

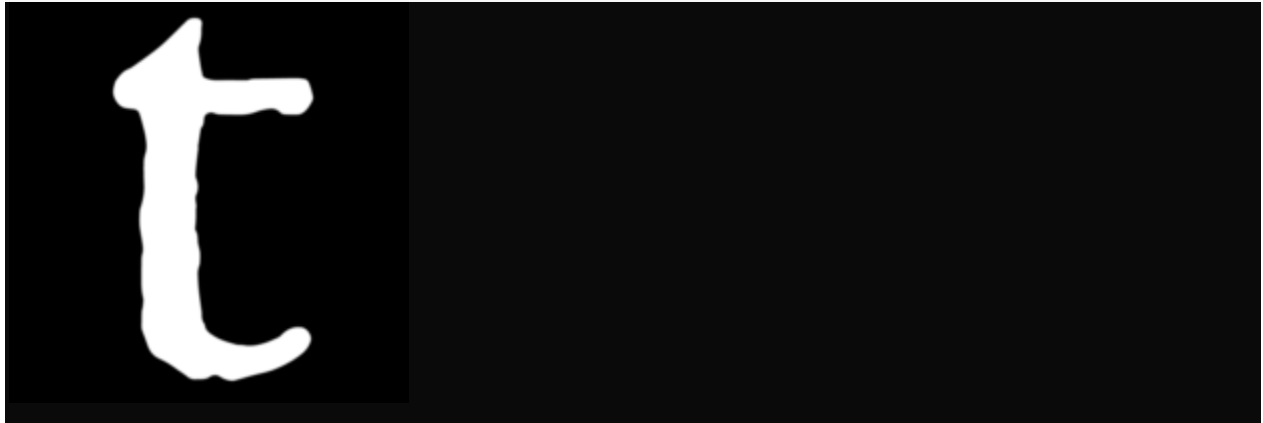
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POLITICS & ELECTIONS



Hector Aristizábal lay on a table in Medellin, Colombia, his head covered with a black cloth. Twenty-eight years had passed since he

was taken from his home by the US-trained military, secretly detained and tortured. Now, he had returned to his birthplace after years in exile in the US to spend a month working with peace and justice groups, and this night he was not in custody, but on stage.

“Nightwind,” the play we created in 2004 about his experience and his brother’s abduction, torture and murder by a death squad, has toured the US and the world, including Afghanistan, to raise global opposition to the practice of torture. Performing it for the first time in Medellin, the city where the atrocities took place, Hector was nervous. He worried about the effect on the audience, people who had experienced these horrors first hand, but as he lay with his eyes covered, unable to see, he also felt vulnerable and worried for himself. Every day in Colombia, 20 people are disappeared. Massacres continue, as do right-wing paramilitary links to the Army and to high government officials and to the cocaine trade. Anyone could be in the audience – members of the military or paramilitary, that go on killing with impunity, and any one of them might decide, “This guy thinks he’s going to survive again. Not this time. Let’s finish the job.” Hector believed for the moment he was going to die.

While Hector was sweating it out on stage, I was back in Los Angeles and I was worried, too, because I was reading the text of *Holder v. Humanitarian Law Project*, in which the Supreme Court on June 24 decided that training people in nonviolent conflict resolution and international human rights law can lead to 15 years in a federal prison for providing material support to a foreign terrorist organization.

The case was brought because retired administrative law Judge Ralph Fertig wanted to be sure he wouldn't be prosecuted under the Antiterrorism and Effective Death Penalty Act of 1996 and the later provisions of the Patriot Act for continuing his longstanding work in nonviolence with the Kurdish Workers Party (PKK) and in helping that group prepare a case to bring to the United Nations. The Carter Center joined with an amicus brief as much of Jimmy Carter's work in monitoring elections and entering conflict zones could be ruled criminal. Court after court agreed Judge Fertig's work was legitimate and protected, but the Obama administration appealed, with Elena Kagan (then solicitor general) offering the argument. The Roberts court once more managed to ignore the Constitution and at the same time overreach. According to Judge Fertig, who spoke to the American

Civil Liberties Union in Santa Monica in July, the chief justice chastised Kagan for not arguing the case strenuously enough. The decision went even further than the government's argument sought in its chilling effect on free association and speech.

In Medellin, I guess it is material support for terrorism when to enter the poorest, most marginalized neighborhoods bus drivers and taxi drivers are forced to pay a "vacuna" – vaccination against getting killed – to the illegal paramilitaries who seek to control who gets in and who gets out alive. Thanks to the Supreme Court, zones where peacemaking is most needed are now off limits. As Ahilan Arulanantham, director of immigrant rights and national security for the ACLU of Southern California, has pointed out, if the decision in *Holder v. HLP* had come down in 2004, the provision of disaster relief to tsunami-devastated civilians in the Tamil Tiger-controlled region of Sri Lanka would have been a crime.

I sat with the decision in my hands and thought about Rep. Keith Ellison of Minnesota, who intends to introduce a legislative fix, and

will no doubt endure a continuation of the personal attacks on him and his Muslim faith.

I thought a good argument can be made (by me, not by the Roberts court) that the US government's real fear is not of terrorists, but of the "interference" of citizen diplomacy and humanitarian NGOs that provide alternatives to the default military response in conflict zones.

I thought that, as a US taxpayer, I've provided material support to state-sponsored terrorism and torture.

I thought of the "Nightwind" performance and discussion Hector and I offered in Los Angeles at a mosque that has been under attack because it was built with Saudi support, and two of the 9/11 hijackers at one time worshiped there. Were there any radical Islamists present? I doubt it, but I rather hope so. What a perfect audience for us to reach with a play that shows a torture survivor ultimately refusing the option of violence.

I thought of the work Hector has done on the West Bank to bring Israeli rabbinical students and Palestinian activists together. Did he

first screen the participants to make sure there was no link to Hamas?

I don't think so.

I thought about how tired I am of hearing the Palestinian people blamed for not having produced a Martin Luther King Jr. or a Gandhi.

In 1983, clinical psychologist Mubarak Awad established the Palestinian Center for the Study of Nonviolence. Five years later, when his work training people in the philosophy and practice of nonviolent civil disobedience was having an effect and showing success, an alarmed Israeli government had him deported from the occupied territories.

Meanwhile, in Medellin, the performance continued as Hector carried the audience with him through his pain, his desire for violent revenge and his transformation of that passion and energy into the commitment to work peacefully for justice.

The performance ended, but not the experience. Trained as a psychologist as well as an actor and director, Hector had audience members join him in a workshop he designed to allow them to express

their emotions and release pain. People cried, screamed, remembered friends and family members who had been killed or disappeared.

“We need this,” said one of the event organizers. “All of us need healing but the programs we have here now bring together paramilitaries (from the AUC, designated by the US a foreign terrorist organization) and guerrillas (including from the FARC, designated by the US as a foreign terrorist organization) and we ask people to tell their terrible stories. Then everyone goes home devastated. They go home alone.”

If you reopen the wound, you have to offer medicine. We want to return to Colombia next year to offer medicine, but if we do that, are we facing criminal prosecution when we return home?

As Hector says in our book, “The Blessing Next to the Wound: A Story of Art, Activism and Transformation,” “I like to think the work I do now is preparing me to go back to Colombia one day and sit in the same room with a worker, a peasant, a military person whose institution tortured me, a paramilitary like the ones who killed my brother, a guerrilla who would probably want to kill me because of

how I criticized his movement and a CEO from a big company that I've called evil and we will talk about how we can all work together to rebuild our country." I guess that makes Hector a terrorist.

I guess governments have figured out it's easy to justify violence against a violent opponent and a terrorist is, therefore, the preferred adversary. Especially when the terrorist is the nonperson we must treat as radioactive and never talk to.

To governments like our own in thrall to the military-industrial complex and the illusion of military victory and the desire for top-down control, there's only one reason nonviolent mass movements pose a threat: They work.