongside other shades of socialist thought—contributed to the militancy of the movement on a scale not readily recognised by most historical accounts.[6] Likewise, Josephs' activity places him, and New Zealand anarchism, firmly on the global anarchist map. While the two anarchist collectives that were formed in 1913—an Auckland group and the Wellington Freedom Group—were no Federación Anarquista Ibérica (Iberian Anarchist Federation), the fact that anarchists came together, formed collectives, and propagated the principles of anarchism, at the very least, deserves remembering.[7]

The point of these examples is not some kind of shallow cry for attention on the part of anarchist historiography. As noted earlier, these past actions and ideas—of which today's anarchist movement currently forms a part—stand as examples of alternative forms of struggle. They highlight the possibility of other possibilities, and form a continuum of practice that ground the work of today's anarchists in a rich vein of radical history.

That said, capital and the struggle against it has changed considerably since the times of Philip Josephs and the Wellington Freedom Group. As Endnotes points out, 'the "twentieth century" […] its contours of class relations, its temporality of progress, and its post-capitalist horizons, is obviously behind us.'[8] Yet the anarchist activity and the syndicalist surge of the early 20th century serve as pertinent reminders of the successes (and failures) of New Zealand's anarchist movement. If history is to be more than a nostalgic stroll through the past, and if the historian's responsibility 'is to find those social processes and structures which promise an alternative to the ones now dominant,'[9] then awareness of New Zealand's anarchist tradition should serve as 'a key reminder that we still live in a society deeply divided by class. The actions of the past stand as inspiring, yet unfinished movements.'[10] ■

1. *Marlborough Express*, 16/11/1907.
2. Kerry Taylor, 'Cases of the Revolutionary Left and the Waterside Workers' Union,' in Melanie Nolan (ed), *Revolution: The 1913 Great Strike in New Zealand*, Canterbury University Press, 2005, p. 203.
3. Ibid., pp. 203–204.
4. '12 June 1908,' McCullough Diary vol 1, McCullough papers, Canterbury Museum Library, Christchurch.
5. *Marlborough Express*, 25/7/1908.
6. Eric Olssen, *The Red Feds: Revolutionary Industrial Unionism and the New Zealand Federation of Labor* 1908–1913, Oxford University Press, 1988, p. 86.
7. Formed in 1927, the FAI was a large and influential anarchist federation that included affinity groups spread across the Iberian Peninsula. It played a major role in the Spanish union movement, as well as the Spanish Revolution of 1936. See Stuart Christie, *We, the Anarchists! A Study of the Iberian Anarchist Federation (FAI) 1927–1937*, AK Press, 2008.
8. *Endnotes 1*: Preliminary Materials for a Balance Sheet of the Twentieth Century, 2008, p. 3.
9. Jeremy Brecher, *Strike!* Straight Arrow Books, 1972, p. 319.
10. Nicholas Lampert, 'Struggles at Haymarket: An Embattled History of Static Monuments and Public Interventions' in Josh MacPhee & Eric Ruin (eds.), *Realizing the Impossible: Art Against Authority*, AK Press, 2007, p. 255.

— Bridget

An Interview with the Kurdish Anarchist Forum

Mass protests began in Sulaimani, Iraqi Kurdistan's cultural capital in the end of February 2011, whilst many of us were glued to the events of Tahrir Square in Cairo. Demonstrations ran strong for two months in the cities of Sulaimani and Erbil. It was the first time that Kurdish people of Iraq had voiced their collective frustration with the corrupt government that has replaced Iraqi Kurds' reality of state authority since the US-sanctioned creation of the autonomous Kurdish northern region in the 2003 invasion of Iraq.

Since the Assad administration pulled back its forces in Syria last summer, Kurds there have built a de facto autonomous zone in the north too. While many folk in the region of Kurdistan, divided by the arbitrary state borders of Syria, Turkey, Iraq and Iran, dream of a united Kurdistan, many too advocate for a federation of liberated autonomous Kurdish regions within these states.

Kurdistan's better-known history of resistance is likely to feature socialist groups like the Kurdistan Workers Party, or PKK. The following interview with the Kurdish Anarchist Forum (KAF) reveals a different perspective on resistance, self-determination and secular Kurdish identity.

Is there a kind of approach of anarchism that you are particularly inspired from? If yes, which one and why?

Before we became self-identified anarchists, despite having read no anarchist literature, many of our thoughts and principles were unconsciously anarchist. We were critical of all politicians, from the right to the left, including communists. This led them to accuse us of being 'anarchists' in the misinformed derogatory sense of the term, as it's often used in common discourse. Ironically, this accusation persuaded us to better understand the true meaning of anarchism to better inform (and defend) ourselves.

Are there any Kurdish individuals that you as anarchists think are worth knowing about?

As far as we know there have been no genuinely anarchist groups or individuals in Iraqi Kurdistan. That being said, we can see the basic spirit of anarchism shining through in the Kurdish uprising of March 1991 and in 1992–5, when self-organised, more or less direct-democratic groups formed. However, their lack of experience and understanding of anarchism meant they didn't last long or were co-opted by others.

In the last century there have been one or two small movements or social experiments with socialist-libertarian characteristics in Iraqi Kurdistan. The people involved led very simple lives, living communally and pursuing most activities collectively. Although some call these social experiments 'anarchist', we do not because we believe that anarchism is not just about living communally and doing things collectively. It is much bigger and deeper than that.

How does a 'Kurdish anarchist' analysis of the struggle for autonomy/national liberation look? Can one as an anarchist have a positive relation to these aspirations or do you think this is not working?

As KAF we generally support national liberation, but if this process results in domination of one class, race, nationality or religion over the rest, then we will oppose it and fight back. We do not see any difference between the foreign occupation of Kurdistan and the domination of a Kurdish bourgeoisie over the rest of the population. While we support the above, we are activists who militate against any type of domination. Even if [liberation] movements achieve their goals, they won't automatically attain true freedom or social justice.

As anarchists we have the same stance as with all other national and ethnic-minority issues, such as the Palestinian question, the Tamil question, and the Baluchistan issue in Iran. We do support the national liberation of the Kurdish people in other countries and the ideal of a united federation. We also want the same rights for the Turkish, Armenian, Arab and Persian people in Iraqi Kurdistan, Iraq, Turkey and Iran. The question is whether when people gain some freedom through national independence, with social justice issues still unresolved, will they still want to unite on the basis of being Kurdish, Turkish, Baluch, Armenian, Arab or Persian, and thus separate themselves from one another?

The clearest example is South Africa. Despite political liberation and empowerment of Black South Africans from apartheid through a party/statist solution, deeper social problems of equality have often worsened: access to basic public utilities, unemployment, poverty, crime, healthcare, and the high price of living, just to mention a few.

Many live in makeshift shelters in shantytowns. These people are marginalised and deprived from living decent lives. South Africa, of course, reintegrated into the global capitalist economy and became a lucrative market for large corporations, as usual, at the expense of most people there. South Africa, like most countries, is still in need of a revolution—a real revolution—but this won't happen as long as the parties and statist organisations remain untouchable sacred cows.

Kurdistan will not fare any better under hierarchical solutions of so called 'liberation'. Our stand and our struggle is double edged. On one hand we support national liberation, because as long as one nation, religion, race or gender exploits another, no social justice can be attained. On the other hand, our struggle goes beyond that. It is constant and we will insist on fighting for what we believe. Kurdish self-rule in Iraqi Kurdistan over the past 19 years has achieved very little for the welfare of the Kurdish people. Our own government's lack of positive progress has diluted people's interest in statist solutions, despite over half a century of struggle to achieve it.

Many Kurds support the idea of a united federation of autonomous Kurdish regions in each state where Kurdistan lies. Where do you stand on this?

We hope that one day all villages, towns, cities, regions and countries in all continents will be united in federalism and the free interests of all peoples. We would welcome this. Realistically, the unification of Kurdistan is highly unlikely in the near future. But one can struggle to build some sort of federation of counter-powers within each country as alternatives to the current hierarchical system.

What role did and does socialism play in the Kurdish struggle for independence? Have there also been libertarian/anti-authoritarian approaches of socialism?

Socialism throughout the Middle East and Africa were not born naturally. It was created and installed by the Soviet Union and its main function was to implement Soviet policies. The Iraqi communist party would not have supported the Kurdish struggle unless they were instructed to do so by the Soviet Union. Indeed the communist party was actively working to destroy the Kurdish national liberation struggle.

Are there many Kurdish anarchists active within the Middle East or is it more a phenomenon of the diaspora?

We can with confidence say we're the first group of Kurdish anarchist or socialist libertarians focusing on Kurdish society. We began our activism in the early 2000s, publishing a magazine called *Dalian*, meaning 'Rebels', with 12 copies until spring 2003. KAF's *Sakurdistan* website is the first anarchist site by Kurdish activists for a Kurdish audience. *Sakurdistan* publishes articles in Kurdish, Arabic and Persian, written by Kurdish, Arab and Persian anarchists. KAF activists have tirelessly worked to introduce readers to the correct meanings of anarchist concepts long distorted by Bolsheviks and the right. Great efforts have been made to translate and analyse anarchist texts and we continue to do so today.

With the recent defeat of armed guerrilla struggle in Turkish Kurdistan, movements promoting anarchist ideas have grown in the region. This appears to us as a very good sign that people have now found an alternative to the failures of

politicians and armed struggle. It is sad to hear some European anarchists giving credit to Abdulla Öcalan for the positive changes for Kurdish people in Turkey. We believe it's exactly the opposite, as Öcalan and his people come under the increasing democratic influence of ordinary people and their grassroots movements, particularly of the ideas of anarchists.

There are now a large number of people who support the anarchist movement on the ground in Turkish Kurdistan. During demonstrations and festivals such as Nawroz (Kurdish New Year), red and red-and-black flags are now seen waving without fear. Last year saw a new anarchist magazine published in Turkish Kurdistan named *Corvus* (Crow).

It's a great pity this change isn't seen in the rest of Kurdistan: Iran, Syria and Iraq. Until recently in Syria, no independent movements could form due to severe state repression. This of course has changed drastically with the Arab Spring. Until then,

Kurdish people could not even talk about their existence as Kurds, let alone about their rights and land. But wherever oppressions exist there will be resistance, though this resistance will most likely be underground.

In Iraqi Kurdistan, where many of us in KAF are from, anarchist ideas, theories and principles have been deliberately misrepresented by the enemies of anarchism on the right and left. The culture of armed struggle had become all-pervasive, its methods used to resolve all political issues and even social issues. This climate pushed many socialists, communists and anarchists, including ourselves, to flee the country in fear for our lives and seek asylum in Europe or elsewhere.

Less than two years after Kurdish self-rule was established in Iraq, a civil war erupted, continuing until 1998. What little was achieved in the 1991 uprising was lost: daily life became difficult, civil rights were trampled, and unions, women's organisations, and other groups were dissolved. When the civil war and Saddam's regime were over, Kurdish self-rule was given free rein and an open budget, leading to a rise in corruption and an increasing gap between the rich and poor. Meanwhile all public services were ignored or sold off to private interests. Kurdish self-rule copied exactly what Saddam Hussein did when he was in power: the ruling elites put their own people in responsibility throughout the civil service, health services, educational institutions, and banks. They handed out degrees to their own people even though they weren't qualified, sending them to Europe and the US with large stipends at the expense of ordinary people. This list can go on and on. This terrible situation caused a massive exodus of people from Kurdistan from 1992–2004—in far greater numbers than those who emigrated during Saddam Hussein's regime.

This dire situation continues today, creating such a foul atmosphere that people have developed a deep hatred of the Kurdish self-rule regime and the parties involved. Today the regime is more vigilant than ever in oppressing dissenting voices.

> On the 17th of February 2011, Arab Spring-inspired protests kicked off. The rulers' answer: live bullets. Within half a day of protests two people were killed and 56 injured. Protests continued for almost three months, but in the end the rulers managed to stop them. Many leftist and Islamist organisations attempted to control the movement, and, once again, people sought changes from the top down. The mass protests were not organised grassroots, thus repeating the same patterns of the past.

The situation is different in the Eastern part of Kurdistan controlled by the Iranian regime; the last three years has seen no armed struggle and people have found alternative ways to fight back, such as mass demonstrations and strikes, which continue to regularly flare up. Anarchist ideas in Iranian Kurdistan, as well as elsewhere in Iran, played a significant role during the 1979 uprising and beyond. A few small anarchist groups were there within a small movement of Kurds, Persians and Baluchis. Many of them, however, now live in Europe, continuing their struggle from abroad. With its powerful military and police force, the current Iranian regime's repression has made it difficult for anarchism to develop as freely as in Turkish Kurdistan. Thus Iranian-Kurdish anarchists have, to date, not been able to publish any magazines or newsletters.

What's your point of view on the Kurdistan Workers' Party (PKK) and its offshoot, the Party of Free Life of Kurdistan (PJAK)?

PKK and PJAK are the two faces of the same coin. PJAK is the PKK's wing spread over all parts of Kurdistan. They both are hierarchical and paramilitary organisations involved in nationalist propaganda, with no connection to anarchism. From A to Z they are different to us.

Öcalan's ideas have changed since he has been in prison, but so far they haven't been reflected in practice. The PKK has a big impact and many followers among the Kurdish people. They also talk about federalism. But none of this makes them anarchist or compatible with anarchism: Öcalan retains dominance over the mass movement, and they still advocate nationalism and patriotism. PJAK have demonstrated even less direct-democratic change and had an even smaller influence in Turkey.

We will only support the PKK when they give up armed struggle completely, organise grassroots movements to achieve people's social demands, denounce centralised and hierarchical modes of struggle and turn to federated autonomous local groups, end all dealings with Middle East and Western states, denounce charismatic power politics, and convert to anti-statism and anti-authoritarianism. These would require major changes that we regretfully cannot foresee in the PKK and PJAK.

The Kurdish community in Iraq supported the US 2003 invasion, which contradicts the standpoint of most anarchists in Europe or the US. What is your position?

Anarchism is a pacifist ideology. We were against the war then, and we are against it still now, just as we're against all wars wherever they may happen. We thus had the same stance as our anarchist comrades throughout the world, because the motives behind the invasion and occupation of Iraq by the US, UK and allied forces were as clear to us as everyone else: to rob the wealth and natural assets of Iraq; demonstrate the US's dominance and install military bases in the region; put regional countries under pressure to buy more US and allied weapons; protect Kuwait, Saudi Arabia and US allies, particularly Israel; test new weapons; and expand the neoliberal globalisation project to the Middle East. The US has an open contract with the Iraqi government to stay at least 50 years. As soon as the war was over, the West started implementing its neoliberal program with the help

of the World Bank and IMF. There are many other imperialist motives for the war and perhaps many we don't yet know about.

Kurdish support for the war is easy to explain. Saddam Hussein's regime brutally terrorised the people of Iraq for almost 35 years. Kurdish people in the north and Shiites in the south bore the lion's share of this repression. The Kurdish community were powerless to bring down the regime, while Saddam survived both the Iran–Iraq war and the First Gulf War, remaining powerful enough to repress them. They lost hope in Kurdish parties, and many saw the collapse of the Societ Union as a sign that no powers supporting the Kurdish people remained.

The propaganda of the US and their allies—echoed by the Kurdish parties—about the 'democratic system' that would be installed was effective, with its promises of freedom, jobs, security, education, civil rights, affordable goods. Some Kurdish parties even tied these promises to the establishment of a Kurdish state. The Kurdish community wasn't aware of the US's true plans. Thus, many supported the war.

We believe the Kurdish community's attitude toward the war and the US has now changed, because the Kurds of today are not the same people as in 1992 or 2003. One could once see them waiting in long queues to vote; now they're disillusioned. They're also not as focused on the demand for Kurdish independence or autonomy because, through the long experience of Kurdish self-rule, they've realised that kicking out the occupiers didn't bring an end to their problems or injustice and exploitation.

How do you see the protest movements of recent years in the Kurdistan Regional Government?

After occupying Iraq, the US and its allies started pouring a lot of money into the country in order to win the people's support. As we all know, the US and its allies had no plans for 'nation-building' in Iraq. Even with the advent of the 'insurgency', when they decided to develop some sort of plan, these remained minimal, and concentrated on how to make the 'insurgency' ineffective. This plan benefited the ruling elites of Iraq, and corruption became a widespread phenomenon. While they lined their pockets, they ignored public services, the environment, and the development of rural areas and industrialisation of the country. Privileged elites have made fortunes importing everything except oil and opening the Kurdish market to foreign corporations. Public services have been privatised or abandoned by the government, while the

rich private sector, funded by KRG oligarchs and plutocrats, is encouraged to compete with public services with private hospitals, schools, universities, telecommunications and more.

All this has fueled protests in recent years demanding reform and an end to corruption. From the beginning they were instigated by individuals and small groups spontaneously congregating outside the PDK (Kurdistan Democratic Party) and PUK (Patriotic United Kurdistan) headquarters and party members protesting from within. The KRG tried hard to make big reforms, but it wasn't enough. KRG and party members defected in protest, joining with grassroots activists to form a big protest movement outside the realm of parties and the KRG.

But from the beginning there were great differences between the grassroots movement and the politicians who defected. The politicians had their own agenda, to contain the movement and exploit it to gain power. The movement was focused on social demands and democratic reform, but was corrupted by politicians into issues of mundane, superficial politics such as having earlier elections or sharing power in the military and civil administrations. They named the movement 'Goran', or 'Movement for Change'. It's important to emphasise that Goran and the popular movement are completely different. Goran have no plans to improve social and public services or workers' rights, and they support the clientelistic, neoliberal dependency of Kurdistan and Iraq on the US and their allies. They want to retain the school curriculum we had under Saddam Hussein. The only difference between them and those in power is their system would put technocrats in power.

Constant wars in Kurdistan have left no space for the Kurdish people to establish their own civil society, and many have become very dependent on the patronage of politicians or militia leaders. The cultures of armed struggle and parliamentarianism have stood in the way of forming direct-democratic counter-powers based on mutual aid and collective direct action against the system.

The difference between us and the rest of the opposition is that we believe in neither armed struggle nor elections and 'parliamentary democracy' as legitimate means of changing society. We believe that real change can only emerge through the local groups in workplaces, communities, educational institutions, public service, and public spaces, to re-appropriate power in the name of the people, away from the government, parliament, courts, local authorities, parties, corporations, and banks; and empower communities and their citizens. The goal should be to establish a classless society free of injustice, exploitation, oppression and wars—a society in which individuals feel that their worth isn't measured in terms of money, race, religion, appearance, or even capability and socially defined normative 'talents', but simply as human beings who deserve a decent life. ■

The Aftermath

The fight to save Glen Innes

— Maila West

There's a book made by a young photographer with pictures of Glen Innes homes from when they were first emptied to when they started getting cut apart, pulled out of the ground, put on trailers, loaded onto trucks and driven down the road. It looks like an army has marched through, destroying everything they could see. Empty eighth-acre and quarter-acre sections are littered throughout Glen Innes: a visitor to Glen Innes likens them to pulled out teeth from a skull. That kind of toothache is the feeling after the police finally break the picket, usually by arresting enough people making the picket, to drive the house up Apirana Street. Memories on wheels.

FIGHTS IN THE NIGHTS

'We shall not be moved,' said Mama Tamata at the end of her speech at a hui attended by hundreds of Glen Innes residents in February 2012. More than 60 houses have been moved by trucks accompanied by numerous police cars, paddy wagons and scores of officers brought in from Manukau and Central. From April 2012 through to the end of the year nearly every week would see two or three state houses taken out of Glen Innes. As part of the Tamaki Transformation Project they are to be sold below market rates, and the land is to be sold to private investors. Every week for months, residents and supporters came out onto the streets to picket the removal sites, despite arrests, physical abuse by the police and escalating threats and intimidation from Housing New Zealand.

Coming out onto the cold and often wet streets of Glen Innes night after night to face the familiar sight of rows of police officers willing and happy to beat people up is harrowing. It has often felt hopeless and endless—physical fights in the night that don't make the news and don't seem to have changed the government's plans for Glen Innes. But an email late last year from Housing New Zealand tells a different story: that this project, run by Housing New Zealand at the behest of the government and the Auckland City Council, has been deferred to 'late 2012 or even early 2013.' The Tamaki Housing Action Group, formed late 2011 in response to the first eviction notices sent out to Housing New Zealand tenants, has put pressure on the state; the media coverage on the Transformation Project is increasing and is for the most part negative, and Housing New Zealand can see private investors' enthusiasm waning. The once promising allure of investment opportunities in the 'backyard' of affluent Kohimarama and Remuera is fading. After countless nights on the streets, weekends spent organising in the community and elderly residents dying from the stress of moving out of their long-term homes, Glen Innes remains.

THE HEADS ARE IN AGREEMENT

In 2008 Maryan Street, then housing minister under the Labour government, announced a redevelopment project in east Auckland, allegedly to address the housing shortage and city sprawl in Auckland. The plan included the privatisation of land with a view to the bay and high-density housing. One of its goals was to reduce the proportion of state homes in Tamaki, but not the number—high-density housing was the key. This is still the aim today, though the Auckland City Council likes to re-label its 'concern' that poor families live in houses rather than high-density 'mesh-blocks' as a fear that Auckland is spreading out too far (since they haven't done anything about public transport yet this remains a pretty legit concern). Back in 2008, Sam Lotu-Iiga, then council member of the Auckland City Council (now a National party MP), said, 'Tamaki is a key focus for the council as a major growth area […] to bring a better balanced housing mix to the area […] private sector investment will be vital.' This is where the priorities of the Tamaki Transformation Project (and the newly formed Tamaki Redevelopment Company) get more truthful. The political gangs involved—Labour and National, the Council under both John Banks and incumbent mayor Len Brown—all follow the same dirty agenda: the privatisation of the social housing system to allow the wealthy to profit at the expense

of impoverished and working families. It is the thieving of Crown land, already stolen and still not returned.

But to others, to people with money, to property developers, Glen Innes is 'the heights'; it's going to be part of 'the bays'; it's going to make a few wealthy people a lot wealthier. At the end of July 2012, Len Brown the mayor of Auckland (known to many as a scab after taking the side of the Port of Auckland against the locked-out workers), signed a Heads of Agreement with the Minister of Housing, Phil Heatley. The agreement was signed at Tamaki High School at what was called a public community meeting. However when some residents turned up they found police called in from Manukau and Central had been invited too. They were then pushed off the grounds. One resident managed to stay inside, but when she put her hand up to ask a question she was dismissed. Later at a Tamaki Housing Action Group meeting she reported back saying, 'there was a journalist in there and she had her camera facing the politicians making speeches, but she had her microphone peeking out the window at all of the protesters outside,' and the room split their sides laughing.

URBAN PLANNING IS A CLASS ISSUE

Back in 2005 Sue Henry, a long-time activist and among the group of women leading the Tamaki Housing Action Group, was already criticising the project. She could see the social implications of high-density housing, of destroying a community and trying to recreate it without any consultation with the community.

{ In 2005 she spoke of intensification projects, like Talbot Park, a $48 million project in Glen Innes, that 'have ended up being crime-infested slums and police no-go areas.' It's a crude redevelopment executed by a coalition of the privileged. The ethic underneath it doesn't have a lot to distinguish it from slum clearances where land gets hocked off to private investors.

HOUSING CRISIS ACKNOWLEDGED, GOVERNMENT DOESN'T GIVE A SHIT

Aotearoa faces a housing crisis. Low wages and unemployment, exorbitantly high rent rates and house prices leave tens of thousands of families on the waitlist for a state house. There are still no solid statistics on homelessness. The homeless are not only those on the streets, but also those living in unsustainable, unsuitable and insecure spaces. The government has failed. State

housing communities across Aotearoa have been attacked, are being attacked or will be attacked in the near future. On the border between Ponsonby and Grey Lynn a tag says 'REMEMBER THE RAIDS PONSONBY'. Now white, middle-class Ponsonby has forgotten the Dawn Raids—apart from the small numbers of families that remain after the gentrification of the once slumming community. Glen Innes was developed in the aftermath of the second world war. Its streets are named after WWII battles like Tripoli and Alamein and soldiers like Charles Upham and Moana Ngaarimu. Soldiers were promised 'homes for life' after the war, now they and their widows are being evicted.

IT'S NOT A HOUSE, IT'S A HOME

'I never thought I'd be a protester at 57,' says one of the ladies on a car trip back from court. She and a bunch of other middle-aged Māori and Pacific Islander women started protesting, for many of them their first time doing so, and are leading a movement to try to save their community.

Last April two people were admitted to hospital after a protest: one for a concussion when the cops pushed her onto the road where the curbing broke her fall, the other an esteemed and beloved elderly man. These night-time protests see the silent violence of the evictions come alive. Last month, two teenagers threw glass and bins on the road; they might have been drunk but they were definitely very, very angry.

SILENT VIOLENCE

The elderly woman who lived in 16 Taniwha St died a few months after she received the eviction letter. She had lived there for over 60 years and was one of the 156 houses that received eviction notices in September 2012. Her neighbours said the stress of eviction killed her. Her immediate neighbour Niki said of the elderly residents, 'after it got to eight we stopped counting.' When we moved into her house to occupy it, we were careful not to damage it. When the police came, those in the house at the time left peacefully. But when the time came and the moving truck was ready to leave with the house, accompanied by a heavy guard of police and paddy wagons, her neighbours tried to negotiate with the police to 'walk the house out of our street as a mark of respect to the elderly lady who lived there.' They were not allowed.

LUNN AVE

October 11 last year was a windy, cold night. A small group of us planned an action on one of the houses getting prepped for removal. That Thursday we went to the house, but it had been moved already and was nowhere to be found. Several hours later we got a phone call letting us know where it was—5 kilometres out of Glen Innes. For the first time a house was taken out of Glen Innes to Lunn Ave in Mt Wellington. Five of us went out, a little suspicious. We found the house on a trailer in the middle of a large empty field. Three of us climbed up the chimney; one stayed below to film the event; the other stayed below to talk to the police, to let them know what our intentions were and organise our descent once we had got the exposure that the issue needed. Instead we found ourselves stuck on the roof for six hours after the young woman on the ground was ignored by the police—when she crossed the road and walked to the car they were sitting in they rolled the window up and drove away. Fifty to a hundred protesters gathered around the house throughout the night and they threw blankets and food up. When the cops arrived we saw their convoy coming from the

other side of the field, seven paddy wagons—all full—and six police cars. They sent the urban search and rescue team up to put us into stretchers and lower us down with ropes. The fear and worry the whole operation caused to those on the ground was one more unforgivable memory. After we had been cuffed and put in the paddy wagons, the protesters picketed the house. During the picket the police gave two men in their 20s broken fingers and a 20 year-old female ended up in the middle of Lunn Ave—a heavily-traffic industrial-sized road—with a serious concussion.

WE ALL KNOW THE COURTROOM ISN'T A PLACE FOR JUSTICE

Mana Party MP Hone Harawira and his wife Hilda turned up to Lunn Ave. He parked his car in front of the truck and shone his headlights on the roof of the house. He was subsequently arrested for failing to obey a police order. He was in the district court for what was essentially a traffic offence. Despite that, he and 20 Glen Innes people managed to stretch the hearing out for three full days—giving space for the stories of the people who were suffering. After six police witnesses (five of them cops) said their piece, 12 more witnesses, eight of them Glen Innes residents sat in the dock and told their stories. The stories were of the growing number of elderly dying from the stresses of looming evictions over the last two years, of fathers who had fought in the war and laid the concrete to their driveways, of garages built for homes they were promised for life, the community that includes people of every race, that provides some safety in precarious economic scenarios. Not everyone who is fighting is in a Housing New Zealand tenant. Some of them are safe. But their community is being disbanded, like Parnell was, like Grey Lynn was, like Freeman's Bay was.

For me, gentrification has cemented the idea that only the rich have rights. The promises of the State are as empty as the community that once stood in Glen Innes. ■

Editorial Note

The Rebel Press collective would like to proffer a sincere apology to Māori, and to the peoples of Te Ātiawa, Taranaki, Ngāti Ruanui, Ngāti Tama and Ngāti Mutunga in particular, in relation to our last cover which featured three feathers known as te rau-kura superimposed over an anarcho-communist flag.

Appropriation in art is extremely commonplace. Yet the appropriation of indigenous iconography is not simply a matter of the adoption of some specific elements of one culture by a different cultural group. It is an issue of power: specifically the power of Pākehā to adopt and adapt things Māori and reinterpret them. Even done with the best of intentions, if it is done without real consent then it simply reinforces and perpetuates the dramatically unequal power relations in our society. For that we are very sorry; such acts are fundamentally at odds with our beliefs.

We would also like to thank the patience of our contributers to this issue; it's been a rather long editorial cycle this time round. We will endeavour to be more punctual for issue Thirteen.