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TELLS THE FACTS AND NAMES THE NAMES

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Obama and Romney vs. Medicare The First Cuts Won't be the Deepest By Dave Lindorff

If you just watched campaign ads these days, you'd think that both the presidential candidates of the two major parties were incarnations of FDR or Lyndon Johnson when it comes to Medicare.

"I've proposed reforms that will save Medicare money by getting rid of wasteful spending in the health care system and reining in insurance companies – reforms that won't touch your guaranteed Medicare benefits. Not by a single dime," President Barack Obama has vowed, adding, "Our seniors deserve better. I'm willing to work with anyone to keep improving the current system, but I refuse to do anything that undermines the basic idea of Medicare as a guarantee for seniors

who get sick."

As for Mitt Romney, his campaign in August, stung by attacks from the Obama camp that as president he would "end Medicare as we know it," began running an ad vowing to "protect Medicare benefits and put the program on solid footing for future generations."

The truth is that both candidates are dissembling, and both have plans, once in office, or back in office, to seriously degrade Medicare, not just for current elderly and disabled persons who are relying on it for their health care, but especially for future beneficiaries who are now working and paying into the program through their payroll taxes.

To see where Obama really stands on

Medicare "reform," one only has to look at his choice for the co-chairs of the notorious National Commission on Fiscal Responsibility and Reform, created by Congress to come up with ways to slash the federal budget deficit. The president chose Democrat Erskine Bowles and former Republican Wyoming Senator Alan Simpson for the shared post. These are two men who have long called for raising the retirement age for Social Security eligibility and the age for qualifying for Medicare, arguing that Americans are living longer. Both men are also on record as wanting to trim benefits and to cut Medicare benefits and raise the payroll tax workers pay into the program. (Actually, Americans aren't living longer. Only wealthy, well-educated Americans are living longer. Recent studies show that poor and less educated Americans today are living four years less than they were 10 years ago – primarily as a conse-

LINDORFF CONTINUED ON P. 2

The Arab Spring at the Crossroads Seven Key Challenges By Esam Al-Amin

Ever since Napoléon Bonaparte invaded Egypt in 1798, the relationship between the West and the Arab-Muslim East has been contentious and convoluted. Although this military leader of the first French Republic conquered Egypt for strategic reasons in his rivalry with the British and the Ottomans, the Muslim Arabs of the region – later dubbed "the Middle East" by an American naval officer – felt vulnerable, exposed, and weak.

However, as early as the eighth century this same landscape, the cradle of the Islamic civilization, represented the world's most advanced achievements in many fields, including philosophy, education, science, technology, architecture, administration, economic development

and trade. As the Ottoman Turks took control of this vital region by the sixteenth century, the gap between Europe and the Middle East widened, especially in military technology. So it was relatively easy for the French expedition to take over Egypt. But what proved to be harder was to keep this strategic piece of geography. Egyptian resistance to this early imperial invasion was ferocious. Within three years Napoléon had to abandon his dreams and withdraw.

The immediate consequence of this brief interaction between East and West had a tremendous long-term impact. French laws and courts, as well as educational and administrative systems with their strict secular outlook, were introduced and slowly dominated the public

discourse. A new class of elites was created that was tied to the much wealthier and technologically advanced European foreigners after the attempt by Egypt's new governor, Muhammad Ali Pasha, to establish a strong modern Egypt was thwarted and rolled back by the British, though independently aided by the High Porte in Istanbul.

A Painful Legacy

By the early twentieth century many countries in the Middle East were under direct European colonial rule, including Algeria (1830) and Tunisia (1881) by France, Egypt (1882) and Sudan (1896) by Britain and Libya (1911) by Italy. In the aftermath of World War I, the rest of the Middle East came under direct colonial dominance or influence as the Sykes-Picot Accord of 1916 divided the sphere of influence and direct occupation between Britain and France, with Iraq, Palestine, Trans-Jordan, and the small sheikhdoms along the Gulf falling

AL-AMIN CONTINUED ON P. 3, COL 1

quence of lack of access to health care.)

As what some progressive critics refer to as the “cat food” commission began its “deliberations,” it turns out Obama was willing, as part of a deal on budget cutting, to agree to gradually raising the age for Medicare eligibility from the current 65 to 67, at a rate of one month per year – this according to journalist Bob Woodward, whose latest book on the Obama presidency, *The Prince of Politics*, details the episode.

The commission ultimately collapsed when Bowles and Simpson failed to corral 14 of its 18 members to back a budget-cutting package. Republicans on the commission voted unanimously against it, claiming the proposed compromise upheld the hated Obamacare program they are all sworn to undo after the election (one of those 14 was Rep. Paul Ryan, Romney’s vice presidential running mate who has called for converting Medicare into a voucher-based program). Three liberal Democrats also opposed it because of its proposed cuts in both Medicare and Social Security.

But at the Democratic Convention in Charlotte, Obama was still talking about a possible future “grand bargain” with

the Republican opposition on cutting the budget -- a “grand bargain” that he suggested could be based essentially upon the compromise rejected by the dead-in-the-water Fiscal Commission, but still being touted by the commission’s former co-chairs, Simpson and Bowles, currently touring the country together to pimp their idea. This Simpson-Bowles proposal calls for Medicare cutbacks and raising of the retirement age.

What makes all of this ridiculous, as well as disingenuous, is that both candidates’ real plans -- either shrinking the number of people covered by Medicare by raising the retirement age, or privatizing the system by giving people a voucher or a lump sum of money which would then have to try to use to go out and find private insurance, will not work to either ensure care for the elderly or trim the cost of caring for the elderly.

Here’s why. Already, 90 percent of the cost of the Medicare program each year (\$550 billion in 2011 and rising), goes to pay for the care of the oldest 10 percent of the people receiving benefits. That should be no surprise. Older people get sick and injured more often, take longer to get better, and when they finally become mortally ill, vast sums are spent trying to keep them alive until they finally expire. The youngest people in the system – those 65-70 – are the fittest, get sick the least, heal the fastest and cost the least to take care of. Thus, eliminating those who are 65 and 66 from the program will do very little to save money. In fact, if saving money were the goal of a national health care program for seniors, the way to do so would be to cut people off in the last year of their lives, not the year they become eligible for Social Security.

Ditto the voucher scheme. As it is, Medicare has, for years been encouraging people to switch over to private Medicare Advantage plans run by insurance companies like Humana and Aetna to cover doctor and outpatient bills. These companies get an approximate 9% subsidy from the government to offer basically the same services that Medicare itself provides for much less -- and that’s while they tend to accept only the healthier elderly, leaving the government program to care for the rest at much higher cost. A voucher program -- even an optional one as promised by Romney and Ryan -- would have the same effect,

skimming off the healthier retirees, and leaving the government with the sickest to pay for. Ultimately, this would bankrupt Medicare faster than ever -- which is probably the whole idea.

The real answer is obvious. As Dr. Quentin Young, national coordinator of Physicians for a National Health Program (PNHP) explains, it would be far cheaper for the country as a whole, which currently spends an average of \$9000 per person per year on health care, about double what European nations spend, to lower the age of eligibility for Medicare, adding more healthy citizens to the system who are currently working and paying into it, but who don’t use it that much. “These kinds of single-payer programs like Medicare always work best when everyone is in the numerator,” explains Young, himself a retired physician.

Listening carefully to the language used by Obama and Romney, both of whom promise they will not cut Medicare benefits for “current beneficiaries” of the program or “near beneficiaries” of the program, it seems evident that both are actually planning on cutting back the program, either in terms of benefits offered, age of eligibility, or taxes and co-pays to be paid by individuals. Note: neither one is promising *not* to cut the program’s benefits or raise its costs for younger workers.

But Young says such cutbacks and higher costs for individuals are likely to be short-lived.

“I’m a hopeless optimist,” he says. “The thing is, the whole US medical system isn’t working right now. People are paying higher and higher deductibles for care, the economy is non-competitive because 20 percent of US GDP is spent on health care, and people are getting angry.” Even among doctors, he says, whom he describes as “a very conservative group,” currently 59 percent say they would prefer to work in a single-payer system like that in Canada -- essentially Medicare for everyone. “The doctors have discovered that there is something worse than government, and that is corporations,” Young laughs.

He says it is only a matter of time before the US finally does the right thing and adopts some form of single-payer system that takes the profit out of health care. Not because the politicians will want to, but because they’ll have no choice.

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The funny thing is, Young, 89, who lives and had a career practicing medicine in Chicago, says Obama knows all of this. "I knew Obama when he was a community organizer," he says. "He was a patient in my office and a friend. At the time, he was for single-payer. But as his fortunes improved, and as he began his meteoric rise in politics, at each step as he moved upward, he moved farther and farther away from single-payer."

The end result, he says, was a president who pushed through Obamacare, a program that essentially lets the private insurance industry call all the shots and leaves the nation on a trajectory for ever higher expenditures for health care, and the now 45-year-old single-payer system called Medicare, and the elderly and disabled who depend upon it, starved for funds. CP

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AL-AMIN CONTINUED FROM PAGE 1

to the British with the Levant (Syria and Lebanon) going to the French.

The significance of the religious and cultural aspects of occupation did not escape the colonialist powers. Upon entering Jerusalem in December 1917, British General Edmund Allenby remarked, "The wars of the crusaders are now complete," while French military General Henri Gouraud, who conquered Damascus in July 1920, stood at Saladin's grave, kicked at it and declared: "The Crusades have ended now. Awake Saladin, we have returned. My presence here consecrates the victory of the Cross over the Crescent." By November 1917, British Foreign Secretary Arthur Balfour issued a declaration that pledged Britain's full support to the international Zionist movement in establishing a national home in Palestine for the Jewish people as soon as British control over the country was consolidated.

For the next half-century most Arab societies were engaged in national liberation and resistance movements against colonial powers leading to national independence for many Arab countries including Syria and Lebanon in the 1940s, Egypt, Sudan, Iraq, and Tunisia in the 1950s, Kuwait, Algeria and Libya in the 1960s, and the Emirates along the Persian

Gulf and south Yemen in the 1970s.

Palestine: the Center of Arab Politics

In addition to the national liberation struggle that spread across the Arab world throughout this period, another parallel conflict in Palestine between the Zionist movement and the Palestinian and Arab peoples was taking place, eventually leading to several wars (1948, 1956, 1967, 1973, 1982, first Intifada 1987-91, second Intifada 2000-2003, 2006 in Lebanon, 2008-9 in Gaza.)

The direct impact of the 1948 and 1967 wars was the displacement and exile of over half the Palestinian population in many countries outside Palestine, but especially in refugee camps in Jordan, Lebanon, and Syria. Their number today exceeds five million people. While Israel was established in 1948 on 78 percent of historical Palestine, by 1967 Israel was in total control of not only all of Palestine but also of the Egyptian Sinai Peninsula and the Syrian Golan Heights.

The direct effects of the 1973 war were not just effectively taking Egypt out of the Arab-Israeli conflict in exchange for returning the Sinai to Egypt with limited sovereignty, but more importantly, consolidating the Israeli occupation over the occupied territories, particularly the West Bank and Golan Heights. In 2005, demographic and security considerations forced Israel to withdraw from Gaza (less than 3 percent of historical Palestine with almost 1.5 million people, mostly descendants of the 1948 refugees) in order to consolidate its control over the West Bank and East Jerusalem. By 2012, there were over 440 Israeli settlements, outposts, and other colonists occupying almost 45 percent of the land and 80 percent of the aquifers in the West Bank and East Jerusalem, with as many as 600,000 Israeli settlers living on these lands.

Not surprisingly, after each major war a new Arab political order was established. Before the 1948 war the Arab polity was dominated by a façade of elite parties that adopted the liberal-democratic traditions of the colonial powers and was dominated by the bourgeois class, especially in the countries surrounding Palestine, namely Egypt, Syria, Jordan, and Lebanon. After the 1948 catastrophe many of the Arab governments (with the exception of Saudi Arabia, the Gulf sheikhdoms, Jordan and Morocco)

replaced monarchies or tribal systems with republics and revolutionary councils. Socialism replaced capitalism in most Arab societies as a new class of elites controlled by the military was established.

But these socialist republics soon lost their legitimacy in the wake of the disastrous 1967 defeat to be replaced with the new Palestinian national movement led by many Palestinian resistance factions under the PLO umbrella. In short, since the end of WWII the Arab societies conferred political legitimacy on the regimes and movements that confronted the Zionist project in the heart of the Arab world, and Israeli aggression and expansion.

In the wake of the 1982 Israeli invasion of Lebanon, the struggle of the Palestinian national resistance movement, dominated for two decades by secularist and leftist groups, came to a halt. Within a few years, the composition of the resistance movement slowly transformed during the first Intifada (1987-1991) to be dominated by the Islamic movements, namely Hamas, Islamic Jihad, and Hezbollah. By the end of the

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second Intifada (2001-2003), which effectively ended the flawed Oslo Peace Process, this transformation was complete. After eighteen years of fierce resistance, Hezbollah defeated Israel, which had to withdraw from south Lebanon in 2000. In addition, Hamas was the biggest beneficiary of the 2005 Israeli withdrawal from Gaza, since no political cost was associated with the withdrawal. Soon Hezbollah and Hamas dominated Lebanese and Palestinian politics with the former dominating the Lebanese political discourse, and the latter winning the Palestinian elections in 2006 and subsequently taking over Gaza in 2007.

The political legitimacy of the Islamist groups was further consolidated in the Arab world when Israel failed to defeat the Islamic resistance groups in the 2006 war against Hezbollah, and the 2008-9 war against the Hamas government in Gaza. Although Israel inflicted massive deaths and destruction in both wars, it could not exact a political price on its nemeses. In both conflicts it was demonstrated to peoples across the region that Israel, which imposed its policies by force on most of the impotent Arab regimes, could not dictate its ultimatums against these popular movements.

The Arab Spring

By the end of the first decade of the twenty-first century, frustrated citizens across the Arab world had had enough: corrupt and weak regimes had stolen billions while relying on a ruthless security state to protect them, Western humiliation overflowed in Iraq and central Asia, untamed Israeli aggression and arrogance peaked, economic stagnation spread, and senseless violence by al-Qaeda-like groups that did not represent the aspirations of the people erupted across the region. Meanwhile, countries such as Turkey, Iran, and Israel developed economically and progressed in many fields while their societies either stagnated or drifted backwards.

Furthermore, the political horizons across the Arab world were closed shut. In November 2010 the Mubarak regime in Egypt brazenly held parliamentary elections that resulted in no seats to any opposition group. In many countries regimes that supposedly came through “free and fair” elections were so dismissive of their citizens’ aspirations and concerns they even started preparing

their societies for their sons’ succession or family rule including in Egypt, Libya, Yemen, and Tunisia (the countries of the Arab Spring), just like the other monarchies in the Arab world. In Syria, this succession had already taken place as it was imposed a decade earlier without much opposition because of its sectarian nature, while it prided itself as a regime that resisted Israel and the West as it supported the resistance movements.

As the Arab world boiled, all that was needed was the flame to get even hotter. It came when a frustrated Tunisian vendor was prevented from selling his goods and suffered humiliation by a police officer and set himself on fire in December 2010. Within days, a revolutionary spirit engulfed the country and resulted in Ben Ali, its dictator of 23 years, to flee

What was once unthinkable became routine. Within 18 months, four regimes had fallen and democratic elections were taking place.

the country after 28 days. Soon the same spirit swept across Egypt as millions took to the streets forcing the ouster of Mubarak, its dictator of 29 years, after only 18 days. By February 2011 tens of thousands of people in Yemen, Libya, Morocco, Jordan, and Bahrain were in the streets demanding freedom and change, and were soon to be joined by thousands of Syrians in March of that year.

What was once unthinkable became routine. Within 18 months, four regimes were toppled and democratic elections were taking place. In Tunisia, democratic elections took place in October 2011. The Islamist Ennahdha party won the elections with 41 percent of the vote and formed a coalition government with two other leftist parties. In Egypt, the Muslim Brotherhood (MB) and the Salafist Al-Noor party won the elections in early 2012 with almost 73 percent of the vote. Five months later the elections were invalidated by the Supreme Court for technical reasons. A subsequent presidential election resulted in Dr. Muhammad Morsi, the head of the MB’s political

party, winning the presidency in a hotly contested race. Soon the new president was able to out-manuever the military council by retiring most of their leaders and revoking their power-grab decrees.

In Libya, after militarily defeating the Qaddafi regime loyalists and killing its dictator of 41 years with the help of NATO, free elections were held for the first time in decades. It was based on 40 percent party lists and 60 percent individuals. Although a coalition of liberal parties won almost half the party lists, the Islamist parties still came on top as their allies won most of the individual lists. Their candidates for Congress leader and prime minister won the posts, although with very small margins. In Yemen, the ouster of its dictator of 33 years, Ali Abdullah Saleh, proved very difficult as Saudi Arabia, the Gulf states and the United States imposed Yemen’s vice president to head the transitional period and allow Saleh a face-saving exit, even though his army killed thousands of demonstrators in his attempt to hold on to power.

In Bahrain, aided by the Saudi army and the political support of the West, the monarchical regime was able to frustrate the demonstrators and keep them at bay. Because the opposition to the regime was mostly Shi’ite in this tiny majority Shia’ country controlled by a Sunni dynasty, the traction in the Arab street to this uprising was limited. But the opposite is true in Syria where the uprising is being led by majority Sunnis against the minority Alawite regime in Damascus. Thus, the Syrian revolution is widely supported across the Arab world.

But despite eighteen bloody months that may have resulted in over 25,000 deaths and 250,000 refugees, mostly in neighboring Turkey, Jordan, and Lebanon, the Assad regime remains in power. There are many reasons the government has not fallen. First, the opposition is divided and unable to unite under a unified leadership and political discourse. Second, the Assad regime is strongly supported by regional players such as Iran, Iraq, and Hezbollah, and international powers, namely Russia and China, which cast three vetoes in the UN Security Council during this period to shield the Syrian regime from any accountability. Third, as a sectarian regime, most of its army leaders and elite units are from the minority Alawite sect

that tie their future to the fate of the regime and are willing to use brutal tactics to maintain power. Fourth, most of the Western countries that support the opposition are not willing to use military might to oust the regime in the same way they employed NATO in Libya, not only because the regime is much stronger militarily than the Qaddafi regime was, but also because they are not sure who might ultimately benefit from decimating the Assad regime. They would rather clip the regime's military power first, then supervise an orchestrated transition as in Yemen.

In Morocco, King Muhammad VI immediately recognized the trend and preempted the revolutionary spirit by giving up symbolic powers and allowing a free election that resulted in the victory of a moderate Islamic party to head the government. The revolutionary parties including a more popular Islamic party boycotted the elections and continued to wait in the background for a more opportune time to resume their protests.

In Jordan the demonstrations haven't stopped since early 2011. Although King Abdullah II tried desperately to appease his constituents by replacing governments and offering free elections, the Muslim Brotherhood – the best organized political movement in the country – has rejected his overtures and insists on major reforms that transform the regime into a constitutional monarchy.

In Algeria, the military is still largely in charge even though it rules behind a civilian president. But the conditions for a major eruption in the streets are ripe even though the populace is weary of the confrontation with the military, which resulted in tens of thousands of casualties over two decades when the military cancelled parliamentary elections in 1991.

Similarly, the conditions for an uprising in Sudan are strong. The government is desperately trying to deal with the breakup of the country as it lost more than 70 percent of its foreign currency income while failing to offer a national reconciliation program to appeal to the opposition parties to join.

In the West Bank, economic conditions have reached the brink of disaster, as the Palestinian Authority (PA) could not even pay the salaries of its employees after the total collapse of the Oslo peace process. All that is needed for a major uprising against the PA and the Israeli

occupation is a spark, that once ignited would not only end the façade of Oslo and the PA, but possibly spread to other countries in the region as well.

Key Challenges Facing the Arab Spring

The revolutions and transformations taking place in the Arab World are nothing short of remarkable. Although generally they have been following a positive trend, it is far too soon to predict the course they will follow. There are seven key challenges facing the Arab Spring. How the political players in the region deal with these challenges will ultimately seal the fate of the greatest phenomena the Arab world has witnessed in half a millennium. These challenges are:

1) *The Challenge of Legitimacy*

For decades political legitimacy in the Arab world was bestowed on the basis of hereditary rule, the barrel of the gun, or resistance and opposition to Israel and Western colonialism. However, after the Arab Spring it is clear that legitimacy is now conferred through the will of the people. The future of political stability in the Arab world, including the monarchies, will ultimately be tied to free and fair elections. If this trend continues, it is clear that over the long-term people across the region will no longer accept dictators or dynasties and will insist on constitutional governments and institutions, democratic governance and non-corrupt political systems, peaceful transition of power, the rule of law, free and fair elections, and guaranteed freedoms and rights. Many political observers hailed the nascent experiments of the past year in the Arab Spring countries as hopeful signs of free and fair elections that embodied the will of the electorate.

2) *The Challenge of Identity*

There is no doubt that the Arab-Islamic culture has shaped this region for over 1400 years. Thus, Islam as a religion, history, culture, and legal framework has been an integral part of its polity and society. The Arab Spring phenomena that brought political freedom and openness has also allowed the question of identity to become front and center. Many secular groups, liberal and leftist, have resented the success of the groups that belonged to so-called political Islam. But on a more fundamental level, some of the secular and liberal groups, especially in

Tunisia and Egypt, that have so far garnered very little popular support, also reject any public role for Islam in society.

But every time an election has taken place in the past year, whether in Tunisia, Egypt, Libya, Morocco, Kuwait, or elsewhere, the forces of political Islam have easily won the contested elections. Even Western governments that for decades supported corrupt dictators for fear of Islamic political parties have come to realize that they must accept the will of the people and respect their choices. Furthermore, moderate Islamic parties such as Ennahdha in Tunisia or the MB in Egypt, Libya, and Yemen have repeatedly rejected the notion of the religious state, and have all vowed to accept the concept of a civil state and democratic governance as the basis for the future political institutions governing the country, albeit with Shari'a as its framework (with its vast capacity for interpretation including by lay people) and constitutional guarantees of freedoms and protections for minorities.

Increasingly it seems that this challenge is being settled by the people of the region who continuously choose to affirm their cultural identity all while rejecting religious extremism and unrestrained secularism.

3) *The Challenge of Independence*

Lacking political legitimacy, the regimes toppled by the Arab revolutions and uprisings as well as those who desperately now cling to power have for decades relied on their patrons in the West, the Soviet Union or Russia, its successor, to stay in power. But people across the region no longer accept that their elected governments be client states to, or follow the dictates of the West. Rather, they expect their governments to chart an independent course of action notwithstanding foreign pressures as long as they respect the will of the people, adhere to the national interests of the country, and value public opinion. It should be emphasized that independence in this context is not only political but also includes the economic, social, and cultural spheres.

However, the current governments in Egypt, Tunisia and Libya, for example, will soon be challenged as many Western governments, especially the United States, start demanding them to make unpopular choices. But the litmus test will not be whether these elected governments and others in the region accept or

reject every Western favored option, but whether decisions taken undermine the long-term interests and sovereignty of each country especially with respect to strategic issues such as the Palestinian cause, political alliances in the region and internationally, or economic and military policies.

4) *The Challenge of Sectarianism and Ethnocentrism*

This challenge is probably one of the most dangerous threats facing Arab societies from within, particularly the Sunni-Shi'a and the Arab-Kurdish divides. There are at least four countries in the region with majority Shi'a populations: Iran, Iraq, Bahrain, and a plurality in Lebanon. There are also significant Shi'a populations in Saudi Arabia and the Gulf countries. It appears that this challenge could be overcome on two levels, namely, religious and political. On the religious side the major scholars of both sects must come together and reach a historic rapprochement and resolve their traditional disputes. But more importantly a political understanding or alliance must

be achieved between the major countries in the region, including Egypt, Iran, Turkey, and Saudi Arabia - a very difficult feat to achieve in the current regional power structure and state of affairs.

Perhaps the best example of the complexity of this challenge is demonstrated by the cases of Syria and Bahrain. The regime in Syria, which is ruled by the Alawites, an offshoot of Shi'ism, is strongly supported by Iran, Iraq, and Hezbollah, while the opposition, mainly led by Sunni groups, is strongly supported by Egypt, Turkey, Saudi Arabia, and the rest of the regional Sunni countries. It is difficult to see how the conflict would end as over 25,000 people have already lost their lives with no end in sight. But a deal could actually be struck between the major regional powers, namely, Egypt, Iran, and Turkey where Assad and other senior officials leave power while a broad coalition including elements from the regime takes over. In Bahrain, the opposite is true where Iran and other Shi'a powers support the opposition. In this context, Sunni powers must pressure the Bahraini authorities to share power with the Shi'a majority.

Another threat is the potential insistence of the large Kurdish population to establish a Kurdish state at the expense of the territorial integrity of four countries: Iraq, Iran, Turkey, and Syria. So far many Kurds have been content with full autonomy. However, outside forces including Israel have been quietly encouraging the Kurds to secede and establish their own country despite a potential devastating conflict with their neighbors.

5) *The Challenge of Social Justice and Economic Development*

The main slogan of the people in the street during the Arab Spring was "Freedom, Dignity, and Social Justice." If constitutional and democratic governance promise freedom, and independence yields dignity and respect, the challenge of establishing social justice cannot be achieved without fundamental restructuring of the power and wealth relationships within the whole society. If Islamic businessmen in Egypt were to replace the Mubarak regime businessmen while maintaining the unjust and unrestrained capitalist mentality of monopoly, exploitation, and without protections, regulations or limits, then the whole experiment will ultimately collapse.

In all spheres and indicators of eco-

nomie development such as poverty rate, GDP, unemployment, literacy rates, lack of healthcare, sub par educational institutions, deteriorating infrastructure, corruption, nepotism, rigid bureaucracy, etc., the new democratic governments have to not only deliver vast improvements within a short period of time, but also develop a system where all the gains and reforms are legally protected and institutionalized.

6) *The Challenge of Modernity*

As Islamic groups take over power across the Middle East and Islam becomes a dominant cultural and legal framework, many issues will come to the fore as the forces that champion the literal interpretations of Islam clash with other moderate Islamic and secular voices. What is needed is for the outside forces to give space for the issues to be sorted out internally and without interference. In the most important Arab societies such as Egypt, Syria, Iraq, Sudan, and Tunisia, voices of moderate interpretations of Islamic law and culture are much stronger than the extremists. Over time even most of the conservative voices tend to accept modern interpretations and viewpoints. But outside forces must stay in the background and refrain from meddling in this internal debate.

7) *The Challenge of Geography (and Israel)*

Most geopolitical experts consider North Africa and the Middle East as the world's most important strategic region with its control of over half of the world's energy resources, and vital trade routes and sea lanes such as the Suez Canal. Moreover, Europe feels vulnerable with the proximity of over 200 million people on their southern shores, which makes it imperative that the region does not explode or export chaos and instability. Furthermore, there are three powerful neighbors to the Arab world that present strategic challenges, namely Iran, Turkey, and Israel- though rivals, the first two are considered potential allies, while the latter as a strategic threat because of its aggressive and expansionist policies, as well as its continuous persecution of the Palestinians and denial of their rights.

In addition, there are eight monarchies within the Arab world (Saudi Arabia, Kuwait, the UAE, Qatar, Bahrain, Oman, Jordan and Morocco.) As democracy takes root in the region over the next few years, it is difficult to see how these

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countries might escape the transformation to either constitutional monarchies or republics. Indeed, their resistance to change may pose a significant threat to the complete transformations of the new Arab democracies.

Moreover, within the next decade there will be shifting alliances within the region and with forces outside it including, not only the NATO countries, but also China, Russia, and other emerging international powers. Such alliances will determine the future of this region and the world. As the countries of the Arab Spring continue to develop and assert their power, it is very difficult to see how Israel can remain viable in its current state of affairs. It will have to either give up the entire territories it occupied in 1967 to the state of Palestine or yield to the bi-national one-state solution.

In his groundbreaking study *Orientalism*, Edward Said captured the essence of imperialism when he spoke of the French enterprise in Egypt from the perspective of the colonizer, as it was "To restore a region from its present barbarism to its former classical greatness; to instruct the Orient in the ways of the modern West."

But from the standpoint of the colonized, Middle East historian Juan Cole perceptively concluded in his book *Napoléon's Egypt*, that the West's colonialist enterprise ended because "Middle Eastern politicians and public ceased being willing to cooperate with it, and because they had gained the tools to stand up to it."

And therein lies the real potential of the Arab Spring.

As a relatively new phenomena, the Arab Spring holds tremendous promise to the hopes and aspirations of the people across the region. But with this promise comes enormous challenges. How the new Arab democrats and Muslim patriots deal with the internal and external challenges will ultimately seal the fate of the Arab Spring and determine its place in the annals of history: either as an asterisk of a potential historical moment that quickly dissipated, or as one of the most significant events in the history of mankind - a new renaissance for the Arab people. CP

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The Kafkaesque Case of Matt Duran A Defense of Contempt

By Kristian Williams

Since September 13, a young anarchist named Matt Duran has been held in federal prison, and he may remain there until March 2014. He is not being detained for anything he has done, or even anything he is accused of doing. He is instead in prison for something he steadfastly refuses to do.

Duran was subpoenaed before a federal grand jury investigating the anarchist movement and – though he appeared at the appointed time – he refused to answer any of the questions US Attorney Jenny Durkin put to him. As a consequence, he was charged with contempt of court and incarcerated.

Matt Duran sits in prison, not as a criminal, but more as a kind of Conscientious Objector, refusing as a matter of principle to be conscripted into serving as an informant.

This situation poses several questions concerning the nature of the American legal system.

The first, and most obvious, of these questions is: Does the government have a presumptive right to know everything that you know? Matt Duran is not suspected of any illegal action, but of holding knowledge that the government wants. Is there no right to secrecy, no right to silence?

The second, related question: What means can the state use to extract the information it seeks? Duran is not in prison as punishment, but rather (so the theory goes) as a means to coerce him, to force him to talk. The keys to his cell, according to the legal cliché, are in his pocket. He can leave any time he wants. He only has to decide that he is willing to cooperate – in the language of McCarthyism, to name names. But can the state recruit informants by force?

The third question that occurs to me is, What exactly are our Constitutional rights meant to protect? According to the courts, it seems that the First Amendment's guarantee of free speech does not guard the privacy of our conversations. The Fourth Amendment right to be secure in our "persons, houses, papers, and effects" does nothing to prohibit inquiries into our thoughts, either our secrets or our ideas. The Fifth Amendment right against self-incrimination offers no shelter for personal loyalty or political solidarity.

Are the rights outlined in the Constitution protections for personal and political liberty, or are they empty promises and uplifting platitudes, rhetorical tricks to dress up power in the legitimizing language of the law? Does the Bill of Rights mark the limits of the powers of government, or does it mark the limits of the freedom enjoyed by the citizenry?

These are deep questions of principle, but the very fact that they must be asked implies, in practice, what the answers must be. And the answers give us a narrow glimpse at the real nature of the American legal system.

Duran's plight shows us, for example, the traces of Inquisitorial logic informing the operations of the courts. A little evidence is thought to justify a little force so that more evidence can be acquired; suffering is imposed as a means of compelling a confession – though, in this case, perhaps, a confession "merely" implicating others.

Likewise, the US Attorney has granted Duran immunity from prosecution – but "immunity" only means he can be imprisoned without trial. Justice, however we define it, is defeated here by the very procedures enacted under its banner, since punishing the innocent is the paradigmatic act of injustice. But neither innocence nor guilt figure in these proceedings -- only questions of collaboration or resistance. And it is surely revealing that, in practice, *coercion* and *punishment* take exactly the same form.

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serving as an informant.

But if punishment is the same as coercion, if the law is only an articulation of force, if justice is only violence, if the innocent and the guilty share the same fate -- then Duran's challenge to the authority of the courts goes much deeper than his refusal to testify. Duran's resistance would be justified, if by nothing else, then by the very means applied in the effort to break that resistance. Summoned before a secret hearing, questioned about one's political ties, threatened with prison -- facing, in effect, a choice between the demands of the authorities and both political solidarity and personal integrity -- under such circumstances, *contempt* would seem to me exactly the right response. CP

For updates on Duran's case, and further developments in the grand jury investigation, visit: nonpoliticalrepression.wordpress.com.

Kristian Williams is the author, most recently, of *Hurt: Notes on Torture in a Modern Democracy* (Microcosm, 2012).

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