

PATT MORRISON

Big green guilt machine

DON'T YOU LOVE IT when the auto industry starts talking in corporate tongues? The most astonishing idiocies come out of its collective mouth: No, no, no, we couldn't possibly put in seat belts. Air bags? Who'd want to pay for air bags?

And the latest, from a representative of nine carmakers, that California's goal to cut tailpipe emissions (pending a federal green light) "will have no impact" on global warming.

How's that again? California is the 12th-largest carbon sinner in the world, and regulating exhaust won't do anything for climate change? What are they sniffing in Detroit, their own fumes?

Besides, this is America, car dude. From our first red, white and blue breath, we're taught that one person can make a difference. Every man a king. An Army of one. Only you can prevent forest fires. If one person can make a difference, a state of 36 million can hardly do otherwise.

Gov. Schwarzenegger isn't the only one playing the green game. This week in Sacramento, Assemblyman Lloyd Levine, a Van Nuys Democrat, is nudging through another piece of legislation, a law that Australia has already passed, one they're thinking over in Canada and on Capitol Hill: Bye-bye to the class-A incandescent lightbulb and hello to the compact squiggly fluorescent.

Every time you go fluorescent (the bulbs last nearly 10 times longer than Thomas Edison's), you save more than a quarter-ton of coal and all the sulfur dioxide and acid rain and sundry gunk that comes with coal. One bulb does all that.

Already some people are crying lamp fascism. We want choice! Choice? Oh, you mean like having both Tylenol and laudanum on the drugstore shelf? I'll take the one with the skull and crossbones, please.

If Philip K. Dick, the man who inspired "Blade Runner," were alive, he would be scribbling dystopian environmental novels in which every newborn child is assigned a lifetime carbon debit card — like wartime ration cards. You only get to use so much plastic, or burn so much wood or eat so much imported food (how much fossil fuel does it take to get that bottle of Euro-water to Santa Monica?) before you use up your carbon points and you're out of the game. Dick's characters wouldn't be stock traders, they'd be carbon traders, blackmailing starving Sudanese villagers online for their carbon points in exchange for rice and water.

So far, green crusading has been sweet persuasion, everyone pointing out — nicely — how you can feel virtuous and conscientious: Please don't buy wood products from rain forest rapists. Be a hero — recycle your plastic and paper. Thank you for not pouring your dreck into the ocean.

Well, nuts to that. A Dickian dystopia is bearing down on us. The government and the greens are afraid of making you feel guilty. Not me. And a whole lot of sources back me up.

Plastic: You're not throwing away plastic bags, genius — you're throwing away oil. In energy alone, recycling a ton of plastic bags saves 11 barrels of oil. Which means that Californians, by tossing away 19 billion plastic bags last year — all of them blowing across my lane of the freeway — wasted about 4.5 million barrels of oil. And those darling little plastic water bottles you tossed — 18 million barrels of oil to make them. What, did you think the Sparkletts fairy whisked them all away?

Paper: The lungs you ruin may be your own. A mature tree eats 13 pounds of carbon dioxide every year, so every time you don't recycle a huge stack of envelopes and junk mail and wrapping paper and newspapers, you're murdering a tree that could have saved you. You could heat your house for six months on the energy saved from recycling a ton of paper.

Aluminum cans: Too lazy to shuffle to the recycling bin? The energy you waste by throwing away a single soda can would run your TV for three hours. Throwing away an empty six-pack is like throwing away nearly a \$3.50 gallon of gasoline. We Americans toss away enough aluminum cans in a year to rebuild every commercial airliner in America. Good work, cola-for-brains.

Et ceteras:
■ You throw away three pounds of trash every day; two pounds of that could be recycled, unless you like the idea of living next to Landfill World

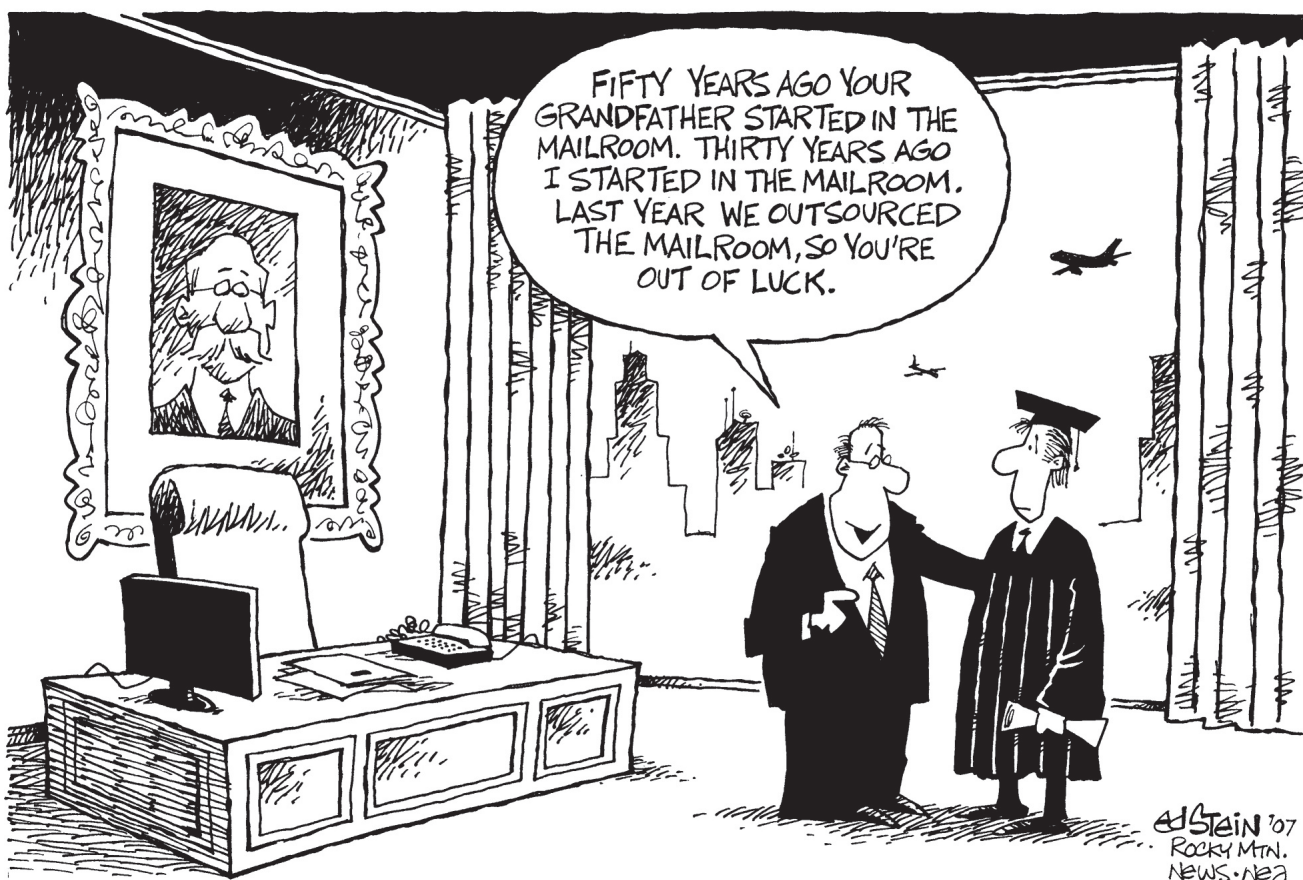
■ You're adding 10% or 20% to your electric bill and sucking coal and oil by keeping energy vampires plugged in: phone chargers, TVs and printers.

■ Pour away a gallon of motor oil instead of recycling it, and you're dumping enough energy to dry your hair for 216 days or to watch 60 Super Bowls.

We've come to the end of this guilt trip; thanks for ride-sharing. What the auto companies — and too many of the rest of us — never seem to understand is that we've got to get ahead of the game and set our own terms before someone sets them for us.

If we don't ... well, keep this in mind: The body of a 175-pound man can yield a little more than four gallons of fuel oil.

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ED STEIN Rocky Mountain News

Begging Bush's pardon

By Margaret Colgate Love

AS SPECULATION grows about whether President Bush will pardon I. Lewis "Scooter" Libby, or at least commute his prison sentence, it's important to remember the hundreds of ordinary people who have been patiently standing in line, some for many years, waiting for presidential forgiveness. In a sense, it is these largely anonymous applicants for executive clemency (of which pardon and commutation are subsets) who hold the key to the president's ability to help the well-connected Mr. Libby.

This is not so much a matter of fairness as it is of political common sense.

Many of those with pending applications for clemency were convicted long ago of garden-variety crimes and have fully served their time; many others are still serving lengthy mandatory prison terms from which there is no hope of parole (parole having been eliminated from federal sentencing).

One such applicant is my client, Willie Mays Aikens, whose addiction to crack cocaine ruined a brilliant major league baseball career and who is now in the 13th year of a 20-year prison term for selling drugs to an undercover policewoman — an extraordinarily harsh sentence for a relatively minor, nonviolent drug offense.

There are countless others in similar positions. If the president is unwilling to look favorably on deserving applicants for clemency like Aikens, how can he justify helping Libby?

From this country's earliest days, the president's pardon power has played a practical role. In the Federalist Papers, Alexander Hamilton remarked that "the criminal code of every country partakes so much of necessary severity that without an easy access to exceptions in favor of unfortunate guilt, justice would wear a countenance too sanguinary and cruel."

Until about 20 years ago, presidents considered it their obligation to make such exceptions on a regular basis. Fred Fielding, Bush's White House counsel, once described pardoning as part of the "housekeeping business" of the presidency.

Pardons have a symbolic function as well. By making executive grace available to people who have made mistakes, the president can set an example for us all. In government as in personal relationships, the willingness to forgive is a sign of courage and character and makes for a stronger community.

But pardoning has fallen on hard times. Bush has been more sparing in his exercise of the constitutional pardon power than any president in the last 100 years, including his father. He has pardoned only 113 people in more than six years in office and denied more than 1,000 pardon applications. He has granted only three of more than 5,000 requests for sentence reduction from federal prisoners. Many hundreds of applications remain to be acted on.

By contrast, six years into his presidency, President Reagan had pardoned more than 300 people and commuted 13 sentences — and that was at a time when federal prisoners could still hope for parole. Going further back, President Nixon issued 863 pardons and 60 commutations; President Ford issued 382 pardons and 22 commutations; President Carter issued 534 pardons and 29 commutations.

Bush's pardons have not only been few in number, but they have been remarkably unremarkable. Not one of his grants has been even remotely controversial, an amazing accomplishment at a time when every presidential action is subject to intense scrutiny and may be used as fodder for partisan advantage.

For a president who has been willing to stretch his other constitutional powers to the limit and beyond, Bush has proved strangely hesitant to exercise the one power that is unquestion-

ably his alone.

Yet there is still an outside chance that, in the final 18 months of his presidency, Bush can create a climate in which clemency for Libby would be understood and accepted. If he were to start now to whittle away at his backlog of pardon cases and review the commutation caseload with an eye toward granting a few — or even more than a few — sympathetic and meaningful sentence reductions, he could put Libby's case into a larger context before the end of his term.

For example, excessive harshness (which is one of Libby's complaints) is a time-honored reason for reducing a prison sentence. Carter commuted the sentence of heiress Patty Hearst, Reagan did the same for former Maryland Gov. Marvin Mandel and President Clinton cut short the prison terms of a group of Puerto Rican nationalists, all because they considered these prisoners' sentences disproportionate to their crimes. Surely there are a number of people now in federal prison, like Willie Aikens, about whom the same could be said.

Similarly, recognition of good citizenship is a classic basis for granting a pardon. Surely there are some pardon applicants who have rendered the same service to their communities that Libby has rendered to his, albeit on a smaller stage.

The federal pardon power has a proud history, yet in recent years it has been trivialized and allowed to atrophy. The Libby case presents Bush with an opportunity to change that.

If he begins now to exercise his pardon power with more intention and greater liberality, with more sympathy for human error and less aversion to controversy, there is at least a chance that the public will regard with equanimity any relief he ultimately chooses to grant to Scooter Libby.

MARGARET COLGATE LOVE was United States pardon attorney in the Justice Department from 1990 to 1997.

LAUSD, the school bully

By Bruce William Smith

IAM ONE OF THE LEADERS of the teacher revolt at Locke High School. Locke was, for many years, the ashecan of the Los Angeles Unified School District, mismanaged in every way. Things have improved here, but not enough, and efforts to do more have been frustrated by district interference.

Now, after a majority of teachers expressed a desire to break away from the LAUSD, the district has revealed to everyone how little regard it has for teachers, majority rule or state law.

Conflict, controversy, despondency — all are present in full measure these days at Locke, a 2,500-student campus in Watts, as we wrestle with the future of the school. Green Dot Public Schools, the most prominent charter school operator in Southern California, negotiated with the district for months about the fate of Locke. But then, on April 13, the Los Angeles Board of Education — showing little concern for our current students and teachers — approved eight Green Dot start-up schools for the surrounding neighborhood, which would certainly bleed Locke dry.

But another option emerged a couple of weeks later: Alain Leroy Locke Charter High School. This would keep the charters on our campus but under a Green Dot umbrella, funded directly by the state. Founder Steve Barr and Green Dot fully realize what many teachers here have long known: The only satisfactory solution is to save Locke but remove it from LAUSD control.

To that end, I and other teachers last month circulated a petition that documented our support for the new Green Dot plan. A majority of our ten-

ured teachers — 41 out of 73 — signed it. On May 8, the day we finished collecting signatures, Principal Frank Wells was escorted off campus by an LAUSD official. Three days later, when the petition was filed with the district, I was relieved of all my non-teaching duties (coordinating assessments and writing our school improvement plan) and was assigned to supervising our legion of rebellious, tardy students. I lost my summer employment too, and thousands of dollars in pay.

The district's disinformation campaign was launched the next week. We had a mandatory after-school meeting, at which representatives from the LAUSD and the teachers union attacked the plan for three hours. Green Dot was barred from participating. Mat Taylor, the United Teachers Los Angeles rep from Fremont High School, told our faculty: "You fired yourselves when you signed that petition." Others said that Green Dot offered no health-care benefits (a falsehood retracted after I objected), that a continual stream of unhappy Green Dot teachers reapply to the LAUSD and other distortions.

After all that, some teachers withdrew their signatures.

In the following week, six hours of meetings (time originally scheduled to prepare for reaccréditation) were spent hearing about five new rival proposals for Locke's future — as if we'd never made a choice. An anti-Green Dot petition was circulated persistently until, having cajoled, confused and intimidated our teachers, the LAUSD was satisfied: 17 had rescinded their signatures.

When the LAUSD threw out our charter petition, district officials, including Supt. David L. Brewer, insisted that no one was pressured or coerced. This simply strains credulity.

The LAUSD has proved again and

again that it can't manage urban high schools. Test scores are low. Student attendance is low and declining. Parents have no confidence that they're sending their kids to safe campuses. There's massive teacher and administrative turnover, so improvement plans are drawn from scratch year after year.

Among the attacks launched against Green Dot is that the charter plan is all about money. Well, that's true. This is about money. If Locke — and then maybe Santee or Taft, where teachers are also talking to Green Dot — withdraw from the LAUSD, district enrollment will continue to decline. Funding is based on enrollment, so if that keeps dropping, then how will the district pay for its bloated bureaucracy?

The LAUSD doesn't have the right to summarily reject our charter. State law is clear: A petition can be discarded by the school board only if it "did not contain the requisite number of signatures at the time of its submission to a school district." On May 11, the date in question, ours did. By acting as if our petition never happened, the LAUSD keeps it from reaching the Los Angeles Board of Education. Without a board vote, the LAUSD's reasoning goes, a rejection can't even be appealed to the county or state boards of education.

This is a shameless ploy by a desperate district. Like any party to a dispute, we are entitled to a fair hearing before an impartial body. The district bureaucrats should let the members of the newly elected Board of Education, their new bosses, consider and vote on Locke's charter. If the LAUSD is to have any credibility in educating our young people about open, democratic government and fair play, it must.

BRUCE WILLIAM SMITH teaches English at Locke High School.

Stand by the Kurds

By Najmaldin O. Karim

EVEN AS THE battle for Baghdad continues to rage, the United States must begin considering the future of another Iraqi city: Kirkuk.

Here are two critical things to know about Kirkuk: First, it is surrounded by Kurdish towns and villages and has a population that is majority Kurdish — yet it lies just outside the boundaries of the autonomous region of Kurdistan to the north. Second, although it is a poor city, Kirkuk is built close to one of Iraq's largest oil fields.

At the moment, there is a planned referendum on the future status of the city (and the province in which it is located). The referendum is scheduled to take place before the end of 2007 and will determine whether the province should be made a part of autonomous Kurdistan.

However, there is a rising call for a postponement of the vote. If this happens, as many outsiders would like, then the entire U.S. mission in Iraq, and the fundamental justification for the war of liberation, could be fatally damaged.

The nub of the Kirkuk issue is how to reverse Saddam Hussein's appalling legacy of ethnic cleansing and genocide. During the 1980s, the Baathist regime expelled huge numbers of Kurds (as well as some ethnic Turkomen) from the city. It replaced them with Arab colonists from southern Iraq, generously subsidized by the government.

At the same time, hundreds of Kurdish villages in the province were razed, with farms and orchards burned to prevent Kurds from returning. During the genocidal Anfal campaign of 1987-'88, thousands were "processed" through the military camp of Topzawa just outside of Kirkuk, the men mostly taken away to be shot en masse and buried in unmarked graves.

The murders and ethnic cleansing continued after the 1991 Persian Gulf War; according to Human Rights Watch, an estimated 120,000 non-Arabs were expelled from the Kirkuk area during the 1990s. These crimes were part of what justified the U.S.-led liberation of Iraq.

In the years since Hussein's government was toppled, the Kurds have been exemplary in their restraint and in their adherence to the democratic process. Although they have ample historical claim to Kirkuk, they have put aside the usual bickering and have refrained from the familiar, never-ending squabble about whose ancestors were there first.

The Kurds have not made oil a factor in the discussion either. Although Hussein and many others since he lost power have viewed control of Kirkuk as crucial because they hoped it would mean control of the lucrative oilfields in the area, the Kurds have been very clear that they would like to see the profits from the Kirkuk oilfields distributed throughout the whole of Iraq on a per-capita basis, no matter what the future of the city.

Kurds have also pushed for a legal mechanism to reverse Hussein's crimes. Indeed, it is the democratically ratified Iraqi constitution, backed by 79% of Iraqis in October 2005, that mandated a citywide census followed by a province-wide referendum before the end of this year.

Sadly, the prospect of such a democratic resolution is opposed by much of the diplomatic community and the policy world. Parroting the flawed recommendations of the Iraq Study Group, also known as the Baker-Hamilton commission, their proposed solution is a nonsolution: to postpone the Kirkuk referendum because, as the Iraq Study Group argued, not all the groups in the city agree on what the future of Kirkuk should be and because a referendum could prove "explosive" and lead to violence.

Such an approach is a moral and policy mistake. To put off the referendum would insult Iraq's young democracy.

Delay regarding Kirkuk would have the further consequence of alienating Washington's best allies in Iraq: the Kurds. In today's Iraq, the Kurds are the only community united in their support of the U.S. The best units of the Iraqi army are from Iraqi Kurdistan, and two brigades have recently been deployed to Baghdad as part of the "surge." Kurdish politicians are keeping Prime Minister Nouri Maliki's fractious government intact. Unlike the Iraqi Arabs — Sunni and Shiite alike — who are deeply ambivalent in their views of the U.S., the Kurds are overwhelmingly pro-American. Not one U.S. soldier has been killed in Iraqi Kurdistan.

By putting off a resolution of the Kirkuk issue, the United States would be telling Kurds that it may betray them again, as it did when it encouraged them to fight the Baathists and then failed to support them in 1975 and 1991. At a time when Americans are already skeptical of the war in Iraq, a demonstrable success is exactly what is required. Reversing Hussein's crimes of ethnic cleansing and genocide in Kirkuk through a democratic political process will demonstrate the fundamental justice of this war and solidify a vital base of American support.

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