

Corporate personhood

A danger to democracy

By Joy Arnold

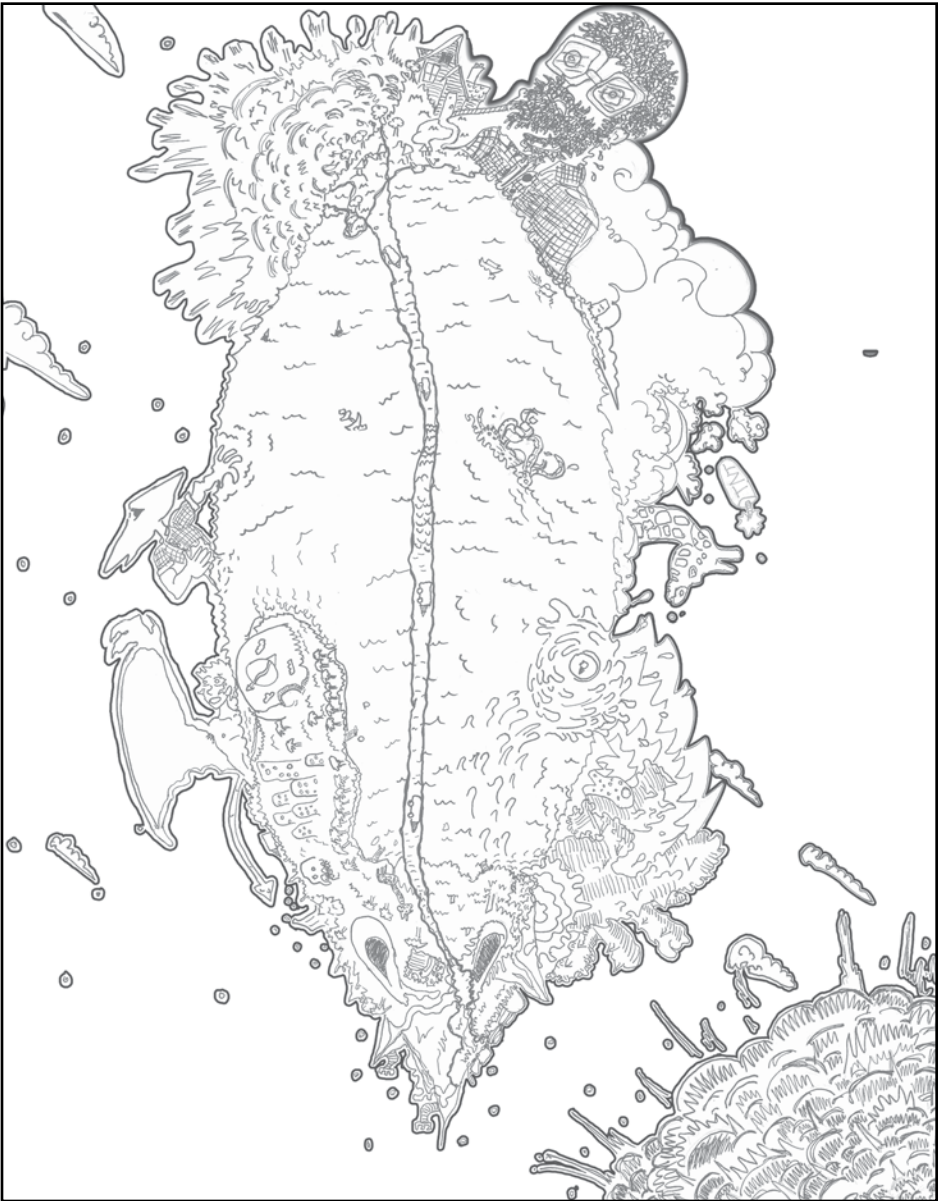
Just as we are marveling at the inability of Congress to protect the environment and provide reforms in health care, financial structures, and election law, a recent Supreme Court ruling has affirmed our suspicions that the road block to congressional action is powerful corporations and their ability to obstruct the democratic process. Giving corporations even more power, last month the Supreme Court ruled in a 5-4 decision that the government has no power to prohibit corporate spending in candidate elections, overruling earlier precedents regarding the First Amendment rights of corporations. The Supreme Court’s decision in *Citizens United v. Federal Election Commission*, No. 08-205 case has just written the newest chapter in corporate personhood, a legal concept that corporations are persons and entitled to the rights of citizens.

The Most Recent Chapter

Citizens United is a non-profit corporation that produced the film *Hillary: The Movie*, financed partially by corporate treasury funds and not solely by its political action committee (PAC). Citizens United wanted to show the film on video-on-demand just prior to the primary election of 2008. (*Hillary* had already been released to theaters and DVD.) It sought the opinion of the Court to determine if that would be a violation of federal election law. The non-profit argued that the law was unconstitutional as it applied to the film and advertisements of the showing. The law, the Bipartisan Campaign Reform Act of 2002 (BCRA), prohibits corporations and unions from using general treasury funds to make direct contributions to candidates or independent expenditures that expressly advocate the election or defeat of a candidate. This is forbidden in any form of media that is publicly distributed in certain federal elections within 30 days of a primary or 60 days of a general election. Citizens United argued that the film was not “electioneering communication.” The Supreme Court found, in

fact, that *Hillary* was “cable...communication” that “refer[red] to a clearly identified candidate for Federal office” and that was made within 30 days of a election, thereby bringing it within the prohibitions of the law. Further, the Court found that the content of the film was clearly “express advocacy”

Not so fast. The next 15 pages of Justice Kennedy’s opinion are spent explaining why it is necessary for the Court to move beyond the issue of the case raised by the plaintiff. In his opinion, Justice Kennedy wants the Court to explore for itself whether, in fact, BCRA (often called the McCain-



Pterodactyl Island at midnight, February 16.

for the defeat of then Senator Clinton, not merely “a documentary film that examines certain historical events,” as Citizens United maintained in its brief. So, Citizens United loses; the government (i.e., the people) win: showing a film financed by a corporate treasury via video-on-demand within thirty days of the primary would violate the law.

Feingold Act) itself is unconstitutional. In the end, the majority found these provisions in BCRA unconstitutional.

Earlier Chapters of the Story

I remember studying constitutional and corporation law in law school. I internalized the concept of

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Pterodactyl Island

One-night-only drama on WRFL

NoC News

One day, Dylan Blount got a call from his friend, Kathleen, asking if he wanted to hang out and bring over a movie. Blount agreed to come over, but he wasn’t sure which movie to bring. After serving up a few movie titles only to have Kathleen shoot them down, a frustrated Blount suggested “Pterodactyl Island.” “Pterodactyl Island,’ what’s that?” Kathleen asked. “It’s about a family who drills through the center of the earth,” Dylan replied. “When they reach the other side, they’re on an island inhabited by creatures with Pterodactyl heads and Pterodactyl skin but human bodies.” “Okay, bring that one,” replied Kathleen. Dylan, however, arrived at Kathleen’s house without Pterodactyl Island. That’s when Kathleen learned the bitter truth: Pterodactyl Island didn’t exist...yet. “Kathleen was disappointed, so some friends and I told her we’d make it for her as a birthday present. We planned on making it a puppet show, but that wasn’t really a practical medium for the story. So we decided to make it into an old-time radio drama to broadcast on WRFL.”

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MTR CD debuts

Sollee and Moore play new music

Kentucky musicians Ben Sollee and Daniel Martin Moore will perform a free, in-store show at CD Central on Wednesday, February 17 at 6 P.M.. The two nationally-recognized musicians are releasing a collaborative CD titled “Dear Companion,” which focuses on their ties to Kentucky, in particular drawing attention to the problem of Mountaintop Removal coal mining and its impact on the people and heritage of central Appalachia. Released on the Seattle-based Sub Pop record label, “Dear Companion” was produced by Jim James of My Morning Jacket and recorded at Shangri-La Studios in Lexington. A portion of the proceeds from the album will benefit Appalachian Voices, an organization devoted to ending Mountaintop Removal mining. While the album isn’t overtly political, Sollee says the pair sought to create a narrative thread about communities affected by destruction and poverty. “Our goal was to create a platform for people to think about issues of consumption and energy use,” Sollee says, “but to do it in a way that was focused on storytelling.”

Cellist Ben Sollee is familiar to Lexington audiences through his 2008 “Learning to Bend” CD and his work with the Sparrow Quartet (Bela Fleck, Abigail Washburn), Otis Taylor, and the Woodsongs Old Time Radio Hour, among many others. Daniel Martin Moore is a native of Cold Spring in northern Kentucky and released his critically acclaimed album “Stray Age” in 2008. The two musicians first met in person during a concert by Moore at CD Central later that year. The “Dear Companion” CD will be available for purchase after the show. This will be their only scheduled Lexington appearance during their current national tour. CD Central is located at 377 S. Limestone Street.

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Kentucky needs a new crop

The return of industrial hemp and marijuana

By Obiora Embry

The 21st century has seen an increased national desire to become more environmentally friendly, and Kentucky is no exception. We have some of the most fertile soil in the United States, and with tobacco and coal on their way out the door, we need viable income alternatives that can steer us in a sustainable direction. As this is the case, one of the smartest moves that we Kentuckians can make is to write and enact legislation that will make the growing and selling of industrial hemp and marijuana legal again. It is important to understand that there are differences between hemp and marijuana because they have different functions that are important to the present and future of Kentucky. In resolving some of the problems that we humans have created during the Age of Patriarchy, we will need to reduce our dependency on fossil fuels, synthetics (including plastics), and trees. We will

also need to heal the wounds of those who suffer from mental disorders, imbalances, diseases, and reduce the needless deaths caused by prescription drugs that medical marijuana can replace. In achieving these goals, *we the people* need to resurrect locally and nationally the legal cultivation and selling of both industrial hemp and marijuana.

The Plant

In 2010, many people still think of industrial hemp and marijuana as being one and the same or indistinguishable, even though botanically speaking they are cousins. *Hemp* is an English word that has been used for varieties (i.e., *cannabis sativa*) of the *Cannabis* plant that have been bred and used for food, fiber, paper, fuel, seeds, oil, etc. *Maribuana* is derived from the Spanish word *marijuana* and has been used for *Cannabis* varieties that have been bred over time and used for medicinal, therapeutic, and/or recreational purposes like *cannabis indica*.

Hemp and marijuana both belong to the plant family *Cannabaceae* and genus *Cannabis* L. Although they originally belonged to different species, since the mid to late 20th century they have been botanically grouped together with six other species as *Cannabis sativa* L. This intentional grouping made it possible for the Controlled Substances Act of 1970 to classify marijuana and industrial hemp as the same plant, even though the Marihuana Tax Act of 1937 made a distinction between industrial hemp and marijuana. The 1937 Act brought with it heavy taxes, excessive paperwork, and possible fines and/or prison time for marijuana commerce that led to a decrease in the cultivation and personal use of marijuana, thereby making it easier for later laws to make it illegal.

The *Cannabis* (genus or *Cannabis* L.) plant is a native of central Asia and may have been cultivated as early

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The Neighborhood

North of Center is a periodical, a place, and a perspective. Keep reading to find out what that means.

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It's a lot like this paper, but it's on the internets.

On being the winningest... Historical markers and memorializing Adolph Rupp

By Jeff Birkenstein

Please forgive my musings on this 18th day of January—MLK, Jr. Day, the first ever with an African American President. I have been thinking recently of the glorious 2000th University of Kentucky men's basketball win and just how far we've come as a nation. Though I no longer live in Lexington, I remember the "historical" sign outside UK's Memorial Hall:

*Adolph F. Rupp (1901-77)
"Winningest" coach in college basketball.
Native Kansan who played under famed coach "Phog" Allen. Head coach at UK, 1930-1972. Won 4 NCAA titles, won or tied SEC crown 27 times; coach of 1948 US Olympic team that won gold medal. Natl. coach of yr. 4 times. Never a losing season; 879 wins-190 losses. Nicknames include "Man in Brown Suit" and "Baron of the Bluegrass."*

As soon as I heard that my Kentucky Wildcats had doubled Drexel's score of 44 and registered their 2,000th win, I knew what was coming next. Sure enough, it soon appeared on my facebook page, from another University of Kentucky alum who is near and dear to me and also now far, far away from the Bluegrass: "...kentucky has the most winningest team in ncaa basketball." The messages on facebook and articles in the media came fast and furiously. I was surprised, however, by this particular friend's use of the word "winningest," a funny word (MS Word doesn't even recognize it) and one which brought me right back to Rupp. When I asked her about it, she said she was referencing the phrase commonly used for UK's basketball team: "most winningest..." She didn't remember that it was also on the Rupp historical sign.

What's in a sign?

I have long used pictures of "historical" signs in my classroom, asking my students to ponder what, in fact, it means to be a historical sign. What is history? Old and generic questions, sure, but interesting when applied to specific cases. What responsibilities, if any, come with this sign? And for whom? For instance, most of us understand that Adolph Rupp was one of college sport's great racists. Not even his sympathetic biographers can avoid the subject. And yet that

fact is nowhere on the sign. Should it be? Why or why not? Is it because his racism is not part of what makes him the "winningest"? Is it because such racism (recruiting and respecting only white players and being vocal about it) was common enough back in the day? And, if this fact is not on the sign, can we still call the sign historical? Surely history is not about remembering only the good things. That wouldn't be history but fantasy. I have long been confused by such gray areas. Not just Rupp's, but our collective history, as seen through historical signs of all kinds. And now my facebook friend brought me right back to Lexington and to this issue.

Remembering is an ethical act

When I moved to Kentucky in 1996, I quickly fell in love with Lexington and the Bluegrass state, and, once Pitino left (he was never the coach for me), Tubby and the Wildcats. I've moved on now; I teach in Washington



state. So maybe I shouldn't even be speaking about Rupp's historical sign. I don't know. Maybe I'm just an interloper; some of you will say that I don't really bleed Kentucky blue. True, I didn't grow up in the Bluegrass, but I have bled for the team.

When Kentucky won the championship in 1998, I headed down to the intersection of Euclid and Woodland with the masses. I wasn't drunk that night, but plenty of people were, and openly so, despite the phalanx of horse-mounted Lexington police. I wish I would have been though. I would have suffered a lot less when I stepped on that broken beer bottle shard. It went right through the thin canvas of my Chuck Taylors and sent me to the ER.

God, those are good memories. But how do we process the pride of 2,000 wins with the memory of Rupp's history? I have long believed the cliché that we are doomed to repeat, or at least continue, that which we forget or won't discuss.

Still, I think we could never go back to an Adolph Rupp. When I showed a picture of Rupp's sign in class, a Kentucky blue-bleeding student looked at me and said, "Don't go there." It's a common enough impulse, even an understandable one. But we shouldn't give into it. In fact, we should retrace our steps on this occasion to see just how far we've come and, of course, how far we need to go. In part, this means discussing Rupp's legacy in the same breath (or article) as the 2,000 wins.

When I moved to Lexington, there was a historical sign outside the courthouse for Civil War hero (or bandit, depending; see, "history" is a bitch) John Hunt Morgan. And there still is. I use this sign in class, too. Interestingly, Russell Rice mentions this same statue in Chapter 16 of his 1994 Rupp biography as a way of introducing the climate in which Rupp moved. But a couple years after I left, another historical sign was added to the (now old) courthouse grounds, a sign explaining that the Cheapside market once sold slaves. When I was still on campus, a historical sign for UK's first black student, Lyman Johnson, was added. Progress means actively knowing, and discussing often, the past as it happened and not just as the demands of nostalgia would prefer. I am further reminded of the importance of this ongoing remembrance as the new whites-only All-American Basketball League (Google it) makes some noise. I still can't tell if this is some sort of sick joke, but nevertheless the league represents, even if slimming, a constituency of opinion in this country.

A curious word, winningest. By the numbers, this is true, both for Rupp at 879 and for UK basketball at 2,000. And all Wildcat fans can be proud of this singular accomplishment, even as we consider the historical complexities of it. Though remembering may only be a start, Susan Sontag reminds us that "[r]emembering is an ethical act, has ethical value in and of itself."

So: elation. And discomfort. We can, and should, be able to revel in them both. Now that's the winningest...

Civic Center (Lexington, Kentucky)

A poem by Chris Green

This poem, which will be serialized in North of Center, originally appeared in Rushlight: Poems, published in November by Bottom Dog Press. Find or order it at Morris or some other local book store.

Civic Center (Lexington, Kentucky)

by Chris Green

IV. "South Hill" Goes North

I grew up in the southside suburbs
Where downtown black kids got bussed in.
Southside schools got named after famous
blacks like Paul Lawrence Dunbar, whose
parents slaved on a central Kentucky plantations
where black horse-farm fences now bridle
the pastures. My wife taught on the northside
at Winburn, where poor white kids got bussed
to school with black kids whose families, during
1970s urban renewal, were expunged
from downtown to make room for the arena.

V. Rupp Goes Up

In 1970, when Rupp was still coach,
"County Judge Robert Staplens said,
'I want four seats, and I want them right
next to yours coach Rupp.' He said.

And the 101-K-Men's association said,
"What better way to honor him constructing
a new 20,000 seat arena, the nation's finest,
and name it RUPP ARENA! . . .
A new larger more functional area with room to expand
and plenty of room for parking."

VI. Preservation—Exhibit A: Historic Homes

"Historic homes"
on west High Street had "the potential for preservation."
"Preservationists fully realize the need for civic
center parking but feel that more consideration
should be given to historic architecture especially
those buildings that can create an appropriate
visual buffer to this parking acreage"

177 African American families, moved out
of downtown. People who rented and lived in
a "large three-bedroom house"
for \$225 forced out. "South Hill Law Suit Dismissed"
Feb. 25, 30 days notice, four properties still occupied, four
more families gone.

VII. Preservation—Exhibit B: Camp Nelson

We crossed the bridge to where my grandfather lay,
the water from the Kentucky drained to feed fields
of barley tobacco. That summer, in drought, the algae
ripened under the bridge and 10,000 fish were killed.
My grandfather? He lays a flat stone amongst other stones,
buried for free by the Navy at Camp Nelson
where Negro squadrons mustered and trained
for the Civil War. I review the aisles of flat
stone-plaques, grave markers glazed with exhaust.
Beneath a round of trees, a henge of markers crests
the hill. 1944-1967. 1949-1967. 1950-1970. 1953-1975.
1947-1968. My father born in 1944 and I in 68.
Arab numbers scribe those silent stones, a count
that stands against weather. Death my family survived.
We cross the dates each year, like leaves blow across
our roads. What has been done shall be retranscribed.

Danger to democracy (cont.)

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“corporation as person” like a good student. To me that meant corporations could sue and be sued. Very well.

In the *Citizens United* decision, without even referring to the 1886 precedent naming corporations people, the Court removes all limitations for political spending by corporations. Surely even the justices sitting on the Court in the 1886 *Santa Clara County v. Southern PAC.R.Co.*, 118 U.S. 394 never intended such results from their decision, any more than the framers of the Constitution intended the Bill of Rights to apply to corporations. But since 1886 the *Santa Clara* case has been the reasoning for permitting corporations to kidnap our democracy and hold us hostage. Oh how I wish we had debated that case in corporation class.

For several decades I’ve practiced law in the very limited area of education. I had long since put my corporation law studies behind me when I began to wrestle with the devastating rape of the middle and lower classes by corporations, especially in the health insurance reform battle. In order to understand how our democracy has gotten in its current mess, I determined I’d better revisit the 1886 case.

What a blessing the Internet is. Just Google “corporation as person, legal case.” What an education. In very abbreviated form, this is what I learned.

Just as there was no debate in my corporations class, neither were there arguments on the issue of corporation-as-person before the Supreme Court in 1886. The facts of the case present a brief history of the westward movement of the railroad. The simplified question: Was California entitled to none of the property taxes assessed against the railroad because the state had included miles of fence that did not exactly fit the statutory definition of property?

(It’s hard to read this history of railroad expansion without observing the importance of support from the federal government and wonder where we would be if the government had not been so generous to those corporations. Too bad we did not continue to support them and create and maintain a rail system that could serve us today as it does those in smarter nations.)

However, the importance for us is not railroad history, but truth telling about the origin of the concept of corporation-as-person. It did not come as the result of briefing and arguing of attorneys before the Court, as we expect precedent to be set. No. It was the result of Chief Justice Morrison Remick Waite’s declaration *before arguments even began*:

“The Court does not wish to hear argument on the question whether the provision in the Fourteenth Amendment to the Constitution, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws, applies to these corporations. *We are all of the opinion that it does.*” (Emphasis added.)

In *The Post-Corporate World, Life After Capitalism*, David Korten tells us that the court reporter duly entered into the summary record of the Court’s findings the following:

“The defendant Corporations are persons within the intent of the clause in section 1 of the Fourteenth Amendment to the Constitution of the United States, which forbids a State to deny to any person within its jurisdiction of the equal protection of the laws.”

We have to wonder if anyone shouted, “Judicial activism!”

There’s more history here. Benjy Radcliffe writes that corporations came about as an English creation to raise money for empty government coffers. Really! They were not in the garden; they are a creation of man, not the Divine.

Quickly corporations had such autonomy as to cause “oppression

and exploitation, particularly in places such as India and North America.” In the U.S. “strict limits were placed on the corporation in early state legislation, reflecting the fear of what could arise from unfettered corporate autonomy.” But in young America, too, it soon became apparent that the corporation was a “vehicle” for growth. Then, the industrial revolution appeared on the scene and the U.S. corporation assumed the empire’s role of oppressor.

Until 1886 U.S. courts “held steadfast in their refusal to grant corporations personhood.” It was not

person, Corporation, so staunchly advocated for in the *Citizens United* decision.

We can look for some support in the lengthy but pointed dissent of Justice Stevens. He affirms that the majority went too far in deciding that provisions of the federal election law are unconstitutional. Justice Stevens asserts, “The conceit that corporations must be treated identically to natural persons in the political sphere is not only inaccurate but also inadequate to justify the Court’s disposition of this case.”

He does agree with the majority that the law is right to require

and rightly asserts that Congress was wise to put some limits on that speech. Additionally, his dissent offers a great thumbnail sketch of the history of corporations in America when the Founders were considering their role. While dissents have no weight in the application of law, they can give direction to those seeking to correct the errors of the court.

In the words of Justice Louis Brandeis, “You can have wealth concentrated in the hands of a few, or you can have democracy, but you cannot have both.” Is it possible that the Supreme Court has,



until 1886 and Santa Clara that corporations in the U.S. began to take on nearly all the rights of people.

This came with the recognition, made much earlier by Britain, that corporations were a source of taxes. However, Britain and Canada “expanded corporate personality incrementally and by necessity. It must be recognized there was a valid socio-economic objective and the separating of the two personalities ‘the corporation and its shareholders’ enhance the corporation as a vehicle for investment.” The question then became one of how far to take this legal fiction.

Not so in the U.S. Here the proposition of corporate personhood was accepted in totality and without argument.

The Current State of the Union

Now, we see regulations that were added through the first part of the 20th century stripped away. Even with regulations, corporations have all but destroyed our democracy. Their financial contributions, coupled with the army of lobbyists they pay so well, have stripped your vote and mine of meaning. Neither do our letters, calls, emails and faxes hold any sway on issues.

More accurately, though, we cannot put all blame on corporations and the wealth they enable a few to amass and use for influence. We have to accept the fact that as citizens we got busy with our lives and chose not to exert the influence we would have if united. Further, those we have elected have often chosen to do what they perceive is necessary to become career politicians, not servants of the people. They usually want to do good; they think they have to stay in D.C. to do good and end up doing no good—sometimes even harm—in order to be where they can do good. Yes, it’s circular political illogic.

It is impossible to see how we can make any headway in reform until we deal with this monster

the disclosure of the source of campaign material but soundly explains the multitude of errors in the rest of Justice Kennedy’s opinion, leaving the only rationale for such a stretch to be the majority’s hatred of the decision in *Austin v. Michigan Chamber of Commerce*, 494 U.S. 652 (1990).

Austin held that the Michigan Campaign Finance Act, which prohibited corporations from using treasury money to support or oppose candidates in elections, did not violate the First and Fourteenth Amendments. The Court upheld the restriction on corporate speech based on the notion that “[c]orporate wealth can unfairly influence elections”; the Michigan law allowed for contributions from a segregated fund—its PAC.

Another case partially overturned by the *Citizens United* decision holds special interest for Kentuckians because it was brought by Senator Mitch McConnell. He argued that the legislation was an unconstitutional infringement of First Amendment rights because it prohibited unfettered use of soft money by corporations and unions in campaign spending. Senator McConnell had long been an opponent of BCRA.

Justice Stevens makes it clear that the majority’s claim that BCRA bans political speech by corporations is fallacious in the first place

in this bizarre decision, provided the catalyst needed to unify citizens in a movement to strip some of the human rights from corporations and reclaim the power originally and properly vested in the people?

Pterodactyl (cont.)

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The first installment of *Pterodactyl Island*, titled “Thickdarian, my Gildarian,” was co-written by Blount and friends Jacob Goldberg and J.R. Gibson. Together, the trio have given *Pterodactyl Island* a 1960s feel akin to the comic book work of Jack Kirby and Stan Lee. seven voice-actors have brought the script to life along with the audio engineering expertise of Stephen Eidson.

Blount and his team will be busy putting their finishing touches on the program all the way up until its midnight debut on Monday night/ Tuesday morning. The length of the program is still undetermined, though Blount estimates it will last two hours. So brew a pot of coffee, huddle up next to your radio, and prepare to be whisked away to lands unknown as WRFL presents *Pterodactyl Island*.

The show will be broadcast on WRFL FM 88.1 on February 16 at midnight. That’s Monday night if you’re still awake.

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Nicolas Cage goes camp in the Big Easy

By Colleen Glenn

Bad Lieutenant: Port of Call New Orleans, directed by Werner Herzog and released in 2009, is a challenging film delivered by a challenging director, one whose primary rule is to break rules. (But only on his terms. This is German rebellion, which looks more akin to a meticulously planned heist than to a stick-up.) Over his lengthy and prolific career, Werner Herzog has built a reputation for being drawn to narratives that feature monomaniacal protagonists at odds with their environment. His central characters’ swollen egos and insanity are outmatched only by their director, who tips precariously—and happily, I might add—on the edge of reason.

Two of Herzog’s most acclaimed projects, *Aguirre, the Wrath of God* (1972) and *Fitzcarraldo* (1982) fit this description precisely: both were filmed on location in the Amazon jungle in extremely arduous conditions, both featured his best friend and best enemy Klaus Kinski as a man with an outlandish vision, and both films put cast and crew through the same kind of hell as was being construed in the fictional narrative. If you think Aguirre’s men had it rough trying to lug cannons through the Andes mountains in the 16th century, you might consider Herzog’s crew humping massive cameras, lights, and mics four hundred years later, and you might begin to get a taste of the blurring that undoubtedly occurs between Herzog and the wild male characters to which he is attracted.

No example of Herzog’s bizarre personality is better than his fascinating and volatile relationship with German actor Klaus Kinski who, in addition to the two films mentioned above, starred in several more Herzog pictures, including *Nosferatu the Vampyre* (1979) and *Cobra Verde* (1987). While their collaborations resulted in critical acclaim, their

legendary personal conflicts probably earned them at least as much notice as their art. Herzog has described Kinski’s presence on the set of *Aguirre* as a “pestilence every day.” As the rumor goes, Herzog once pulled a gun on Kinski on the set, threatening to shoot him if he didn’t complete the scene as ordered. Though Herzog denies having actually been armed, he verifies having made the threat, adding, “I would have shot him. There was no doubt and the bastard understood it was not a joke.”

In 2005, Herzog released *Grizzly Man*, a documentary that chronicles the life and events leading to the death

his body or examined it, the dialogue so stilted and melodramatic that the end effect is disturbingly hilarious.

Showing outright disdain for objective truth, Herzog believes, instead, that the truth must be created. If that seems irresponsible, Herzog might respond by reminding us of the falseness of objectivity in the first place. The truth, according to Herzog, is dynamic. Still, his fast and loose philosophy wreaks havoc on the genre of the documentary, especially one on a clearly troubled man who Herzog never met. One’s epitaph could be written by worse directors, I suppose. I’d rather my biography

never seen the original, nor does he intend to. Both films feature an out-of-control police detective who could single handedly keep the vice squad in business for years, and the similarities essentially end there.

Rather than New York City, Herzog sets his picture in post-Katrina New Orleans, the bereft city so palpably present that it itself serves as a silent and morose character in the movie. The grey city skyline, used repeatedly as an establishing shot, conjures a Gotham City type of brewing evil. Shot on location, *The Bad Lieutenant* is, in some ways, a startling reminder of the devastation from the hurricane that continues to plague New Orleans four years later. Perhaps more significantly, it is a startling reminder of how quickly we forget people and places when not inundated with images on the evening news.

Which is not to give the impression that the picture attempts to raise social consciousness concerning the plight of the poor in New Orleans. Herzog is not interested in that, a fact that I find somewhat problematic in the same way that letting Herzog have the last word on Treadwell makes me uncomfortable. That said, the Big Easy has always been ripe fodder for film locations, and Herzog’s choice to set his tale of corruption, excess, and disintegration there strikes me as a particularly apt one.

The fact that the narrative centers precisely on what is unseen, about what *doesn’t* make the news makes Herzog’s choice to set the story in New Orleans all the more appropriate. NOLA is, after all, an old city of shadows and decay, a destination that most tourists abuse and return to with the kind of torrent of passion most often seen in brothels. Or church camps.

The Bad Lieutenant, true to Herzogian fashion, features a

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Nicolas Cage and Eva Mendes in Werner Herzog’s latest exploration.

of bear enthusiast Timothy Treadwell. A strange and eerie record of Treadwell’s summer trips to the remote Alaskan wilderness, *Grizzly Man* provides a good example of Herzog’s adherence to what he calls the “ecstatic truth.” Narrating over Treadwell’s video footage in his heavily accented and deliberate tone, Herzog contemplates, and, ultimately, delivers the verdict on the American stranger’s peculiar life and gruesome demise. The documentary is punctuated by “interviews” with Treadwell’s loved ones and with those who found

be in Herzog’s hands, than, say, Jerry Bruckheimer.

Which brings us to *Bad Lieutenant: Port of Call New Orleans*, the most commercial Herzog film I’ve ever seen. From a director who has always garnered more attention at film festivals than movie theatres, *The Bad Lieutenant* connotes a departure from Herzog’s typically esoteric art house flicks. You can forget the fact that Harvey Kietel acted in a film called *The Bad Lieutenant* in 1992, because the 2009 version isn’t really a remake. In fact, Herzog has

Producers, distributors, & studios, oh my!

Breaking down the business end of the movie industry

By A.G. Greebs

Last month, in a move that surprised no one, Disney closed Miramax Films and put the company on the block-allowing Disney more time to focus on its primary business model of making movies that can become theme park attractions and Happy Meal prize inspirations.

Except for the 80 or so people who actually lost their jobs when the lights went off, this won’t have an impact on anyone’s life. Miramax’s days have been numbered since 2005, when its founders, the Weinstein brothers, resigned in a scorched-earth battle with Disney over whether (among other things) distributing *Fahrenheit 9/11* would damage the élan of the company that made *Air Bud 3: Golden Receiver*.

Five years later, very little has changed. Disney has just made a movie with a black person in it and is very, very proud of itself. (Tangentially, I’d like to say that if I worked for a 70 year-old movie company that had never featured an African American protagonist, I might question the wisdom of commissioning a multimillion dollar publicity campaign to point that out- but then, I’m not a Disney executive). Meanwhile, Harvey Weinstein-a.k.a. “scariest producer in the world™”-has founded his own company, and is still bullying people over the Academy Awards.

He outraged Hollywood last year by (allegedly) starting a rumor campaign against “*Slumdog Millionaire*,” pointing out that the child actors in the movie were still living in the slums they had been hired from. The fact that this was-at the time-completely true seemed to be considered off the point by the people who were horrified Weinstein would stoop to such a level.

Weinstein is a rarity because he’s a famous producer. Most of us have

no idea who any of the people up on stage clutching their Oscars for Best Picture are. The oldest joke in movies is that most people don’t know what producers do. And if they do know what a producer does, that still doesn’t mean they know the difference between a studio and a production company, or exactly what their relationship with a distributor is. God knows I don’t.

So I thought I’d look it up and try to write an article about it. Which was a huge mistake, as no one else really seemed to know all that well either. So a lot of this might be wrong. Read at your own risk.

Q. What does an executive producer do?

That one at least is relatively straightforward. The executive producer is the person who is in charge of getting the movie finished on time and within budget. Traditionally, they find the script, hire the director, the casting director, and the person who hires the person who hires the caterer. They find the funding, and hire lots of smaller producers to work under them. Basically they are in charge of everything that doesn’t appear on the screen. A lot of famous directors produce for themselves so that they have more say over their film.

Of course, a lot of times people will be given a producer credit in a movie simply for having provided some financial support or just because the executive producer feels like it. To quote David Mamet, “An associate producer credit is what you give to your secretary instead of a raise.”

Q. So a producer works for a studio?

Not really. Usually she or he has her own production company, and then approaches other companies for additional financial backing and

studios for backing and possible logistical support. That’s why a big-budget movie has about 40 producers or production companies associated with it. Even something tiny, like *Everybody’s Fine*, Miramax’s last release and something almost no one saw, had two production companies in addition to Miramax.

Q. So that’s what all those logos are in the opening credits?

Well, not all of them. In addition to the production companies, there will also be the logo for the distributor, who is in charge of negotiating with the theaters’ buyers. For example, *Star Wars: Episode One* was produced entirely by Lucas Films, because when you have as much money as George Lucas you don’t need additional backing. But *Star Wars* had about 20 distributors (all international FOX subsidiaries) because Lucas Films doesn’t have

the infrastructure to distribute its own film. Partnering with an international conglomerate like FOX allowed Lucas Films to disappoint far, far more people worldwide, than it otherwise would have been able to.

Q. So distributors are like bike messengers? They deliver the film to the theaters?

God no. Distributors are often the ones who decide what films will get seen, especially the smaller films that debut at festivals with the hope that they will be picked up by a distributor.

Miramax actually started out more as a distributor than a production company, buying the US rights to foreign movies and recutting them to appeal to American audiences-which made them popular with foreign directors, as you’d imagine. When Miramax

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LFL screens short films at Natasha’s

Film League’s Community Video Contest a community hit

On Friday, February 26, the Lexington Film League presents a night of “Do-ers” videos at Natasha’s Bistro and Bar in downtown Lexington, Kentucky. The evening will feature many of the short films submitted to the LFL Do-ers contest and celebrate the filmmakers who took the time to create a collection of inspiring and beautiful stories about different people and organizations within their community.

Voting for the winners of the contest has begun and will run through the day of the event. To vote, email LFL at lexfilmleague@gmail.com and include the title of the video you would like to vote for.

Due to the incredible number of entries the top 10 videos will be shown

at Natasha’s on the 26th. The final vote for the People’s Choice will be the day of the event and the best overall submission will be decided by our panel of judges.

The event is free and open to the public. Cash prizes will be awarded; prize money will be split between the filmmaker(s) and the non-profit organization of their choice.

Support your community and your filmmakers! Come on out to Natasha’s.

Natasha’s Bistro & Bar is located at 112 Esplanade. The doors open at 6 P.M. for drinks and dinner and the screening begins at 6:30 P.M.. To view all the Do-ers Videos please search “Lexington Film League” on youtube.com.

Music

Live music in Lex: the next two weeks

Thursday, February 11
Mondo Drag, Jovontaes
and Clifton Keller
Al’s Bar, 9 P.M. \$5. All ages.

Something of a psychedelic revue will be going down in Lexington’s favorite northside dive on Thursday, Feb. 11th.

Mondo Drag is a five-piece out of Iowa who make sweet daydreamin’ psych-rock. But be warned, it will put your head in the clouds before pushing you off an unforeseen cliff into some seriously scuzzy metal depths. Think space rock fettered to mortality by Sabbath.

While Jovontaes’ line-up has been subject to reincarnation, the music has decidedly remained within the watery realms of experimental psychedelic jams. In its every incarnation, you’re sure to find solid garage rock structures, but wandering bleary-eyed and dripping wet with reverb.

Clifton Keller rounds out the bill on a more light-hearted note. Keller’s music steepes 60s garage pop melodies in the glow of better-days folk. Mellowed vocals meet the themes of love and loss and let live in a stride that belies Keller’s 20-something years. All in all, a psychedelic trip well worth the hop and skip down North Limestone to Al’s Bar.

As a side note, the same night and right next door at The Sidecar: Columbus’ Biff Boff Barf and Lexington’s Wretched Worst will be bringing some serious musical barfage around 8, also. Read on for more. — *Megan Neff*

Thursday, February 11
Wretched Worst w/ Biff Boff Barf
The Sidecar, 8 P.M. \$3 suggested donation. 21+

This Thursday night show features the return of one of Lexington’s best bands, Wretched Worst. They’ll be playing their first show since last October’s WRFL-sponsored Boomslang festival with a slightly tweaked line-up in the form of new guitarist Joey Tucci. Made up of veterans of the Lexington music

Brad Grable (tenor sax)
Ryan Moore (trombone)
Corey Wilson (occasional guest vocals)

The Payback is an ensemble of some of Lexington’s finest musicians laying down covers of the Hardest Working Man in Show Business, Mr. Dynamite, the Godfather of Soul, the one and only James Brown. Payback is a bitch—and it often stings, literally.

“The first couple times we played my wrists were killing me afterwards,” local drummer extraordinaire Dave Farris explained. “It’s not heavy music, but it’s an incredible amount of repetition, and you have to lock it in. It’s trance music. It really is. I didn’t realize how difficult this stuff really was to play.”

Playing those tight, rhythmic pieces can not only take a physical toll, but Farris figures it would have hurt his wallet, too, if he were playing in Brown’s notoriously tight-run ship back in the day. “He was a business man,” Farris began. “He grew up totally poor so he was into making his money, and if you made a mistake it was like \$10 a pop. Last time we played I was thinking ‘If this was James’s band I would have owed him \$150 already.’”

Brown would remind his entourage that there were always others waiting in the wings if they weren’t performing up to par, and that’s part of the focus that made Brown’s work so potent.

“He was an utterly determined self-made person,” Farris said. “He had a pretty good idea of where his thing was going to go. Whether it was ‘Papa’s Got A Brand New Bag’ or ‘Cold Sweat,’ when that stuff showed up on the scene it was instantly the beginning of what we now call funk.”

One of the most mystifying and influential dancers of his time, and an overall entertainer and performer who was arguably second to none, Farris sees Brown’s greatest contribution as someone who used his music as a crucial cultural bridge.

“What’s really significant is that his stuff is perhaps the most African

Farris tried to distill the essence of that music at work. “This is a very broad generalization, but we are very privileged people, and sometimes you hear certain musicians play like that—with a lot of notes.”

As broad generalizations go it makes perfect sense: you grow up in an environment with lots of stuff, then you end up using lots of stuff—whether it’s clothes, toys, food or even notes. Conversely, if you grow up with an acute sense of scarcity, then you are careful with each note—and you sure as hell don’t waste ‘em.

The Godfather of Soul didn’t waste ‘em—and Farris and his bandmates are making sure they get preserved with the proper love and funk needed to make it sting so sweet.

A couple of recommended viewings as preparation for the show:

Learn more about the deep social and political aspect of James Brown’s influence in the late 60s, with the documentary “The Night James Brown Saved Boston.” (Also available on Youtube in eight parts.)

For unadulterated fun – Youtube a 49-year old Brown work a (mostly) stiff studio audience into a damn frenzy during his 1982 appearance on *Late Night With David Letterman*. —*Captain Commankokers*

Saturday, February 20
WRFL Presents Cymarshall Law w/ Devine Carama, Loose Change, Nemo, and DJ Mykraphone Mike
Al’s Bar, 9 P.M. \$5. All ages.

Many have asked the question and failed to answer: What is hip-hop? For some it’s a thing that goes bump in the night—a thing to be feared or exorcised. For others it’s a thing to be worn, lived, and breathed. There’s no easy way to define hip-hop because it’s as varied and textured as any other musical genre; it’s not one thing, it is many.

This is precisely why we should all be present at the upcoming show at Al’s Bar headlined by New Jersey’s Cymarshall Law. The night’s lineup

also includes local luminaries Devine Carama, Nemo, Loose Change, and DJ Mykraphone Mike, all of whom combine to make a diverse and spectacular show.

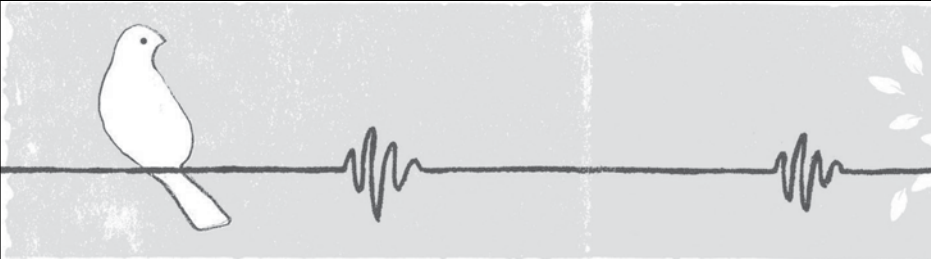
For Cymarshall Law (Cy), hip-hop most likely manifests itself as largely uncharted terrain. On his DJ Omega assisted “The Creator’s Craft” mixtape he uses the intro to lament: “A lot of cats is the same. They all sound the same. I’m original. I got my own style.” Cy backs up this claim by revealing many aspects of his rap persona on “Creator’s Craft.” Some of it is largely braggadocio, as can be found on “Run This Town Freestyle” and “Bricks Freestyle.”

But the Talib Kweli-inspired “What Would You Do” shows a different side of Cy by linking black cultural consciousness with politics, asking listeners what they might do should the revolution come tomorrow. Cy pushes this motif on the cantankerous “Discrimination” in which he uses a personal-narrative approach to lay out the myriad forms of racial profiling that exist in the “post-racial” Obama era. Overall, Cy is an artist who accomplishes the 3 R’s necessary for any artist to rise from obscurity: he is relatable, reasonable, and relentless and, thus, an artist worthy of investing time and capital to experience.

The undercard reads like a virtual who’s who of Lexington hip-hop. (Indeed all the artists listed on the roster could very well be headlining this show.) Devine Carama is perhaps this city’s most consistent emcee, having dropped an album or mixtape every year for the last 5-6 years. His self-titled “Devine Carama” plays as one man’s hope to ascend from local artist to national celebrity and includes standouts like the title track and the explosive “Spaceship” where he boasts “I’m so fly I can even fly a spaceship.”

Loose Change may very well be the best hip-hop duo in town. Its two members Fontaine and Ill Natural spit raw, rugged rhymes reminiscent of the early-90’s underground hip-hop golden

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scene, Wretched Worst’s members have played in area groups Hair Police, Warmer Milks, and Cadaver in Drag, among others. While solidly rooted in noise rock, Wretched Worst (who describe themselves as “a bulldog wearing a skull t-shirt”) encompass a wide range and variety of sounds including late-70s No Wave as well as Industrial music.

Also on the bill is the band Biff Boff Barf from Columbus, who will be stopping through on their way to play the Miami International Noise Conference on February 13th. Playing a spastic, in-the-red style—reminiscent of early, less-polished Butthole Surfers—their sound should nicely round out the show. Don’t forget your earplugs. —*Joe Fisher*

Thursday, February 18
The Payback
Al’s Bar, 9 P.M., \$3. All ages.

The band:
Willie Eames (guitar, vocals)
Smith Donaldson (guitar)
Steve Cherry (bass)
Dave Farris (drums)
Sam Flowers (trumpet)
Evan Belt (trumpet)

music of the 20th century in North America. James’s stuff is so immediately percussive. Everything is like a drum part—the guitar, bass, piano—it’s all so percussive.”

“They would call it the monorail. Everyone had their set parts. Like traditional West African drum ensembles [where] you can do some slight variations, but essentially everyone has a puzzle piece, and everyone has to stick to their parts for the thing to work,” Farris explained.

“It’s really about a collective mentality and that goes back to the African sensibility. It’s based on the community,” Farris said. “The more European idea is based around the melody, verse and chorus, but really the rhythm in James’s stuff—there is a whole symphony going on. There are multiple layers and it is just as valid.”

All that rhythm and all that groove rears is easy to spot at any number of social gatherings where inhibited, tightly-wound people shake their asses to the sounds that either Brown himself penned—“I Got You (I Feel Good)”—or any number of works directly inspired by his foundation (like the last time you got busy working out your new moves to “Brick House”).

Void culture’s heart Trailblazer, Gudwalls, Jovontaes at Al’s

By Ben Allen

The scene lingered in the cold Saturday night on January 30. All the young skaters, artists, musicians, guys and girls were showing up to Al’s from 9 to 10 PM in various forms of interest, whether ready to greet the others in the cheer of a few drinks, to shoot pool or just sit around with some friends to grab a bite to eat. The groups on the bill milled around in booths near the bar, disappearing for a few minutes only to reappear packing in bits of equipment through the back. It wasn’t a crowd just yet—though the crowd was there, waiting.

Coleman Guyon, a.k.a Trailblazer, took the stage to fidget with his gear and check the sound. Once satisfied, he began the show. From the mellow, frigid torpor arose energetic electronic beats, rhythmically synched synthesizer tones, a jangled up mess of guitar, and then, echoing through the bar and calling for attention, the voice of Trailblazer.

The scene changed, the crowd arrived and the fellow leading everything in some kind of coolly remembered disco cowboy style brought forth song after song. I imagined Guyon crouched in some attic with all his gear crowded in a corner, dreaming of space travel and wide-open journeys and exactly what that would sound like. At this show (his third in town, I believe), his was a simple, dreamy, psychedelic electro-pop call to follow him. I did, and it was one hell of a fun trip!

Guyon led us out to where the energy fields were much warmer. Speech and movement and all the

flurry of a killer Saturday night at Al’s kicked into high gear. By the time the Gudwalls got on stage, the fun-o-meter was already charged to the brim. Led by Paul from The Butcher’s, this crew of out-there Misfit fans in rags (a.k.a. smart punks) spent about 35 minutes blowing everybody away with total guitar caterwauling insanity. The lead guitarist spun our heads back and forth in a distorted mess of fuzz-on-everything scuzz. Paul’s vocals added a youthful, “just got out of bed” energy to already awesome hooks. The bassist wore a Muppet hat and I couldn’t decide between comparisons to early Flaming Lips and Folk Implosion/Sebadoh in this crazy scene. Either way, Gudwalls were ugly, terrible, and completely brilliant. DO NOT MISS THEIR NEXT GIG!

After Gudwalls, Jovontaes took over for a while to coast the night away, leaning hard on easy, infectious rhythms just like the great chiller tracks on classic rock records. These dudes are kings of the Can-beat—Boom-Boom Tis-Tis Boom-Boom Tis-Tis—making seriously steady jams that form the heart of Void Skateshop culture: streetlight-riding through sleeping neighborhoods and forgotten downtown passages, sensing the shape of a dark world and kicking right past it.

NEC was up after that, but my mind had already been ripped around enough by the locals that this old kid had to get back to the house. Nonetheless, if you get around to it, check out NEC’s last record “Is”—great shoe-gaze-style psychedelic punk from Atlanta.

Snow drops in at Winchester Ice Bowl

By Troy Lyle

Slick roads, bitter cold and nearly five inches of snow were not enough to thwart 37 disc golfers from braving the elements to participate in the inaugural WCCPR Frozen Iron Ice Bowl. The 36 hole tournament, held at Ironhills Park in Winchester on January 30, was the first Bluegrass Disc Golf Association (BDGA) event

as well as specific payouts in terms of prizes. In the case of the WCCPR tournament, the first of three sanctioned events scheduled in Winchester, the PDGA fees were waived because the vast majority of the tournament's proceeds went to charity, he said. "We managed to raise \$425 and 226 lbs. of canned goods for Clark County Community Services."



Participants in the 2010 WCCPR Frozen Iron Ice Bowl at Iron Hills Park.

of 2010 to be sanctioned by the Professional Disc Golf Association (PDGA) of America. Sanctioned events must be approved by the PDGA, have divisions based on skill levels and require meeting certain PDGA standards, said Lewis Willian, longtime BDGA member and WCCPR event organizer. In addition, a sanctioning fee is required,

Of the \$425 collected, most was based on entrance fees: \$15 for the novice, \$20 for recreational, \$25 for intermediate and \$30 for advanced divisions. In addition, money was raised from fees collected for entering the ace pool (\$3), buying raffle tickets (\$1 each), making donations and or purchasing a BDGA lunch (\$6), which consisted of fried chicken, baked beans

and potato salad. Willian said considering most of the tournament's entrants drove to Winchester to participate, and taking into account many of the roads were still covered by snow early that Saturday, he was pleased by the final turnout. "We had 57 golfers pre-registered," he said. "And 37 showed up. That's not bad considering the conditions."

Beyond the excitement of playing disc golf in the snow, there were several other perks for many of the tournament's participants. The first 35 entrants to arrive received players packs consisting of a custom-stamped Innova disc and a mini-disc marker (similar to a marker used in professional golf). A raffle, comprised of two CFR, two Star, one Champion, two Pro/R-Pro and two DX discs, plus an Innova starter bag (\$135 value), was also offered and won by Jack Hilliard.

Willian said Hilliard couldn't make the tournament, but left instructions for the prize to be auctioned off, raising another \$70 for charity. There were also five closest to the pin winners who each received a T-shirt, golf towel and tie-dyed custom disc. No one won the ace pool by scoring a hole in one in tournament play, resulting in a throw off in which Tracy Bottom won \$33.

It's a good thing the BDGA were giving away so many discs that Saturday because many golfers lost

theirs in the snow. And lost discs weren't the only result of the extreme conditions, said Willian. "The average score per round was 10 strokes higher than those posted in the Turkey Trot tournament held this past November." Division winners:

Advanced, James McCormick, +7
Intermediate, Matt Dodson, +14
Recreational, Bryan Gort, +21
Novice, Charlie Cavalier, +23
Junior (u-19), Daniel Baumgardner, +37

Willian considered the Frozen Iron Ice Bowl as a whole a success, and in more ways than fun and charitable donations. "Some 83 discs were donated for the after-school program I'll be starting in Clark County in March," he said. "The program's aim it to get kids (grades 2-5) excited and interested in playing disc golf, and maybe even have several compete in the Kentucky Junior's Tournament (scheduled for late April) if they so choose."

Up next for the BDGA is the ninth annual Lexington Ice Bowl scheduled for February 20 at Veterans and Shillito Parks. "As many as 90 golfers can participate," said Drew Smith, BDGA president and event organizer. "We already have 40 pre-registered. But there's still two weeks left before the tournament. Hopefully by then there will be a full turnout," he said.

Where's Bill? Shootin' n snaggin' with the Frugal Fisherman

Having organized my tackle box two weeks prior, I discovered I was out of several key items needed for this year's fishing plans. I have no catfish bait, large lead weights or circle hooks. I'm also in need of a new, heavy duty rod and reel. My old model went the way of the dodo when I slammed it into my Scion's hatchback three years ago. I'm also out of 1/4 and 3/8 oz. bullet weights, 8 lb. test monofilament and a myriad of other hooks, sinkers and plastics. I need a lot of things, including a new fishing license and trout stamp.

As a kid my grandmother would take me shopping with her on Saturdays. We'd visit Thalhimers (a now defunct southern clothing store), J. C. Penneys and Sears, Roebuck and Co. I was always on my best behavior as she tried on dresses, shoes, hats and scarves. I knew if I didn't make a fuss, she'd let me run free once we entered Sears. And freedom meant I could spend the thirty minutes or so she needed to shop in the sporting goods section.

It was there I met Bill. At least I think his name was Bill.

To a nine-year-old boy with an obsession for fishing, Bill was a god. He knew everything from brim to baits, bass and baitcasters. He'd regale me with his weekly fishing adventures and how he'd landed the big one. He'd show me how to tie various knots, adjust drag and cast top water lures. When it came to fishing no one knew more than Bill.

Here some thirty years later and in need of fishing supplies, I wondered

if there was another Bill tucked away in some sporting goods section somewhere here in Lexington. To find him I'd need to visit every tackle shop, bait dispensary or sports store in the area. I started by writing down a list of addresses for all the fishing, tackle and bait shops I could find in the yellow pages and online. My plan was to visit each and find my new Bill.

It didn't take me long to work through the list. I tried Wet Willie Baits off Preakness Drive, Dave's Tackle Shop on Woodhill, Meadowthorpe Outdoors off Leestown Road and Duff's Bait Shop on N. Limestone. All had closed or went out of business. I could not locate a single shop. Maybe I missed one tucked away in the deep recesses of some long forgotten strip mall, but I doubt it.

There are two fly fishing shops in town, Orvis and The Sporting Tradition. Both cater to fly fishing and fly fishing alone. Not much help for man looking to buy some grub worms or minnows. Of course there's Walmart and Dick's Sporting Goods. Both have an enormous array of lures, lines and tackle, with an entire section of each store dedicated to fishing. But neither store's attendants seemed to know a thing about fishing.

Is it me or do the workers at large chains like Dick's and Walmart seem to be in a trance? I think it's due to prolonged exposure to fluorescent light and a vastly insufficient living wage—turns them into zombies incapable of answering direct questions.

And then there's The Angler's Outpost in Nicholasville. They sell

and service boats and boat motors, offer a wide range of bass tackle and lures, and believe it or not, sell mill, grub and earthworms (spring-fall). Chris Conley's the man to talk to if you need anything. In addition, there's Backwater Outfitters off New Circle on the north side of town. Brad Myers is the owner. He carries a large selection of tackle and lures covering everything from bass, to walleye, to crappie.

Both Myers and Conley know a thing or two about fishing. You can tell just from talking with them. If I had to guess they both are on the water frequently throughout the summer—jigging for this, casting for that. Neither of them are like old Bill, but I'm not nine anymore either. At least they're fisherman, and call me crazy but I like buying my fishing supplies from someone who fishes.

A friend once told me you vote with your wallet. It's true. How, and more importantly where, you spend

your money determines the types of businesses you have in your community. Maybe if a few more of us would have dropped in to Wet Willie's or Meadowthorpe Outdoors we'd have more local businesses and less Walmarts. And maybe, just maybe, there would be a Bill there waiting to teach you a thing or two about fishing.

Anglers Outpost & Marine
1543 Danville Road Loop One
Nicholasville, KY 40356
(859) 881-5266
anglersoutpost1@windstream.net

Backwater Outfitters
Suite 4,1066 New Circle Road
Lexington, KY 40505
(859) 266-4506

If anyone has more information on local tackle or bait shops please contact me at frugal fisherman@hotmail.com

Shit Squad squeezes past Slayer Cake 4-3 OT victory brings SQ to 5-1 in league play

Sunday, February 7, 2010
Coolavin Park
NoC Sports Desk

Matt Burton and Boyd Shearer scored a goal apiece and Grant Clouse scored two for Shit Squad—including the game winner in overtime—in what turned out to be a surprisingly contested Game Four showdown against a Slayer Cake team in total disarray.

Cake pedaled out to a quick 3-0 lead on a goal by Rich Lopez, who was subbing this night for the lost Drew Combs, and two more by Rozzi. In fact, after Rozzi's second goal, a thundering half court blast from the pit-side tapout box to conclude the 3-0 Cake barrage, fans camped out in the 20 degree weather started streaming for the aisles as a visibly deflated SSQ stood watch, dumbfounded (or just plain stupid).

But an offhand Lopez comment after Rozzi's blast re-energized the Squad. (The Texas Phenom questioned whether Burton et al. wanted to continue playing the game.) Emphasizing a deeply egalitarian ethos that is the team's trademark, S.

Squad squeezed their way back into contention through hard work, skillful sharing of the ball and scoring workload, strong collective defense, and good fortune. By the time SSQ's Clouse muscled the tying goal through the cones with 45 seconds left to play to force overtime, Lopez knew the answer to his question. Shit Squad always comes ready to play.

In other league play, the Lex Offenders bested the Drunk Assholes by a 2-1 score, Kyle Hord scored three in leading the Drunk Assholes to a 3-2 victory over Cash 4 Gold, and

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2010 LBP League Standings through 2/7		
Team	Wins	Losses
Hallelujah Holy Shit	6	0
The Shit Squad	5	1
Lex Offenders	4	2
Drunk Assholes	2	3
Slayer Cake	1	3
Party Face Destruction	0	4
Cash for Gold	0	5

Comment

Hunter S. Thompson: kaput

By Danny Mayer
Illustration by J.T. Dockery

Editor’s Note: Upon the death of Hunter S. Thompson, this article was submitted to, but never published by, Nougat Magazine. One of the perks of opening your own paper is self-indulgence. Here’s one such self-indulgent moment on the fifth anniversary of Hunter S. Thompson’s suicide.

February 21, 2005
7:00 A.M.

Life just seems too huge and too fascinating for me to begin thinking about curing my restlessness at this stage of the game. Maybe later.

Hunter S. Thompson, June 4, 1958

Mistab Kurtz—be dead.
Joseph Conrad

I haven’t had a drink this early in quite some time, unless you count an 8 A.M. nightcap as an early drink. It’s been even longer since I’ve had rum on ice.

My wife Julie woke me up this morning, per usual, at 6:00 A.M. and greeted me with the news of the suicide of Hunter S. Thompson. So as she put on her scrubs and prepared for another day humping the American dream thirty miles away at the Toyota health clinic in Georgetown, I got to watch Matt Lauer and the rest of the morning fucks tell me that Thompson had blown his brains out on the grounds of his fortified Aspen compound.

A Hemingway fan to the end.

The news initially caught me by surprise, but as the rum and a rising morningn sun have begun to warm my body and mind, it’s all beginning to make a certain sense to me. About as much sense as wars in Iraq and Afghanistan, which is to say death is a reality and sense-maker in and of itself.

As the corporate twenty-four hour news stations have begun to come alive with their morning news highlights—I’ve got MSNBC blaring in one room, Fox in another and Jerry Jeff on the CD player—they have begun to give the Thompson story some play, describing his death as another nail in that old 1960s coffin before moving on to other, more important matters, such as the impending Michael Jackson trial. The story was pretty uniform across the board, diverging little from Lauer’s keen insights: “Gonzo journalist...a drug fatcat...Fear and Loathing...dope fiend...countercultural icon...Nixon...and did we mention he did a lot of drugs?”

Before I go any further, I should here state, in the interests of journalistic integrity, that I do not *do* drugs, so long as you agree with me that organic weeds, certain acid compounds, alcohol and mushrooms are not drugs. And while I find *Fear and Loathing in Las Vegas*, the book around which much of the cult of Thompson formed, a brilliant and immensely sorrowful work of failed cultural and authorial momentum, it’s never been what drew me to the Doctor of Journalism.

I of course know several friends—two in particular from high school standout—who read that book and

“got it” enough to have their own extended Fear and Loathing weekends to places like Epcot, zapped on liquid acid, chugging Chivas and popping Xannies bought through marathon 14 hour drives from Tuscaloosa to the middle of some nondescript bridge separating Texas from Mexico, and back again. (Nobody I know, then or now, has been able to locate adrenochrome.)

I’ve no doubt they had a smashing time, and I always loved talking Thompson—nearly always *Fear and Loathing in Las Vegas*—with them. I am, after all, a wannabe Doctor of Literature, and I’m certainly not going to minimize the bodily pleasures of a madcap king-hell fuckaround that the book indulges us in. I’ve had my fair share, too, and more than one inspired in large part by Thompson.

But at the same time I always felt like that Flamingo Hotel desk-clerk in *Fear and Loathing in Las Vegas* who’s telling a pig couple from the heartland that their room will not be available. “Listen,” I want to say as I nod my head, smile and listen to their trips, “you’re missing the fuck-

a kid just out of Louisville’s Male High School, as he becomes a squatter in NYC typing Hemingway’s *The Sun Also Rises* to feel the rhythms in the sentences. We read along as Thompson covers bowling in Puerto Rico alongside a young William Kennedy, hunts wild boar in Big Sur next to Joan Baez, becomes drinking buddies with Charles Kuralt in Rio while a freelance journalist, and swims naked in the Gulf of Mexico under a summer moonlight while on leave from the Air Force. All of this done while attempting to write the Great American Novel.

If the case can be made that Thompson had a drug problem, I think it should be noted that, long before and far exceeding it, he had an America Problem.

It was just such a committed, thoughtful and most of all *footloose* life I once wanted, and on many nights still want dearly. For me, Thompson’s letters *were* that American Dream he so often proclaimed was dead. I wanted to be him. Not the drug-addled beast in Vegas, but the unknown 23 year-old freelance kid journalist of 1960 just run

America (at times securing passage on drug-running ships), I was sure my own America Problem, my own impeccable instincts, my own youthful exuberance, would carry me along.

At 29, married, with a mortgage, two dogs and still no published story to my name, it’s a fantasy that I still indulge in—on the edge, writing my third (failed) novel, measuring success by the amount of cheap beer I can buy, awaiting a new move with Julie—a fantasy that I suspect a good number of us still harbor, although with Hunter’s passing, at the moment that unbridled optimism feels like it has gone with him.

Listen, for example, to how Thompson opens up *The Rum Diary*:

“In the early Fifties, when San Juan first became a tourist town, an ex-jockey named Al Arbonito built a bar in the patio behind his house on Calle O’Leary... It was a pleasant place to drink, especially in the mornings when the sun was still and cool and the salt mist came up from the ocean to give the air a crisp, healthy smell that for a few early hours would hold its own against the steaming, sweaty heat that clamps San Juan at noon and remains until long after sundown.”

Somewhere in there, in the eternal optimism of a new day burning through the old, is why I’ve got my own rum drink in hand, 25 degree Lexington weather be damned.

Out on the Edge

The early morning, in fact, was always good for Thompson, whether that morning was under the dark of a 4:00 A.M. letter shot off to Charles Kuralt, or in the growing light of a 9:00 A.M. rum drink with colleagues on Calle O’Leary. Beginnings, possibility. Go West Young Man... chock full of American spirit...Horatio Alger style.

Until, of course, those new days stopped being so innocent and full of possibility.

Like that picture of Dorian Gray, I suspect that Thompson was America’s ugly, beastly double: the outlaw journalist always one-upping that rugged frontier individualism America prides itself on; the perpetually twisted writer outdoing the alcoholisms of Faulkner, Hemingway and Fitzgerald combined; the lawbreaking citizen running for sheriff of Aspen on a platform calling for a return of public bastinados to punish *dishonest* dope dealers and real estate agents alike; the peace activist living within

a fortified compound of guns and explosives; the bear hunter accidentally shooting his secretary. Thompson was less an American Anomaly than the country’s unbridled and limitless possibilities made human. He was a beast, all right, a beast made out of our own deluded sense of what makes us so uniquely special. And sweet Jesus it wasn’t pretty—although we loved him anyway, republican and democrat, conservative and liberal, MSNBC and Fox, Pat Buchanan and John Stewart.

He was America’s retched excesses, all its myths that we’ve been too long from examining, collapsed in on themselves, and finally blown away by its own hands, by its own rifle, on its own fortified compound. Kaput. Kaboom. Nada, Nada.



ing point. A pathetically eager acid freak is a pathetically eager acid freak, in 2005 the same as 1972...the same as 1965. There’s more to it than the Hawaiian shirts— although the shirts are of course key.” Mahalo.

A Different Hunter

I remember buying, just after its publication in 1997, *The Proud Highway*, a collection of letters Thompson wrote in the late 50s and 60s. It is one of the most beautiful histories of American life during this time period, or any other for that matter, and I often return to it in my more cynical moments—the long duree of Shock and Awe and Enduring Freedom come to mind here—to remind me that some ideas of America are OK.

The letters follow Thompson,

off his bowling beat in Puerto Rico—in fact run off the island altogether—dead broke with mounting debt, stuck in Bermuda awaiting transport to Spain, yet still maddeningly confident in his instincts to write in a letter to a friend, “I feel extremely successful, without being able to afford the price of a single beer.”

Reading that at the age of 22 holed up all alone in a cold Montana winter, at an age when Thompson had already spent time bouncing around New York City, writing in a cabin without electricity in upstate New York, and covering sports in Puerto Rico, when he had already finished one failed novel and begun work on another, when he would soon spend a year on a paltry and unstable unknown freelance journalist’s salary hopping around South

Hemp (cont.)

continued from page 8

as 10,000 B.C. Around 3000 B.C., Ayurvedic medicine used *bhang*—produced from the dried and crushed leaves, seeds, and stems—to treat problems that included diarrhea, epilepsy, nausea, fever, diabetes, asthma, and menstrual disorders. In 2700 B.C., the first written record of medicinal usage is made in the pharmacopoeia of Shen Nung (one of the fathers of Chinese medicine) for constipation, gout, malaria, fevers, menstrual problems, and rheumatism.

The West came late to using marijuana as medicine, but in 1621 English clergyman Robert Burton wrote in *The Anatomy of Melancholy* that marijuana could be used for the treatment of depression. Between 1840 and 1900, more than 100 papers were written and published in Western medical literature about using marijuana to treat various diseases and ailments. Marijuana was listed in the *United States Pharmacopoeia* and *National Formulary* from around 1852 until 1941, which means that it was used for prescription and/or over-the-counter medicines. The *United States Pharmacopoeia* went so far as to list marijuana as one of the least toxic substances.

On the other hand, even though prescription (non-illicit) drugs have a much shorter history than marijuana, according to a 1998 study in the *Journal of the American Association*, the deaths caused by adverse drug reactions in hospitals have been listed as being between the fourth and sixth leading cause of death in the United States.

The Law

I am not an expert in law, but the actions taken by the federal government through the passage of laws by Congress related to the regulation of hemp and marijuana can be brought to the U.S. Supreme Court on their (possible) illegality.

This is because in *United States v. Butler* (1936) it was decided that the “regulation and control of agricultural production are beyond the powers delegated to the Federal Government” (*United States v. Butler*). This means states can argue that the Controlled Substances Act (a subset of The Comprehensive Drug Abuse Prevention and Control Act) of 1970 is in violation of *United States v. Butler* because industrial hemp was an agricultural product prior to the Revolutionary War and was grown by farmers at the request of the federal government during World War II. (It will be harder for marijuana since its name is of Spanish origin.) California is a good example of a state that is defending its rights in this regard.

Following the passage of the Controlled Substances Act in 1970, Congress recommended the creation of a presidential commission to study marijuana because it did not want to permanently categorize marijuana as a Schedule 1 substance—an illegal drug with no medicinal uses—without having substantial knowledge about it. The commission, named the *National Commission on Marihuana and Drug Abuse*, consisted of 14 members named by President Nixon and Congress. Of his allotted ten appointees, President Nixon named Raymond Shafer, former Republican Governor of Pennsylvania and former prosecutor, the chair of the commission.

In March 1972, The National Commission on Marihuana and Drug Abuse, commonly called the Shafer Commission, released their findings in “The Report of the National Commission on Marihuana and Drug Abuse: Drug Use In America: Problem in Perspective.” One journalist cited the findings as the “most comprehensive review of marihuana conducted by the federal government.”

The commission advised that marijuana be treated similarly to alcohol in the Volstead Act of 1919 (used to enforce the 18th Amendment) in that an individual who possessed (including casual or non-monetary transfer) marijuana in public would

be fined but would not receive a warrant or a record of any kind as the criminal justice system was to not be involved. Law enforcement could not search a private establishment without probable cause of “unlawful sale.” In addition, the Shafer Commission recommended changes to the treatment of marijuana—classified as contraband—in the Controlled Substances Act. Several members of the National Commission on Marihuana and Drug Abuse also favored legalization of marijuana.

However, President Nixon denounced the report and started the “War on Drugs” through an onslaught of propaganda and myths that continue today through the Drug Enforcement Agency (DEA) and other groups, which have made it difficult to enact state and federal legislation to re-legalize industrial hemp and marijuana.



Potential Benefits of Legalization

Medical marijuana has been made legal in thirteen states including Alaska, California, Colorado, Hawaii, Maine, Michigan, Montana, Nevada, New Mexico, Oregon, Rhode Island, Vermont, and Washington.

The first state to make the selling of medical marijuana legal was California with Oakland as the epicenter of the movement. In the summer of 2009, the citizens of Oakland voted to impose a 1.8% sales tax on the sale of marijuana that would go directly into the city’s general funds. According to Karen Klein in a recent article for *Business Week*, the Harborside Health Center, an Oakland marijuana dispenser, has a yearly revenue of \$20 million and therefore pays Oakland approximately \$360,000 annually through city taxes on medical marijuana. If California legalizes marijuana with the Marijuana Control, Regulation and Education Act, they anticipate additional yearly revenue of \$1.38 billion. In California, newspapers have reported that some of the medical marijuana growers (many that were almost destitute a few years ago) are now achieving taxable and legal incomes that exceed \$100,000.

Here in Kentucky, one online pro-legalization website, MarijuanaLobby.org, estimates that Kentucky loses an annual revenue of \$38,750,000.00 it has yet to enact legislation to legalize marijuana—money that can help to buffer our expected budget shortfall.

In addition to the financial benefits of medical marijuana, the people can benefit from seeing a decrease in the prescribing of non-illicit drugs by doctors. This will greatly benefit Kentucky because the deaths attributed to prescription drugs disproportionately affect the rural population. The Center for Disease Control and Prevention (CDC) stated in 2004 that, with its 164% increase from 1999 to 2004, Kentucky had one of the highest increases in accidental deaths due to deadly drug overdoses. To counteract this trend, the legal sale of marijuana should be promoted and established for those illnesses and ailments for which humans have known to benefit like AIDS, cancer treatment, glaucoma, pain reduction, seizure control, affective disorders (including depression), gout, etc.

The people can also benefit financially from being allowed to grow and sell marijuana legally. The ten-year depression (in the news it has been called a recession) has devastated families, single parents, small and even large businesses

and has hurt those that live at or below the poverty line. Kentucky is one of the five poorest states, and in 2007, 17.2% of our population lived under the federal poverty level, which was about 4% higher than the national average.

Hemp, marijuana’s illegal cousin, has long been known for its strength, durability, and vitality, which has made it one of the most functional agricultural products in history. The plant has more than 200 uses, including food (for humans and birds), fuel, oil, textiles (including canvas bags and clothes), plastics, paint, paper, livestock bedding and food, building materials, rope, sails, and now eco-friendly bricks that have a very low conductivity and good insulation in both the heat and cold. One acre of industrial hemp can produce more usable fiber than four acres of trees or two acres of cotton.

In addition, when growing hemp, insecticides, pesticides, and herbicides are not needed. It can also be used in crop rotation cycles (used in the system of organic gardening) to add vital nutrients back to the soil that are lost when growing crops like corn and tobacco.

It was reported in 1951 in *A History of the Hemp Industry in Kentucky* that Kentucky accounted for 50% of the industrial hemp production during the 1800s. In a 1998 study, The Center for Business and Economy Research at the University of Kentucky reported that if Kentucky were to create hemp processing plants that it would “have an economic impact of 771 full-time equivalent jobs and \$17,600,000 in worker earnings.” Because of the increased desire for environmentally friendly and/or sustainable products in the past decade, the economic impact of industrial hemp may be more than reported.

The total amount of money lost in the United States and Kentucky from importing hemp and its by products is not known. However, based on the increase in popularity of hemp products, it can be assumed that we are

Bike polo (cont.)

continued from page 6

Brad Flowers hogged the ball enough to score 4 goals as a fill-in for Chris “Reach-Around” Simpson in leading Lex Offenders to a 5-0 Alabama ass wupping of Slayer Cake.

And finally, Grant Clouse scored two goals as a sub for Simpson in a 3-2 Hallelujah Holy Shit victory over Slayer Cake. In doing so, Clause went 2-0 on the day versus Slayer Cake—as a sub for two different teams.

Notes

Slayer Cake: SC entered the day sitting pretty in the LBPL standings at 1-0 following a 3-2 victory over Cash 4 Gold on January 23. But after a disastrous string of three straight losses this week, which included two stinging overtime defeats and a 5-0 beat down, the Cake now finds itself looking up from the bottom half of the league.

Hallelujah Holy Shit: The injury curse of Tripple Lexxx seems to have found HHS. The Hallelujah team is comprised

losing millions, if not billions of dollars yearly in revenue from having to import hemp products.

By growing hemp on more than family farms, there is the real possibility of increasing the production capacity of industrial hemp for sale, which will increase the state’s taxable revenue streams. Since its cultivation will be legal, Kentucky will generate income through the sales tax (on non-food related hemp by-products), income taxes of the growers, from the processing plants, etc.

We the people and the states (through states’ rights) need to reassess our view of industrial hemp and marijuana. We must put an end to the demonization and fear mongering that keeps these plants and their products illegal. In doing so, we need to educate ourselves on the facts and work to change the laws at the state and national level, so we can collectively benefit from these agricultural products with histories as old as agriculture itself.

After we arm ourselves with knowledge, we need to lobby our state legislators to pass 2009 Senate Bill 131 (introduced in the Senate on 12 February 2009), which will legalize hemp production. We need to contact our state legislators to add industrial hemp and marijuana to be included in the crop diversification that resulted from House Bill 611. Lastly, we need to circulate factual information to our lawmakers in Frankfort, to our neighbors, farmers, gardeners, schools, public and private, and newspapers to educate the populace about the truth.

Obiora Embry is a free thinker that has been doing independent research for more than 15 years on a variety of topics including hemp and marijuana. He has addressed some of the common marijuana and hemp myths that can be read within the context of the article at utgift.freehostia.com/KY.

of the Commish, Brian Turner, and two members of fabled Lexington squad Tripple Lexxx, Shane Tedder and Brad Flowers. Though Tedder and Flowers have thus far escaped injury, Turner was playing injured after getting broadsided by Boyd Shearer in bike polo action in Louisville this past Friday.

The impact thrust Turner off his seat and sent his body chest-first into his handlebars. After arriving home Friday night with a severely bruised chest cavity and some interesting facial cuts, Turner received extensive treatment at home and was back on the court at Coolavin for league play on Sunday. Meanwhile, Shearer reported that he broke a spoke in the collision.

Word is that “Reach Around” Simpson got freaked out by all the bad injury mo-jo while with Tripple Lexxx and skipped out during free agency to strike up with his current team, the Lex Offenders (along with Nick Redbeard and Kevin Kliment).



Bloodied in Louisville.

Opinion

So long—it’s been good to know ya

Remembering Howard Zinn

By Michael Benton and Michael Marchman

The news that historian, author, playwright, and activist Howard Zinn died on January 27 of this year hit us hard. Zinn, as much as anyone in our lives, revolutionized how we understand our history, ourselves, and, our roles as educators. “In a world where justice is maldistributed,” he wrote, “there is no such thing as a neutral or representative recapitulation of the facts.” We agree. There is tremendous injustice in the world and as educators we feel a deep responsibility to our students, our community, and ultimately to ourselves, to acknowledge these injustices, to seek explanations for them, and to challenge them.

Zinn provided a model for us, urging us to encourage our students to be active participants in democracy rather than passive spectators. And he showed us how to do it.

Teaching with these goals means taking sides. As educators, we believe that neutrality is not only impossible, it is undesirable. We do not believe that teachers should ignore alternative perspectives or shield students from views that we find repugnant; instead, we believe that pretending to be neutral on the important social events and conditions of the day is irresponsible and that it models moral apathy to students.

Although Zinn often pointed out injustice, exploitation, and oppression in the world, he did not fixate on the negative and he was not a pessimist. Rather, he focused our attention on the innumerable times in our history when ordinary people acted admirably, unselfishly, and bravely to challenge injustice, to resist illegitimate authority, and to sometimes win victories that benefited generations (the civil rights, women’s, labor, and

environmental movements come to mind). Raised working-class ourselves we never came across histories that referred to working class realities or experiences. History, as presented to us, was an ideology of individual celebrities disengaged from the social forces that led to their prominence and the collective actions that brought about the moments which they were credited with “seizing.”

The stories of the ordinary people who did extraordinary things to make these victories a reality are often left out of our official histories, replaced by fairytales of perfect, visionary leaders who led their people (kicking and screaming) out of the wilderness. “To omit these acts of resistance,” Zinn wrote, “is to support the official view that power only rests with those who have the guns and possess the wealth. I write in order to illustrate the creative power of people struggling for a better world. People, when organized, have enormous power, more than any government. Our history runs deep with the stories of people who stand up, speak out, dig in, organize, connect, form networks of resistance, and alter the course of history.”

So often in our history books, classrooms, television programs, and films we learn (often poorly and incorrectly) *about* our history, but Zinn encouraged us to learn *from* history. His landmark history, *A People’s History of the United States*, first published in 1980 and going on to sell over a million copies, initiated a “quiet revolution” amongst a population starved for histories of everyday people coming together to challenge social institutions they believed were oppressive or exploitive.

These were stories that had long been absent from the traditional histories of mainstream American education. These were histories of people

acting collectively over time to change the world, not individuals momentarily seizing the reins of power. Howard Zinn’s histories gave us a sense of the power of collective action and taught us to value our own experiences and our own abilities: a radical, revolutionary concept for generations instructed to believe in the objectivity of history.

As he states in his 1994 autobiography *You Can’t Be Neutral on a Moving Train*: “From the start, my teaching was infused with my own history. I would try to be fair to other points of view, but I wanted more than ‘objectivity’; I wanted students to leave my classes not just better informed, but more prepared to relinquish the safety of silence, more prepared to speak up, to act against injustice wherever they saw it.”

This is the “quiet revolution” that he initiated for new generations of scholars, that the grand “myth of objectivity” was designed to disguise the collective actions of people struggling for

social justice. To challenge the naturalized discourse of the powers-that-be was to be open to dismissals of bias, while those who ignored or supported those in power, were praised for their fairness and objectivity.

Last December, across the nation, and in downtown Lexington’s Al’s Bar, people gathered to see the premiere of Howard Zinn’s documentary *The People Speak* on the History Channel. We remember that night clearly, the excitement in the standing-room only crowd, the intense discussions before and after, and the collective joy of learning new histories. Some were familiar and some were not, but they worked together to provide us with another example of the peoples voices and the power of recognizing them.

Howard Zinn has left us an important legacy. It is our hope that future generations will follow his lead and look beyond the familiar celebrities of history.

Herzog (cont.)

continued from page 4

larger-than-life anti-hero who swallows life around him with that same kind of voracity, seemingly insatiable in his appetite for stimulation. The story follows Terence McDonagh (Nicolas Cage) as he investigates the brutal murders of five immigrants from Senegal. His tactics are beyond shady, and yet his instincts are so good that the end appears to justify the means when the bad guy is discovered. Sound familiar? The plot isn’t terribly original, when we consider the litany of corrupt cop films solid enough to warrant their own genre (*Touch of Evil*, the *Dirty Harry* series, *Training Day*, *The Departed*, the original *The Bad Lieutenant*...need I go on?).

However, while Herzog’s latest contribution to the big screen is not significant for its originality in plot, it deserves attention for Cage’s tour de force performance. Not since *Raising Arizona* has Nicolas Cage turned in such a memorable piece of work. (Apologies to all you *National Treasure* fans out there.) That’s not entirely true, as much as I love saying it. *Wild at Heart*, *Moonstruck*, and *Adaptation* were all solid contributions by Cage, but there’s been a lot of *Con Air* to forgive. Before old school Cage fans celebrate though, you might want to check out the trailer to *Season of the Witch* (2010). Sorry.

As crooked police detective Terence McDonagh, Cage arrests our attention from the moment he appears onscreen. The first scene establishes McDonagh’s redeemable asshole status when he cruelly harasses a Latino prisoner who is near drowning in his jail cell before jumping in and rescuing him, sustaining a serious and permanent back injury while doing so. The chronic pain leads to a dependence on painkillers, and throughout the story, Terence pops pills, snorts coke, and smokes pot (and heroin once, by mistake) alternatively to dull the pain and to stimulate his dulled senses.

Terence’s life consists almost entirely of work, a fact that is not lost on his superior officer, who puts the obsessive lieutenant in charge of the murder investigation despite his concerns about Terence’s mental state. When not working, he snorts coke with his girlfriend Frankie (Eva Mendes), a prostitute by trade who seems to often require his assistance in getting paid by clients, or just getting rid of them. When not getting high with Frankie, he places big wagers on college football, prowls teenage clubbers, and occasionally visits his father and his alcoholic wife in the country. His willingness to and enthusiasm for breaking the law is, of course, precisely what allows Terence to infiltrate the drug ring responsible for the immigrants’ murders. Still, the fact that we have a white cop breaking all the rules and reaping only benefits while the minority populations around him are sinking is problematic.

Seedy is an understatement when it comes to describing Terrence’s existence,

and Cage revels in the sordidness like a cat with a bag of uncut catnip. Which is to say, with abandon. My sense is that Cage requires directors like the Coen brothers, Spike Jonze, David Lynch, or, in this case, Werner Herzog, to push him beyond what is easy to arrive at something remarkable. Mickey Rourke needs the same kind of pushing; some actors need prodding to turn in good work.

What is sort of uncanny and perhaps a bit disappointing, however, is that Herzog and Cage (who served as producer as well) seem to have entered into some kind of devil’s compact to resurrect 1980s Nic Cage, so that the film screens, at least on one level, as a kind of reprisal of Cage’s funniest and edgiest work. It’s like *Cage Gone Wild*: 122 minutes of raw footage. Perhaps even uncannier is the way in which Cage takes on Kinski-esque characteristics as he maniacally mishandles the investigation, at one point bullying a feeble woman at a respirator in a nursing home, blaming seniors for draining the system. (This scene was improvised, by the way—it really *is* Cage gone wild.) He even adopts an Aguirre-like madman posture with an unnatural gait, the back pain presumably so bad it has causes one shoulder to dip stiffly.

The collaboration between Herzog and Cage results in a stupendously funny dark comedy, one so dark that the audience members at the Kentucky Theatre weren’t laughing last week when it screened here. However, the promotion for the film may be partly to blame. The trailers gave little hint it was a comedy, and audience expectation is almost creepily powerful when it comes to how we perceive and understand a film. Admittedly, this brand of bleak humor—in the vein of the Coen brothers, David Lynch, or even Robert Altman—is often sobering.

Though more commercial than his other works, Herzog seems to continue to elude the mainstream audience. Despite being in cahoots with an American production studio and a big-time Hollywood actor, the film was completely ignored by Golden Globes and the Oscars both. In fact, Herzog has never won a Golden Globe award or an Oscar. (*The Bad Lieutenant* won prestigious awards at both the Venice and Toronto film festivals.)

Watching this film reminded me of the ways in which the Spaghetti westerns inherently misunderstood the mythos at the heart of the American films they attempted to imitate. Such a question lingers at the end of *The Bad Lieutenant: Port of Call New Orleans*. It’s as if Herzog has turned in a corrupt cop film infused with a blend of nihilism and quirkiness that may not translate for American audiences.

You can take the director to Hollywood, but you can’t necessarily put Hollywood into the director, not one like Herzog, anyway. And that’s not a bad thing.

Live music (cont.)

continued from page 5

era, an era categorized by largely stripped down beats with an emphasis on emceeing rather than bling (fat gold ropes and Adidas aside). Their loyal legion of fans show out at every event and know all the words to their songs. Expect to hear healthy doses of new material from LC’s recently dropped album, “Bringin’ Fresh Back.”

Nemo quite simply is the present and future face of Kentucky hip-hop. Left-brained, enigmatic, and razor sharp, he and his band deliver one of the better live sets in the area—think Digable Planets meets The Roots. His “Vibrations” disc displays his enormous breadth and talent with standout songs like “The Definition of Cool,” “Shooter,” and “Elevator Music.” It’s available online for free download.

Surely no hip-hop set is complete without a DJ spinning wax, and Lexington’s premier DJ Mykraphone Mike will be on the 1’s and 2’s all night. While hip-hop is Mike’s specialty, many have witnessed him rock parties across all genres. Mike’s skills have taken him to at least 17 states and made him Kentucky rap group Cunninlynguists’ go-to DJ when they’re in town. Let’s wager that no hip-hop show in Lexington thus far has been this complete or diverse. Don’t be left standing in the cold for this one. It’s going to be a scorcher. —*Hendrick Floyd*

Saturday, February 20

The Ravenna Colt w/ Roman Candle
Natasha’s Bistro, 11 P.M. \$6. All ages.

The Ravenna Colt is “a virtually untamable, yet not necessarily barbarous animal,” as described in the 1902 book *The Art of Taming and Educating the Horse*.

Lucky for us, it’s also the name of a brand new project from Johnny Quaid, former guitarist and studio engineer

for My Morning Jacket. Conceived years ago and brought closer to fruition by Quaid’s recent return from living in the American West, the band’s first effort, *Slight Spell*, is threaded with lonely slap-back guitars and distant, homesick harmonies. Moving away from Kentucky, Quaid explained to me, offered a new perspective on life in the Southeastern states. The view from California, it seems, might not be all it’s cracked up to be.

In the first song that reached my ears, “South Of Ohio,” roomy drums and a trembling electric guitar provide a steady backdrop for waves of pedal steel and Quaid’s plaintive, unpretentious voice. On tracks like “Forsake and Combine,” reminiscent of blues-worshipping British rock and roll of the late 60’s, the drums get trashy and Quaid’s vocals keep right up, giving John Fogerty a bit of a run for his money. The jangly dirge that follows, “That Day At Point Reyes,” waltzes between intimate and epic, slow dance and lullaby. There’s some sweeping imagery for the thinkers, shake and shimmy for the dancers, and a little blue for the sad hearts.

In *Slight Spell*’s wide open, sunny sound, glimpses of Guy Clark and Gram Parsons share time with hints of more recent alt-country mainstays Magnolia Electric Company. This is not to say we’ve heard it all before: quite the contrary. What sets The Ravenna Colt apart from the rank and file in modern Americana is what sets great bourbon apart from the cheap stuff: same ingredients, but more time taken and imagination added. Instantly accessible and repeatedly listenable, The Ravenna Colt dresses its world-weary southern roots with a welcome dose of west-coast sunshine.

The Ravenna Colt’s debut, *Slight Spell*, will be released February 16th. Listen to the band live on WRFL, 88.1 from 2-4PM on February 20th for a preview. —*Andrew English*

I'm not from here by Kenn Minter

...AND TO ACCENTUATE POINTS IN CONVERSATION...

HEE HEE!

HA HA!

HE'LL PONE YOU WITH HIS CANE!

I WAS TELLING STORIES WITH THE YOUNG LADY AND HER FOLKS...

OOH! IS HE AN AGGRESSIVE PERSON?

OH, I DON'T LIKE AGGRESSIVE PEOPLE!

AGGRESSIVE PEOPLE...

TOUCH!

SHIT! IZZAT A HINT?!

CUZ I'VE BEEN TOUCHIN'-HER ALL DAY!

HA HA!

HEE HEE

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Creekwater, Chapter Two: Sawdust

Brine Manley & J.T. Dockery

Through the foggy mists of time there are places that both performer and audience need not repent. This is one of those places.

The creekwater had me stumble upon a trail of upraised voices to the booth like a cow drawn by Swiss Alpine horn melodies. She was parked in a booth, like she was looking for shade from a dark Kentucky moon.

Eyes like jasper, face heavenly. A smile with story. Gloria, Ave Maria. She was surrounded by men, yelling, laughing, talking loudly. Yet she was quiet. Celestial. Laughing only mildly. Giggling, mostly.

And she was armwrestling each one of them. And mostly winning.

Chapter 2; Page 5

That's when I met Gloria.

That night.

Hey Gloria, try the little guy!

It's also the night I met several others disguised as men who I would later find out to actually be weighty versions of

Coming along, little?

The night's gettin' old Gloria. Let's go!

The piano started up. Fast ragtime juke band version of a Wings song. Meant the tavern was closing.

a black widow


a whip scorpion

a garden slug

... And a cockroach.

Chapter 2; Page 6

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The next two weeks in rock documentaries

The Last Waltz (1978; afterwards with Danny Mayer)

Be Here to Love Me (2004; afterwards with Danny Mayer)

5:00 Thursdays

Bluegrass Community and Technical College Auditorium, Oswald Building

Open to public; Doors open at 4:45.

Be respectful and participate. Class also in session.

Producers and distributors (cont.)

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got the U.S. distribution rights to *Princess Mononoke*, the director, Hayao Miyazaki sent him a katana with a note reading “No cuts.”

In addition, a lot of the larger conglomerates own distributors, so that Disney, for example, can contract with its subsidiary distributor Buena Vista, and not have to pay a competitor. Of course, it also owned Miramax, which is also a distributor, and a lot of the time it just distributes its own movies, which is how it worked for *The Princess and the Frog*.

Q. And what happens after the distributor gets the rights?

Distributors are the ones who

decide how many prints to make of each film. Once they have made that decision, they negotiate with the film buyer who represents movie theaters, a process that makes Congress look apolitical. (“Want to show *Avatar*? You’ll have to run *Everybody’s Fine* for at least four weeks.”)

Q. Is that all?

Not really. But the problem with explaining how the movie ends up in a theater is that not only is it confusing (which is to say, I’m confused), but it isn’t terribly interesting. Like all major industries, movies are an amalgam of conglomerates and subsidiaries, contracting with each other in obscure and befuddling ways, only occasionally brightened by a funny anecdote.

THE CULT FILM SERIES AT AL'S BAR PRESENTS

PETER FONDA

WARREN OATES

When you race with the devil, you better be faster than Hell!

RACE WITH THE DEVIL

Directed by Jack Starrett. 1975

AL'S BAR CORNER OF 6TH AND LIMESTONE

WEDNESDAY FEBRUARY 10 7pm

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...BECAUSE "B" MOVIES WERE MEANT TO BE SEEN IN A BAR

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