

Nazi Roots of Ukraine's Conflict

Exclusive: Few Americans understand the ugly history behind the Nazi-affiliated movements that have gained substantial power in today's U.S.-backed Ukrainian regime. Western propaganda has made these right-wing extremists the "good guys" versus the Russian "bad guys," as Jonathan Marshall explains.

By Jonathan Marshall

The latest issue of *Foreign Policy* magazine, one of the leading journals in its field, offers a two-page photo essay on "what to see, do, and buy" in Lviv, a picturesque city in the Western Ukraine. "Amid the turmoil that has rocked Ukraine over the past two years," the article gushes, "Lviv has stood firmly as a stronghold of national culture, language, and identity."

That's one way of putting it. Another, less charitable way would be to note that Lviv has for nearly a century been a breeding ground of extreme Ukrainian nationalism, spawning terrorist movements, rabid anti-Semitism, and outright pro-Nazi political organizations that continue to pollute the country's politics.

On the lovely cobblestone streets admired today by tourists flowed the blood of some 4,000 Jews who were massacred by locals in 1941, during the German occupation. They were egged on by the radical Organization of Ukrainian Nationalists (OUN), whose founder and wartime leader is today a national hero to many of his countrymen.

On April 28, 2011, the 68th anniversary of the formation of a Ukrainian Waffen-SS division, hundreds of people marched through Lviv, with support from city council members, chanting slogans like "One race, one nation, one Fatherland!"

Two months later, residents celebrated the 70th anniversary of the German invasion "as a popular festival, where parents with small children waived flags to re-enactors in SS uniforms," according to the noted Swedish-American historian Per Anders Rudling.

Later that year, extreme right-wing deputies at a nearby town in the Lviv district "renamed a street from the Soviet-era name Peace Street to instead carry the name of the Nachtigall [Nightingale] Battalion, a Ukrainian nationalist formation involved in the mass murder of Jews in 1941, arguing that 'Peace' is a holdover from Soviet stereotypes.'"

Such inconvenient truths rarely get aired in Western media, but they are important for at least two reasons. They help explain the recent violent, anti-

democratic upheavals that have made Ukraine the battleground of a dangerous new cold war between NATO and Russia. And they should inspire Americans to reflect on our own country's contribution to recent political extremism in the Ukraine, going back to the early post-World War II era, when the CIA funded former Nazi collaborators to help destabilize the Soviet Union.

The revolutionary, ultra-nationalist OUN was founded in 1929 to throw off Polish rule and establish Ukraine as an independent state. It burned the property of Polish landowners, raided government properties for funds, and assassinated dozens of intellectuals and officials, including the Polish interior minister in 1934.

A particularly radical faction, known as OUN-B, split off in 1940 under the leadership of the young firebrand Stepan Bandera, who studied in Lviv. It enjoyed support during World War II from a Gestapo-supported secret police official, Mykola Lebed. Lebed had earlier been convicted with Bandera by Polish authorities for the 1934 murder of their interior minister, and would become notorious for his involvement in the wartime torture and murder of Jews.

Bandera's OUN-B collaborated closely with the German foreign intelligence service, the *Abwehr*, to form a German-led Ukrainian Legion. On June 30, 1941, just days after Hitler's invasion of the USSR, OUN-B declared an independent Ukrainian state with Lviv as its capital. Lebed served as police minister of the collaborationist government.

In the days that followed, OUN-B's Nachtigall Battalion and its civilian sympathizers apparently slaughtered several thousand Jews and Polish intellectuals before moving on to join German forces on the Eastern Front. Another 3,000 Jews in Lviv were soon murdered by an SS death squad outside the city. OUN publications called these "exhilarating days."

Although the OUN, in a letter to Adolf Hitler, officially welcomed the "consolidation of the new ethnic order in Eastern Europe" and the "destruction of the seditious Jewish-Bolshevik influence," the Nazi leader rejected their nationalist ambitions and eventually banned the OUN.

The Germans imprisoned Bandera. His organization went underground, forming the Ukrainian Insurgent Army (UPA). There were no neat sides in the violent conflict that ensued. UPA units clashed with the Nazis on occasion, fought the Red Army much more often, and engaged in "ethnic cleansing" of thousands of Poles and Jews. (More rarely, OUN members saved local Jews as well.)

They also killed tens of thousands of fellow Ukrainians in a bid to dictate the region's political future. Many OUN members also directly joined police and

militia groups sponsored by the Waffen-SS. Bandera himself was released by the Germans in 1944 and provided with arms to resist the advancing Red Army.

After the war, the OUN continued its losing battle for independence. Soviet forces killed, arrested, or deported several hundred thousand members, relatives or supporters of the UPA and OUN. Bandera was assassinated by the KGB in Munich in 1959. But right-wing nationalism enjoyed a resurgence after Ukraine won its independence in 1990-91, stoked by emigrants in the West who were loyal to OUN-B and to Bandera's memory.

The city of Lviv in particular led the revival of Bandera worship. In 2006 it transferred his tomb to a special area of the town's cemetery dedicated to victims of Ukraine's national liberation struggles. It erected a statue dedicated to him and established an award in his honor.

Finally, in 2010, Ukraine's president, Viktor Yushchenko (who came to power in the U.S.-backed Orange Revolution), named Bandera a Hero of Ukraine for "defending national ideas and battling for an independent Ukrainian state." The Simon Wiesenthal Center and other anti-fascist groups condemned the honor, which was annulled a year later by a Ukrainian court.

One of Bandera's legacies was the creation of the ultra-nationalist Social National Party in Lviv in 1991.

"As party symbol, it chose a mirror image of the so-called Wolfsangel, or Wolf's hook, which was used by several SS divisions and, after the war, by neo-Nazi organizations," notes Rudling. "It organized a paramilitary guard and recruited skinheads and football hooligans into its ranks."

In 2004 it rebranded itself as Svoboda and dispensed with its SS imagery. Nonetheless, Svoboda's new leader lauded the OUN and UPA for having resisted "Jews and other scum, who wanted to take away our Ukrainian state." He was decorated by veterans of a Ukrainian Waffen-SS division and championed the cause of Ukrainian death camp guard Ivan Demjanjuk. His ideological adviser organized a think tank called the "Joseph Goebbels Political Research Center" in 2005.

Svoboda became the largest party in Lviv in 2010 and today enjoys strong influence at the national level. It has also extended its influence by allying itself with other far-right and fascist parties in Europe.

Most important for understanding today's East-West crisis, Svoboda supplied many of the shock troops who turned the protests in Kiev's Maidan Square into a violent confrontation with government forces and eventually precipitated the putsch against President Viktor Yanukovich in early 2014. Svoboda leaders took important posts in the post-Yanukovich government, including the head of

national security.

Svoboda militants from Lviv played an important role in the violent putsch. In a [story for Consortiumnews.com](#), journalist Robert Parry cited a “human interest profile” in the *New York Times* of a Ukrainian protestor named Yuri Marchuk, a Svoboda leader from Lviv who was wounded at Maidan Square. Parry continued,

“Without providing . . . context, the *Times* does mention that Lviv militants plundered a government weapons depot and dispatched 600 militants a day to do battle in Kiev. Marchuk also described how these well-organized militants, consisting of paramilitary brigades of 100 fighters each, launched the fateful attack against the police on Feb. 20, the battle where Marchuk was wounded and where the death toll suddenly spiked into scores of protesters and about a dozen police.

“Marchuk later said he visited his comrades at the occupied City Hall. What the *Times* doesn’t mention is that City Hall was festooned with Nazi banners and even a Confederate battle flag as a tribute to white supremacy.”

Svoboda’s cause was championed during the Maidan protests by Republican Sen. John McCain of Arizona, who egged on the crowds while standing under banners celebrating Stepan Bandera. McCain’s appearance was no accident. Since World War II, [the Republican Party has been closely allied with pro-Nazi exile leaders from Eastern Europe](#). Many of them were recruited and paid by the CIA, and given secret legal exemptions to emigrate to the United States despite their history of war crimes.

For example, the OUN-B Gestapo collaborator and mass murderer Mykola Lebed made his way incognito to the United States after World War II. The CIA, which valued his help in organizing resistance movements against the USSR, exercised its veto power over anti-Nazi immigration laws to legalize his residence.

The CIA provided similar assistance to General Pavlo Shandruk, described by historian Christopher Simpson as “the chief of the Ukrainian quisling ‘government-in-exile’ created by the Nazi Rosenberg ministry in 1944.” Despite his pro-Nazi past, he received large CIA stipends to help organize intelligence networks against the Soviet Union after the war.

The CIA and Pentagon also earmarked millions of dollars’ worth of arms and other military aid to anti-Soviet Ukrainian guerrillas in the late 1940s, despite their record of atrocities against Jews and other civilians.

As Simpson concludes in his 1988 book [Blowback](#), “In hindsight, it is clear that the Ukrainian guerrilla option became the prototype for hundreds of CIA operations worldwide that have attempted to exploit indigenous discontent in

order to make political gains for the United States.

“Instead of rallying to the new ‘democratic’ movement, there is every indication that many of the ordinary people of the Ukraine gave increased credence to the Soviet government’s message that the United States, too, was really Nazi at heart and capable of using any sort of deceit and violence to achieve its ends.”

Simpson also observes that CIA assistance to pro-Nazi Ukrainian and other East European ethnic leaders created powerful political lobbies in the United States that backed hard-line “liberationist” policies toward the Soviet Union and its “captive nations.” One such political group was the Ukrainian-dominated, neo-Nazi Anti-Bolshevik Bloc of Nations, which enjoyed support from Sen. Joseph McCarthy, among many other U.S. politicians.

“Before the decade of the 1950s was out,” Simpson writes, “the activities of extremist European emigre organizations combined with indigenous American anticommunism to produce seriously negative effects on U.S. foreign policy and domestic affairs under both Republican and Democratic administrations.

“U.S. clandestine operations employing Nazis never did produce the results that were desired when they were initiated, but they did contribute to the influence of some of the most reactionary trends in American political life. Working together with corporate-financed lobbies such as the pro-armament American Security Council, Captive Nations leaders have acted as influential spoilers capable of obstructing important East-West peace initiatives undertaken by both Republican and Democratic administrations. They continue, in fact, to play that role today.”

Simpson offered that powerful observation before the latest crisis in the Ukraine, precipitated in large measure by extreme rightists inspired by the OUN, plunged NATO and Russia into a series of military and economic confrontations that resemble the Cold War of old. But even today, the American political impulse to support anti-Russian agitation in the Ukraine reflects Cold War-era policies that forged an ugly alliance between the United States and Nazi mass murderers.

You won’t see that point made in the *New York Times*, or in a fluffy promotion for Lviv in *Foreign Policy* magazine. But it’s clearly written in history that Americans would do well to study.

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Bluster"; "The US Hand in the Syrian Mess"; and "Hidden Origins of Syria's Civil War."]

Cheering a 'Democratic' Coup in Ukraine

From the Archive: After the 2014 coup ousting Ukraine's elected President Yanukovich, the mainstream U.S. media hailed this unconstitutional move as a victory for "democracy" while ignoring the darker side, neo-Nazis coddled by the U.S. government since the Cold War, as Robert Parry wrote four days after the putsch.

By Robert Parry (Originally published on Feb. 26, 2014)

There was always a measure of hypocrisy but Official Washington used to at least pretend to stand for "democracy," rather than taking such obvious pleasure in destabilizing elected governments, encouraging riots, overturning constitutional systems and then praising violent putsches.

But events in Ukraine and Venezuela in 2014 suggest that the idea of respecting the results of elections and working within legal, albeit flawed, political systems is no longer in vogue, unless the "U.S. side" happens to win, of course. If the "U.S. side" loses, then it's time for some "shock doctrine." And, of course, the usual demonizing of the "enemy" leader.

Ukraine's ousted President Viktor Yanukovich was surely no one's idea of a pristine politician, though it looks like there are few to none of those in Ukraine, a country essentially controlled by a collection of billionaire oligarchs who jockey for power and shift their allegiances among corrupt politicians.

But Yanukovich was elected in what was regarded as a reasonably fair election in 2010. Indeed, some international observers called the election an important step toward establishing an orderly political process in Ukraine.

But Yanukovich sought to maintain cordial relations with neighboring Russia, which apparently rubbed American neocons the wrong way. Official Washington's still-influential neocons have been livid with Russia's President Vladimir Putin because he cooperated with U.S. President Barack Obama in averting U.S. wars against Iran and Syria.

In both cases, the neocons thought they had maneuvered Obama into confrontations that could have advanced their long-term strategy of "regime change" across the

Middle East, a process that started in 2003 with the U.S. invasion of Iraq but stalled with that disastrous war.

However, in 2013, prospects for more U.S. military interventions in two other target countries Iran and Syria were looking up, as Israel joined with Saudi Arabia in stoking regional crises that would give Obama no choice but to launch American air strikes, against Iran's nuclear facilities and against Syrian government targets.

Putin's Interference

That strategy was going swimmingly until Putin helped bring Iran to the negotiating table over guarantees that its nuclear program would not lead to a nuclear weapon. Putin also brokered a deal to avert threatened U.S. air strikes on Syria over disputed evidence regarding who launched a chemical attack on civilians outside Damascus. Putin got the Syrian government to agree to eliminate its chemical weapons arsenal.

So, Putin found himself in the center of the neocons' bulls-eye and given some of his own unforced errors such as defending Russia's intolerance toward gays and spending excessively on the Sochi Olympics he became the latest "designated villain," denounced and ridiculed across the neocon-dominated op-ed pages of the Washington Post and other major news outlets.

Even NBC, from its treasured spot as the network of the Olympic Games, felt it had no choice but to denounce Putin in an extraordinary commentary delivered by anchor Bob Costas. Once the demonizing ball gets rolling everyone has to join in or risk getting run over, too.

All of which set the stage for Ukraine. The issue at hand was whether Yanukovich should accept a closer relationship with the European Union, which was demanding substantial economic "reforms," including an austerity plan dictated by the International Monetary Fund. Yanukovich balked at the harsh terms and turned to Ukraine's neighbor Russia, which was offering a \$15 billion loan and was keeping Ukraine's economy afloat with discounted natural gas.

Reasonable people can disagree about whether the EU was driving too hard a bargain or whether Ukraine should undertake such painful economic "reforms" or how Yanukovich should have balanced the interests of his divided country, with the east dominated by ethnic Russians and the west leaning toward Europe.

But protesters from western Ukraine, including far-right nationalists, sought to turn this policy dispute into a means for overthrowing the elected government. Police efforts to quell the disturbances turned violent, with the police not the only culprits. Police faced armed neo-Nazi storm troopers who attacked with

firebombs and other weapons.

Though the U.S. news media did show scenes of these violent melees, the U.S. press almost universally blamed Yanukovych and took almost gleeful pleasure as his elected government collapsed and was replaced by thuggish right-wing militias "guarding" government buildings.

With Yanukovych and many of his supporters fleeing for their lives, the opposition parties seized control of parliament and began passing draconian new laws often unanimously, as neo-Nazi thugs patrolled the scene. Amazingly, the U.S. news media treated all this as uplifting, a popular uprising against a tyrant, not a case of a coup government operating in collusion with violent extremists.

In the upside-down world that has become the U.S. news media, the democratically elected president was a dictator and the coup makers who overthrew the popularly chosen leader were "pro-democracy" activists.

A Curious History

There's also a curious history behind U.S. attitudes toward ethnically divided Ukraine. During Ronald Reagan's presidency as he escalated Cold War tensions with the Soviet Union one of his propaganda services, Radio Liberty, began broadcasting commentaries into Ukraine from right-wing exiles.

Some of the commentaries praised Ukrainian nationalists who had sided with the Nazis in World War II as the SS waged its "final solution" against European Jews. The propaganda broadcasts provoked outrage from Jewish organizations, such as B'nai B'rith, and individuals including conservative academic Richard Pipes.

According to an internal memo dated May 4, 1984, and written by James Critchlow, a research officer at the Board of International Broadcasting, which managed Radio Liberty and Radio Free Europe, one RL broadcast in particular was viewed as "defending Ukrainians who fought in the ranks of the SS."

Critchlow wrote, "An RL Ukrainian broadcast of Feb. 12, 1984 contains references to the Nazi-oriented Ukrainian-manned SS 'Galicia' Division of World War II which may have damaged RL's reputation with Soviet listeners. The memoirs of a German diplomat are quoted in a way that seems to constitute endorsement by RL of praise for Ukrainian volunteers in the SS division, which during its existence fought side by side with the Germans against the Red Army."

Harvard Professor Pipes, who was an adviser to the Reagan administration, also inveighed against the RL broadcasts, writing on Dec. 3, 1984 "the Russian and Ukrainian services of RL have been transmitting this year blatantly anti-Semitic

material to the Soviet Union which may cause the whole enterprise irreparable harm.”

Though the Reagan administration publicly defended RL against some of the public criticism, privately some senior officials agreed with the critics, according to documents in the archives of the Reagan Presidential Library in Simi Valley, California. For instance, in a Jan. 4, 1985, memo, Walter Raymond Jr., a top official on the National Security Council, told his boss, National Security Adviser Robert McFarlane, that “I would believe much of what Dick [Pipes] says is right.”

This three-decade-old dispute over U.S.-sponsored radio broadcasts underscores the troubling political reality of Ukraine, which straddles a dividing line between people with cultural ties oriented toward the West and those with a cultural heritage more attuned to Russia. Though the capital Kiev sits in a region dominated by the western Ukrainians, the Russian-allied Ukrainians represent most of the population, explaining Yanukovych’s electoral victory.

Loving a Putsch

Now, right-wing militias, representing those historical resentments toward the Russians and hostility toward the Jews, have seized control of many government buildings in Kiev. Faced with this intimidation, the often-unanimous decisions by the remaining legislators would normally be viewed with extreme skepticism, including their demands for the capture and likely execution of Yanukovych.

But the U.S. press corps can’t get beyond its demonization of Putin and Yanukovych. The neocon Washington Post has been almost euphoric over the coup, as expressed in a Feb. 24 editorial:

“Ukraine has shaken off its corrupt president and the immediate prospect of domination by Russia, but at the risk of further conflict. The decision by Viktor Yanukovych to flee Kiev over the weekend triggered the disintegration of his administration and prompted parliament to replace him and schedule elections for May.

“The moves were democratic, members of Mr. Yanukovych’s party joined in the parliamentary votes, but they had the effect of nullifying an accord between the former government and opposition that had been brokered by the European Union and tacitly supported by Russia. Kiev is now controlled by pro-Western parties that say they will implement the association agreement with the European Union that Mr. Yanukovych turned away from three months ago, triggering the political crisis.

“There remain two big threats to this positive outcome. One is that Ukraine’s

finances will collapse in the absence of a bailout from Russia or the West. The other is that the country will split along geographic lines as Russian speakers in the east of the country, perhaps supported by Moscow, reject the new political order.”

The Post continued, “What’s not clear is whether Mr. Putin would accept a Ukraine that is not under the Kremlin’s thumb. The first indications are not good: Though Mr. Putin has been publicly silent about Ukraine since Friday, the rhetoric emanating from his government has been angry and belligerent. A foreign ministry statement Monday alleged that ‘a course has been set to use dictatorial and sometimes terrorist methods to suppress dissenters in various regions.’”

So, the Washington Post’s editors consider the violent overthrow of a democratically elected president to be “democratic” and take comfort in “democratic” actions by a legislature, despite the curious lack of any no votes and the fact that this balloting has occurred under the watchful eye of neo-Nazi storm troopers patrolling government offices. And, according to the Post, the Russian government is unhinged to detect “dictatorial and sometimes terrorist methods.”

The New York Times editorial page was only slightly less celebratory, proclaiming: “The venal president of Ukraine is on the run and the bloodshed has stopped, but it is far too early to celebrate or to claim that the West has ‘won’ or that Russia has ‘lost.’ One incontrovertible lesson from the events in Kiev, Ukraine’s capital, is that the deeply divided country will have to contend with dangerous problems that could reverberate beyond its borders.”

There has been, of course, a long and inglorious history of the U.S. government supporting the overthrow of elected governments: Mossadegh in Iran in 1953, Arbenz in Guatemala in 1954, Allende in Chile in 1973, Aristide in Haiti twice, Chavez in Venezuela briefly in 2002, Zelaya in Honduras in 2009, Morsi in Egypt in 2013, and others. After Yanukovych, the next target of these U.S.-embraced “democratic” coups looks to be Nicolas Maduro of Venezuela.

In these cases, it is typical for the mainstream U.S. news media to obsess over perceived flaws in the ousted leaders. For instance, the New York Times made much of an unfinished presidential palace in Ukraine, calling it “a fugitive leader’s folly.” The idea seems to be to cement in the minds of impressionable Americans that it is okay for the U.S. government to support the overthrow of democratically elected presidents if they have flaws.

The outcomes for the people of these countries that are “saved” from their imperfect leaders, however, often tend to be quite ugly. Usually, they experience long periods of brutal repression at the hands of dictators, but that

typically happens outside the frame of the U.S. news media's focus or interest. Those unhappy countries fade from view almost as quickly as they were thrust to center stage, next to the demonization of their elected leaders.

Investigative reporter Robert Parry broke many of the Iran-Contra stories for The Associated Press and Newsweek in the 1980s. You can buy his latest book, *America's Stolen Narrative*, either in [print here](#) or as an e-book (from [Amazon](#) and [barnesandnoble.com](#)).

Is Obama's Drug Clemency a Mirage?

President Obama once promised hope and that is what some non-violent drug offenders have left as they serve draconian "drug war" sentences. But Obama's offer of clemency may be more mirage than reality, says ex-CIA officer John Kiriakou, who himself was imprisoned for telling the truth about illegal torture.

By John Kiriakou

The federal government's program to reduce prison sentences for thousands of federal offenders sentenced under draconian drug laws will fail to help almost anybody without the immediate intervention of the White House. In the meantime, thousands of federal drug offenders are stuck in a rut with no end in sight.

The Justice Department announced the [Clemency Project](#) in 2014 as a way for drug offenders to argue that their sentences are overly long, and that, if their crimes had been committed today, they would have been given significantly less time in prison. For many federal prisoners, this program is the only chance they have to have some semblance of a real life, to die outside prison walls, or to spend whatever time they may have left with family.

The way the program is supposed to operate is that any federal drug offender who meets a strict set of criteria can apply for a sentence reduction. If they meet these criteria, they are assigned an attorney, and that attorney can go before a federal judge and ask for resentencing.

The [criteria](#) are that the prisoner must be currently serving a federal sentence in prison and, by operation of law, likely would have received a substantially lower sentence if convicted of the same offense today; the prisoner must be a non-violent, low-level offender without significant ties to large-scale criminal organizations, gangs, or cartels; the prisoner must have served at least 10 years of his sentence; the prisoner must have no significant criminal history;

he must have demonstrated good conduct in prison; and he must have no history of violence prior to or during his current incarceration.

I spent 23 months in prison after blowing the whistle on the CIA's illegal and immoral torture program. During those 23 months, I made friends, many of whom were doing very long stretches for what seemed to me to be innocuous drug offenses. When the Clemency Project was first announced, it seemed too good to be true. I fear that as the end of the Obama administration nears, it may be.

Let me give you some examples of the people this program is supposed to help. My closest friend in prison was "Mark." Mark is in his mid-40s and is from Philadelphia. Back in the 1990s, Mark's stepfather taught him how to make high quality methamphetamine, which they and a group of cohorts then sold to a crime ring in the city. There were nine people in the conspiracy.

After about six months, Mark decided that this wasn't the life for him, and he voluntarily left the operation. He was the only person to do so. Mark went on to open a successful small business that employed a half dozen people, he got engaged, and he started to build a life for himself.

Years passed. Finally the FBI, DEA, and ATF swooped in and arrested everybody except Mark. He waited another year for the other shoe to drop and, finally, he was arrested, too.

Mark refused to testify against his co-defendants. He didn't realize that they had all agreed to testify against him. Eight of the defendants took pleas and got sentences of five and a half years. Mark went to trial, where he was found guilty of conspiracy to manufacture methamphetamine.

Despite the fact that he was the only defendant to leave the conspiracy, and despite the fact that he had the least involvement in the conspiracy, he was given three consecutive sentences of life without parole. That was later reduced on appeal to 30 years. This was for a first-time, nonviolent drug offender.

Mark has been in prison for more than 16 years. His record has been exemplary. He's earned a variety of certifications, he has a loving and supportive family, and he's never been in trouble. He can and should be a productive member of society. His only hope is the Clemency Project.

Mark's case is not unusual. There are thousands of people in our prisons like him. And many are in even worse situations. The Huffington Post recently reported on the story of Carlos Tapia-Ponce, a 94-year-old serving a life sentence for managing a cocaine warehouse. He has been in prison for 26 years and has twice been denied compassionate release for chronic health problems.

Even though he has also been denied release under the Clemency Project, his attorney is appealing the decision, and the application apparently will be reconsidered. If the Clemency Project is not for Carlos Tapia-Ponce, then who is it for? Is this 94-year-old man that much of a threat?

One question that the Justice Department and sentencing judges ought to ask themselves is, "Is society truly served by keeping these people in prison, in some cases for the rest of their lives?" I would posit that it is not. Society would be better served if these prisoners could work, pay taxes, tend to their families, and lead normal lives. Long sentences are punitive. They don't help "society" in any way.

As for the President, addressing draconian drug sentences is a great idea, even if it doesn't address the sentencing laws themselves. The Clemency Project has the potential to help thousands of people indeed, thousands of families rebuild their lives.

But it will only work if the Justice Department can process the applications. And that hasn't happened. A year after the program was announced, only two out of 30,000 prisoners had had their sentences shortened. By December 2015, the list of those whose sentences were commuted grew by only another 95.

We need presidential action right now. Without it there will be no legacy of justice in drug sentencing. And there's not a lot of time.

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