

## **Military Resistance 10E1**

Still in Afghanistan



**“No Excuse To Try And Make Our Lives Miserable By Trying To Dictate Our Lives Outside Of The Uniform”**

**“There Is No Reason To Pry Into What I Do Outside Of Uniform”**

**“I Will Not Adhere To Such Spartan Regulations, And I Will Not Force My Soldiers To Adhere To Them”**

(On stricter off-post appearance regulations) I like the Army because it isn't the Marine Corps ("Upcoming changes to AR 670-1," Forums, April 15). We are allowed to make our own decisions.

We are allowed to have our own personality, and we don't have to look and act like freaking robots.

I'm tired of hearing we are nothing but a bunch of undisciplined, out-of-shape, un-professional soldiers by the highest enlisted member in our organization.

Every organization has its problem children, even the Marine Corps, but that's no excuse to try and make our lives miserable by trying to dictate our lives outside of the uniform.

I will not adhere to such Spartan regulations, and I will not force my soldiers to adhere to them.

My personal life is just that: personal.

As long as I'm not doing anything illegal or trying to bring discredit on the organization, there is no reason to pry into what I do outside of uniform.

— SSG Angry Guy

## **DO YOU HAVE A FRIEND OR RELATIVE IN MILITARY SERVICE?**

**Forward Military Resistance along, or send us the address if you wish and we'll send it regularly.**

**Whether in Afghanistan or at a base in the USA, this is extra important for your service friend, too often cut off from access to encouraging news of growing resistance to the wars and economic injustice, inside the armed services and at home.**

**Send email requests to address up top or write to: The Military Resistance, Box 126, 2576 Broadway, New York, N.Y. 10025-5657. Phone: 888.711.2550**

## **AFGHANISTAN WAR REPORTS**

### **U.S. Soldier In Afghanistan Killed While On Skype With Wife:**

# The Man Is Suddenly Knocked Forward, And A Bullet Hole Is Visible Behind Him, His Family Says. The Military Has Offered No Details On His Death



Army Capt. Bruce Kevin Clark, whose wife saw him die on Skype. (U.S. Army / May 6, 2012)

May 6, 2012 From the Associated Press

DALLAS — An Army nurse showed no alarm or discomfort before suddenly collapsing during a Skype video chat with his wife, who saw a bullet hole in a closet behind him, his family said Sunday.

Capt. Bruce Kevin Clark's family released a statement describing what his wife saw in the video feed recording her husband's death.

"Clark was suddenly knocked forward," the statement said. "The closet behind him had a bullet hole in it. The other individuals, including a member of the military, who rushed to the home of CPT Clark's wife also saw the hole and agreed it was a bullet hole."

The statement says the Skype link remained open for two hours on April 30 as family and friends in the U.S. and Afghanistan tried to get Clark help.

"After two hours and many frantic phone calls by Mrs. Clark, two military personnel arrived in the room and appeared to check his pulse, but provided no details about his condition to his wife," the statement said.

In the statement, Susan Orellana-Clark said she was providing details of what she saw "to honor my husband and dispel the inaccurate information and supposition promulgated by other parties."

U.S. officials in Afghanistan referred questions to the Pentagon, which previously referred questions to the William Beaumont Army Medical Center in El Paso, where Clark was assigned.

The Pentagon said previously that Clark's death remains under investigation.

Clarence Davis, spokesman for William Beaumont Army Medical Center, declined to comment on Clark's family's

Clark, 43, grew up in Michigan and previously lived in Spencerport, N.Y., a suburb of Rochester, his wife's hometown. He joined the Army in 2006 and was stationed in Hawaii before he was assigned to the medical center in El Paso. He deployed to Afghanistan in March.

Clark's body was returned Thursday to Dover Air Force Base.

He is survived by his wife and two daughters, aged 3 and 9.

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## **Two RLC Soldiers Killed In Nahr-E Saraj**

4 May 12 Ministry of Defence

It is with sadness that the Ministry of Defence must announce that two soldiers from the Royal Logistic Corps (RLC) were killed in Helmand province on 4 May 2012.

The soldiers, who were attached to 1st Battalion The Royal Welsh Battlegroup, were serving as part Combined Force Burma when they were killed in an indirect fire attack on Forward Operating Base Ouellette, in the northern part of Nahr-e Saraj district.

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## **Foreign Occupation "Servicemember" Killed By Afghan Soldier Somewhere Or Other In Afghanistan: Nationality Not Announced**

May 6, 2012 AP

An individual wearing an Afghan National Army uniform turned his weapon against foreign service members in southern Afghanistan today, killing one.

The individual who opened fire was killed when foreign armed forces returned fire.

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# Foreign Occupation “Servicemember” Killed Somewhere Or Other In Afghanistan: Nationality Not Announced

May 6, 2012 AP

A foreign servicemember died following an improvised explosive device attack in eastern Afghanistan today.

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## Boynton Beach Soldier Killed In Afghanistan



U.S. Army Private First Class Michael J. Metcalf. Courtesy of Kimberly Metcalf

Apr 25, 2012 By Alexandra Seltzer, Palm Beach Post Staff Writer

BOYNTON BEACH — When Kimberly Metcalf’s son Michael told her he was going to Afghanistan about a month ago, she didn’t want him to drive a truck for fear that he’d drive over an improvised explosive device.

“That’s how everyone is getting hurt,” she told him.

Michael Metcalf’s grandmother, Ann Faustine, felt the same way.

"I read the paper every morning and see 6 or 7 young kids" injured or killed, Ann Faustine said. "I never imagined it would be my grandson."

Metcalf, a 22-year-old U.S. Army Private First Class, died Sunday in Paktia, Afghanistan, when enemy forces attacked his unit with an improvised explosive device, the Department of Defense said Tuesday.

Also killed in the attack was 1st Lt. Jonathan P. Walsh, 28, of Cobb, Ga. Both were stationed out of Fort Bragg, N.C. and were assigned to the 82nd Airborne Division.

Kimberly Metcalf said she knew when her doorbell rang at her Boynton Beach home around 5 a.m. Monday that it was about Michael, her only child.

"I knew as soon as I saw them," she said. "I didn't want to answer it two or three times. I knew. I let them in and I said, 'I know what you're here for'."

Michael Metcalf's mother and grandmother said they were told he volunteered to drive a Humvee to rescue soldiers who were in a truck that had just driven over a roadside bomb. Metcalf was the only volunteer, his mother said.

That act of bravery was typical of her son, who enlisted about a year ago, Kimberly Metcalf said.

"He was a strong, tough kid. Sensitive. Just a fun-loving kid," she said. "He was full of personality."

Metcalf last spoke with her son via email a few days ago, she said.

He told her the dust burned his eyes and got into his teeth, but that he'd be OK. He asked his mom to send him some baby wipes, as he didn't get to shower often.

When his grandmother asked what it was like there, he said a lot of "mountains and dirt". When she asked what he slept on, he told her a mattress. And when Faustine asked about the food, he said it was good.

She prayed for him, she said.

Metcalf, who was born in Coral Springs and raised in Boynton Beach, attended Park Vista High School for a little over one year before attending St. John's Northwestern Military Academy in Delafield, Wis. He graduated as a sergeant squad leader.

"He likes the structure," Kimberly Metcalf said. "He was good at that."

Metcalf loved all sports including surfing, skimboarding and bull riding, she said.

One of his closest friends, 24-year-old Brandon O'Keefe, said he'd often spend mornings with Metcalf skimboarding or surfing in the Boynton Beach Inlet.

On Monday night, about 20 family members and friends gathered at the inlet in Metcalf's memory. They lit candles and each told of a special memory of him, O'Keefe said.

They placed the candles on Metcalf's surfboard in a cross formation. The wind extinguished all but one.

"We knew that was Mike right there the whole time," O'Keefe said. "The candle wouldn't go out. He wanted to hang with us all night.

"We walked the candle down to the water. We said one more prayer and tossed it into the water for him."

Palm Beach Post staff researcher Niels Heimeriks contributed to this story.

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## Fallen Marine Scott Pruitt Of Gautier Remembered



Pruitt (Photo from Facebook)

May 01, 2012 By Kaija Wilkinson, Alabama Live LLC

GAUTIER, Mississippi -- Marine Master Sgt. Scott E. Pruitt, 38, of Gautier was killed Saturday by an improvised explosive device in Afghanistan, just two months after he volunteered to return to that country to lead his troops, according to his older brother.

"I think what makes the story even more tragic is that he was set to retire in a year and had earned rank over an entire platoon," 40-year-old Paul Pruitt said about his brother in a phone interview from Santa Monica, Calif., where he lives.

"But he volunteered to go back into combat because he thought it was the right thing to do."

The Department of Defense said that Scott Pruitt died in Helmand province on Saturday in combat maneuvers.

He had been assigned to I Marine Expeditionary Force Headquarters Group, I Marine Expeditionary Force, based at Camp Pendleton, Calif. He lived in Murietta, Calif.

Scott Pruitt is the second soldier from Gautier to die serving in Afghanistan.

Army Maj. Michael Green, a 36-year-old Special Forces officer, was killed by a roadside bomb in Afghanistan on Jan. 7, 2008.

Scott Pruitt graduated from Pascagoula High School in 1992, according to his brother, who graduated two years earlier.

Paul Pruitt described his brother as “just a great human being, an amazing brother, son, and father.

“I can say, without bias, that he was a very decent, dependable, hard-working, good person. He was as good of a person as you could find.”

He is survived by two daughters, ages 9 and 4, who also live in California, and his fiancée, Tricia Anderson-Lane of Virginia.

His Facebook page reveals that he liked TV comedy shows such as “Curb Your Enthusiasm,” “Seinfeld,” and “The Office,” as well as competitive cooking shows such as “Hell’s Kitchen.” After graduating from Pascagoula High, Scott Pruitt earned a BA in criminal justice from American Military University.

Master Sgt. Pruitt earned his rank on Jan. 1, 2010, and was specialized as a financial management resource analyst, according to the Marines’ public information office.

He was set to end active service on June 23, 2013.

His awards include:

- Purple Heart Medal.
- Three Navy and Marine Corps Commendation Medals.
- Five Marine Corps Good Conduct Medals.
- Military Outstanding Volunteer Service Medal.
- Two Navy and Marine Corps Achievement Medals.
- Afghanistan Campaign Medal.
- Global War on Terrorism Service Medal.
- Four Navy and Marine Corps Overseas Service Ribbons.
- Two National Defense Service Medals.
- North Atlantic Treaty Organization Medal.
- Three Navy Meritorious Unit Commendations.

Funeral arrangements for Pruitt are pending.

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## **Deployed 2 Weeks, JBLM Soldier Dies In Attack**

April 14, 2012 CHRISTIAN HILL; Staff writer, The Olympian.

Spc. Philip Schiller had watched more than half of his Stryker brigade leave Joint Base Lewis-McChord for Afghanistan in December. His infantry battalion stayed behind, training and awaiting further orders.



His “adopted” mother recalled that Schiller, who turned 21 in February, was excited about deploying to serve his country. That chance came last month.

“He always said if he had to die young, he wanted to die serving his country,” Colleen Richmond said in a phone interview Friday.

His words proved prophetic when Schiller died in Kandahar province after an enemy attack on his unit with small-arms fire, the Pentagon announced Friday.

His death Wednesday came two weeks after he joined the 3rd Brigade, 2nd Infantry Division for his first combat deployment. He was posthumously awarded the Purple Heart and Bronze Star.

Schiller grew up in Connecticut and in 2009 moved in with his sister living in The Colony, Texas, a suburb of Dallas, Richmond said. Schiller became best friends with Richmond’s son – they both joined their high school’s JROTC program – and “adopted” Richmond as his mother.

Richmond said Schiller was always friendly and helpful, “the son everyone wants.” He and her son, Joshua, 20, would play electronic guitar and video games on weekends.

Schiller left for boot camp in August 2010 shortly after graduating from high school and arrived at Lewis-McChord that November.

Richmond said she’s received emails from Schiller’s platoonmates that he was happy to be serving in Afghanistan. On Thursday, the wife of one of those soldiers broke the news of Schiller’s death in an email. On Friday, the wife gave details of his death: that a bullet slipped past his body armor and mortally wounded Schiller, though he continued to provide cover fire to protect other soldiers.

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## **Providence Marine Dies In Afghanistan: Lance Cpl. Abraham Tarwoe, 25, Has Died**

17 Apr 2012 By Melissa Sardelli, WPRI

PROVIDENCE, R.I. (WPRI) - Eyewitness News has learned that a Providence Marine has died while serving in Afghanistan.

According to the Department of Defense, Lance Corporal Abraham Tarwoe, 25, died Thursday.

Officials say Tarwoe died while conducting combat operations in Helmand province, Afghanistan. He was a mortarman with 2nd Battalion, 9th Marine Regiment, 2nd Marine

Division, based out of Camp Lejeune, North Carolina. Tarwoe joined the Marine Corps in 2009 and was promoted to Lance Corporal in August of 2010.

Friday night, Tarwoe's family described him as a great man with a wonderful sense of humor.

"He was very funny," said his brother, Randall Karr, "and he always kept everyone laughing, and he was just a really good person."

Tarwoe leaves behind a wife and one year-old son, who live near Camp Lejeune.

Karr says the family is worried about how Tarwoe's death will affect his son in the future.

"It's hard because he's just a little kid," Karr said. "He's going to be growing up. He's going to want his dad around, and I guess someone will have to explain to him what happened. So it's going to be really tough."

Governor Lincoln Chafee has ordered the flags to be lowered to half staff in Tarwoe's honor.

The body of Tarwoe returned to United States soil Monday morning. A photo from the Associated Press shows a coffin carrying Lance Cpl. Abraham Tarwoe as it arrived at Dover Air Force Base in Delaware before dawn.

**POLITICIANS CAN'T BE COUNTED ON TO HALT  
THE BLOODSHED**

**THE TROOPS HAVE THE POWER TO STOP THE  
WAR**

## Resistance Action



[Graphic:flickr.com/photos]

KABUL: Five border policemen were killed when a roadside bomb ripped through their patrol vehicle in eastern Afghanistan, an official said on Saturday.

The bomb struck their pick-up truck in the Dur Baba district of Nangarhar province, near the Pakistan border, late Friday, the provincial governor's spokesman told.

**IF YOU DON'T LIKE THE RESISTANCE  
END THE OCCUPATION**

## **MILITARY NEWS**

**“I Have Innocent Blood On My  
Hands”**

**“His Brother Had Been Arrested  
Under The Charge Of ‘Protesting’  
And His Cousin Killed By Bullets  
Fired By Syrian Troops While  
Demonstrating”**

**“The Officer Then Realized He Hadn't  
Been Fighting Terrorists, But His  
Own People”**

**“Analysts Peg The Number Of  
Defections At Around 10,000 Military  
Members, Out Of About 304,000 Active-  
Duty Troops”**

April 17, 2012 By MARIA ABI-HABIB, Wall Street Journal [Excerpts]

RAMTHA, JORDAN—Sitting among family in this Jordanian town on the Syrian border, an ex-army intelligence officer recounted how he worked against rebel forces by intimidating family members to prevent military defections.

Now he's a defector.

At the start of the Syrian revolution a year ago, the 21-year-old said he sat in his barracks with colleagues and watched TV reports of widespread protests against the government that met with increasingly brutal crackdowns.

One day, he said, the TVs were removed and his commanders told him and his colleagues they were fighting against terrorists aligned with the U.S. and Israel who were plotting to overthrow President Bashar al-Assad.

The intelligence officer said he worked tirelessly to crush the uprising in western Homs for five months, finally being granted two days of leave in July.

He returned to his home in southern Deraa but it was riddled with bullets.

His brother had been arrested under the charge of "protesting" and his cousin killed by bullets fired by Syrian troops while demonstrating, he and his family members said in interviews.

The officer then realized he hadn't been fighting terrorists, but his own people, he said.

"I have innocent blood on my hands," he said, staring at the floor as his 3-year-old sister played beside him and his father and brother smoked cigarettes.

The intelligence officer was interviewed here in Ramtha, a poor city of whitewashed apartment buildings, and home to many of the 95,000 Syrian refugees that Jordan says have left Syria since the uprising began. Other defectors remain in Syria.

**Analysts peg the number of defections at around 10,000 military members, out of about 304,000 active-duty troops.**

Elsewhere in Ramtha, a former soldier who escaped to Irbid, Jordan, near the Syrian border, said his brother defected from the Syrian air force in April only to be caught and arrested. When their father went to the prison to inquire about the brother, he too was locked up, the soldier said.

The rest of the family is too scared to ask after the father and son, worried they too will be jailed, the former soldier said.

"No country is providing us weapons, Saudi and Qatar say they want to, but don't," said the former soldier, 29 years old. "If the West doesn't help us or other Arab countries, we'll go to Al Qaeda. We don't want to accept them, but what can we do when our children are being killed?"

The intelligence officer said he followed his father here in December after being stationed in western Homs province. Worried, the intelligence officer would call his

family in Deraa—a southern province where antiregime protests started early last year — asking if they were keeping safe from terrorist attacks.

Concerned the phones were tapped, the intelligence officer's family would respond vaguely and hurriedly hang up. "All I could think about was that I had to leave the army," he said. "But I had to secure my family first."

**Meanwhile, the army intelligence officer's Deraa experience embittered him to the Assad regime, and when he returned to Homs in July, he said he became an informant, telling rebels about military operations.**

In December, he told his superiors that a family member was ill, and returned to Deraa. He then fled to Ramtha after securing his family, who now lives in a cramped three-room apartment there with his sister's husband and small child.

**He said that what especially haunts him is the intelligence he provided to colleagues to arrest defectors' female family members, a way to pressure the former soldiers to turn themselves in.**

He said he heard reports of rape perpetrated by his colleagues as another form of intimidation against family members, but hadn't seen any firsthand.

"I defected because of what I saw how they killed people, like my own cousin, and destroyed their houses," he said. "I decided I couldn't do this."

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## FORWARD OBSERVATIONS



“At a time like this, scorching irony, not convincing argument, is needed. Oh had I the ability, and could reach the nation’s ear, I would, pour out a fiery stream of biting ridicule, blasting reproach, withering sarcasm, and stern rebuke.

“For it is not light that is needed, but fire; it is not the gentle shower, but thunder.

“We need the storm, the whirlwind, and the earthquake.”

“The limits of tyrants are prescribed by the endurance of those whom they oppose.”

Frederick Douglass, 1852

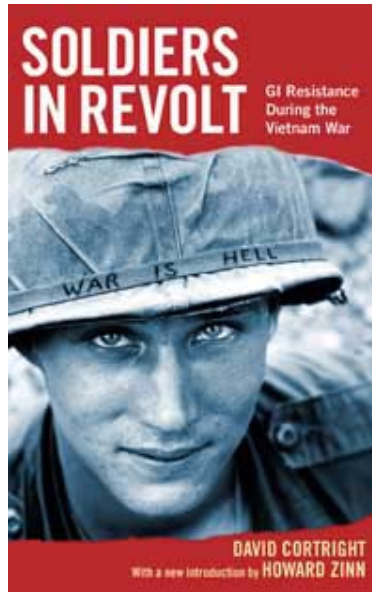
The Nixon administration claimed and received great credit for withdrawing the Army from Vietnam, but it was the rebellion of low-ranking GIs that forced the government to abandon a hopeless suicidal policy.

-- David Cortright; Soldiers In Revolt

**“The Courts Have Issued Several Judgments Which For The First Time Permit The Distribution Of Political Literature Within Military Installations”**

**“In A Sweeping First Amendment Decision, The Court Declared That The Military Did Not Have The Right To Restrict Access To Parts Of An Installation Generally Open To The Public”**

# “To Claim That Strict Discipline Is Necessary For Proper Job Performance Is Absurd”



From: **SOLDIERS IN REVOLT: DAVID CORTRIGHT, Anchor Press/Doubleday, Garden City, New York, 1975.** [Now available in paperback from Haymarket Books]

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We have seen numerous examples in which not a lack of authority but its very excessiveness have increased dissension and unrest.

Stern discipline has frequently only exacerbated internal difficulties and strengthened GI resistance.

Servicemen rooted in a society increasingly skeptical of authority and established institutions must inevitably rebel against the arbitrary punitive methods of the military establishment.

The present, medieval system is also fundamentally incompatible with the changed nature of modern military forces. The increasing pace of technological change and introduction of new and sophisticated military job specialties have changed the demands of military service, requiring greater abilities and more individual, initiative on the part of each soldier.

Military discipline and training, derived from times when armies had to be forced into open fire in mass infantry lines, can only impede the individual responsibility required in many modern military occupations.

**Moreover, an increasing number of servicemen work in a bureaucratic or technical environment similar to that found in many civilian jobs. Indeed, many now live off post and commute to their forty-hour-a-week military job very much in the manner of the average civilian.**

To claim that strict discipline is necessary for proper job performance is absurd.

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One of the most controversial subjects of military reform is the administrative discharge system.

Nearly five hundred thousand Vietnam-era veterans have received less-than-honorable separations, often resulting in a lifelong barrier to GI benefits and decent employment.

Since adaptability to the military has little or no relation to one's ability to function in civilian life, the permanent deprivations of a "bad" discharge constitute a vindictive and senseless form of oppression.

Given the frequency with which commanders resorted to discharges as a means of eliminating political opponents, many punitively released veterans must be counted among those who resisted the military and the Vietnam War.

**Similarly, the disproportionate number of blacks who received "bad" discharges were often leading activists in the GI movement and in many cases were victims of overt discrimination and repression.**

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Some may object that proposals for military democracy are hopelessly utopian, that military authorities will never yield to demands for GI rights.

While the ultimate goals of the GI movement are admittedly distant, the resistance effort has not been without impact.

Indeed, the pressures of continuous political struggle have resulted in important gains in recent years.

Perhaps the clearest example of progress in the campaign for enlisted rights is the increasing influence of civilian federal courts in the affairs of military discipline — what might be termed "the civilianization of military law."

**In the past decade, servicemen have pushed relentlessly for Bill of Rights protections, and, through an unprecedented wave of GI court suits, have persuaded federal judges to assume jurisdiction over many crucial areas of military justice.**

**The vaguely worded catch-alls, Articles 133 and 134, have been seriously challenged; court-martial defendants have won the right to individual counsel; various unjust and discriminatory regulations have been nullified; the right to on-post distribution of political literature has been granted; etc.**



The intrusion of civilian legal standards into the world of the military marks an important and potentially fundamental change in the nature of military law.

There have been literally hundreds of GI court cases, and it would be impossible for us to discuss even a fraction of them here. Rather, we shall review a few of the recent landmark decisions with greatest consequence.

One of the most important of these involved two Fort Ord soldiers, Don Amick and Ken Stolte, who in 1968 distributed a leaflet urging fellow GIs to join an anti-war union. The two were court-martialed under Article 134 for “disloyal statements” and sentenced to three years in prison.

In January 1973, however, Washington Federal District Judge Aubrey Robinson ruled that the Army had incorrectly interpreted the article in charging the two and threw out their convictions.

The Robinson decision was extended two months later, when a Washington Appeals Court declared that Article 134 was in fact unconstitutional because of vagueness and inadequate standards of guilt.

The case involved Marine Pfc Marl Avreeh, who had been convicted in Da Nang, during 1969, of anti-war activities.

**The courts have issued several judgments which for the first time permit the distribution of political literature within military installations.**

In November of 1972, the Supreme Court ruled that the conviction of antiwar activist Tom Flower for distributing literature at Fort Sam Houston was unconstitutional.

**In a sweeping First Amendment decision, the court declared that the military did not have the right to restrict access to parts of an installation generally open to the public.**

**In a following case, *Jeness v. Forbes*, a Rhode Island district court decided that Socialist Workers Party candidate Linda Jenness could not be prevented from distributing political literature at Quonset NAS.**

## **Troops Invited:**

**Comments, arguments, articles, and letters from service men and women, and veterans, are especially welcome. Write to Box 126, 2576 Broadway, New York, N.Y. 10025-5657 or email [contact@militaryproject.org](mailto:contact@militaryproject.org): Name, I.D., withheld unless you request publication. Same address to unsubscribe.**

## ANNIVERSARIES CATCH UP

### **May 1, 1886: Noble Anniversary: American Workers Create May Day**



It's time  
to give  
class  
warfare  
a chance.

Carl Bunin Peace History April 30-May 6

May Day was called Emancipation Day in 1886 when 340,000 went on strike (though it was Saturday it was a regular workday) in Chicago for the 8-hour day.

May 1, 1890: May Day labor demonstrations spread to thirteen other countries; 30,000 marched in Chicago as the newly prominent American Federation of Labor threw its weight behind the 8-hour day campaign.

International Workers' Day (a name used interchangeably with May Day) is a celebration of the social and economic achievements of the international labor movement. May Day commonly sees organized street demonstrations and street marches by millions of working people and their labour unions throughout most of the countries of the world

May Day has become an international celebration of the social and economic achievements of the labour movement.

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### **May 4, 1970: Dishonorable Anniversary:**

# Unarmed Students Murdered By Ohio National Guard



[Thanks to Mark Shapiro, who sent this in.]

Carl Bunin Peace History April 30-May 6

**Ohio National Guard troops opened fire on anti-war protesters at Kent State University, killing four students and wounding nine others.**

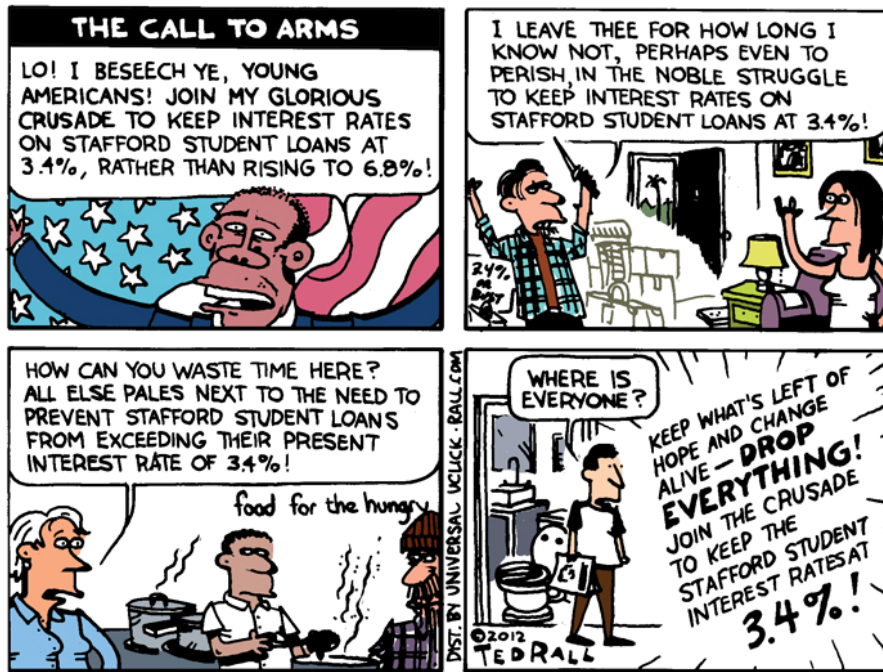
The previous day, President Nixon had announced a widening of the Vietnam War with bombing in neighboring Cambodia. There were major campus protests around the country with students occupying university buildings to organize and discuss the war and other issues.



Photo © John File

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## **DANGER: POLITICIANS AT WORK**



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## **“A Front In A War Over The Reach Of Federal Criminal Law”**

### **“Prosecutors Could ‘Go After Anybody Who Buys Anything With Chemical Content At The Local Drug Store’”**

April 17, 2012 By JOHN R. EMSWILLER and GARY FIELDS, Wall Street Journal  
[Excerpts]

Under the law, it can be a crime to possess a vast range of toxic chemicals, including common household cleaners, that can harm people or animals.

It exempts “peaceful” uses, such as cleaning a kitchen with ammonia, but pouring it into a goldfish tank could result in a prison term, legal experts say.

The law is now a front in a war over the reach of federal criminal law.

Critics from across the political spectrum argue that Congress has passed so many criminal statutes that it has become too easy for the average citizen to unknowingly run afoul of them.

The chemical-weapons law “is one of the many, many examples of the over-federalization of criminal law,” said Ilya Shapiro, a senior fellow at the libertarian Cato Institute.

Ostensibly aimed at terrorists, it has been so broadly interpreted that prosecutors could “go after anybody who buys anything with chemical content at the local drug store,” he said.

**The law is also being challenged in a federal appeals court by Carol Bond, a Pennsylvania woman who received a six-year federal sentence for attempting to harm a woman who had an affair with her husband.**

Ms. Bond has admitted to spreading toxic chemicals on the woman’s mailbox, car door and front door, according to court records.

**The victim suffered a burn on one thumb.**

Ms. Bond’s legal team — headed by Paul Clement, the former solicitor general under George W. Bush who recently argued against the Obama health-care law in the Supreme Court — contend that her misdeeds should have been left to state authorities, which would have resulted in a lesser sentence.

Her prosecution, they argue, violates the Tenth Amendment, which reserves for the states or the people powers not expressly given to the federal government.

**The law “threatens to turn countless household chemicals into ‘chemical weapons,’ “ and represents “the disturbing trend of over-federalizing crime,” argued a Bond court filing.**

The statute is perfectly legal under Congress’s power to regulate commerce and enter into treaties, countered a U.S. filing.

It said the law’s language “leaves no room for doubt” that Congress intended the statute to cover a range of activities, including “an individual bent on vengeance.”

**Last year, the Supreme Court unanimously overturned an appeals-court decision.**

**It said Ms. Bond had standing to challenge the law under the Tenth Amendment and noted that “an individual has a direct interest in objecting to laws that upset the constitutional balance.” The high court sent the case back to the appeals court to determine if Ms. Bond had been improperly prosecuted under the law. The appeals-court ruling is pending.**

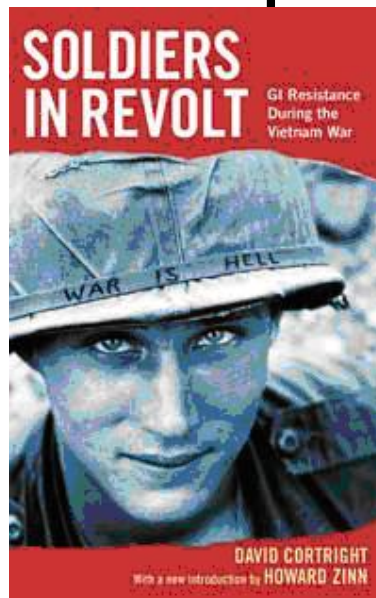
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# CLASS WAR REPORTS



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## **FREE TO ACTIVE DUTY: A Vietnam Soldier Wrote The Book All About How An Armed Forces Rebellion Stopped An Imperial War**



**SOLDIERS IN REVOLT: DAVID CORTRIGHT**



**[CIVILIANS: \$16 INCLUDING POSTAGE:  
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**The following have chosen to post issues; there may be others:**

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