

HUMAN RIGHTS NOW!

Newsletter of the
Meiklejohn Civil Liberties Institute



Nov.
2007

MCLI's HUMAN RIGHTS REPORTING PROJECT ZOOMS AHEAD

San Francisco, CA: The new San Francisco Human Rights Coordinator will soon be meeting with Supervisor Tom Ammiano to discuss the proposed 3-Treaty Reporting Project.

ACTIONS YOU CAN TAKE: Anyone able to work in the San Francisco area to find the department reports containing the facts needed for the County report to the U.N. Committee on Elimination of Racial Discrimination please contact adam@mcli.org.

Washington, D.C., Nov. 3: Hundreds of delegates to the National Lawyers Guild convention voted unanimously to adopt a resolution supporting efforts in all cities, counties, and states to send reports: to the U.S. State Department for submission to the Three U.N. Treaty Reporting Committees. Members, committees, projects and chapters of the NLG are encouraged to submit these reports to the U.S. human rights network, with copies of the Resolution to be sent to the U.N. High Commissioner for Human Rights and to the U.S. Department of State. NLG, along with MCLI, will assume a leadership role in accomplishing these goals.

Eugene, OR, Nov. 9: Amber Munger, U. of OR Law student, returned from the National Lawyers Guild Convention discussion with Ann Ginger to propose that the City of Eugene start a 3-Treaty Reporting Project to a meeting of local government officials and civil society (NGOs). She received an enthusiastic response.

ACTIONS YOU CAN TAKE: Anyone with time to make a list of city departments that
continued on p. 3

CODE PINK WILL USE "THE LIVING CONSTITUTION"

"As our rights are being stripped from us in the name of the 'war on terror', THE LIVING CONSTITUTION is a shield with which we can defend ourselves. Whenever a policeman approaches me to say I must move to a 'free speech zone' or that I cannot congregate in a public space, I'll whip out my THE LIVING CONSTITUTION and stand my ground. I suggest that you don't leave home without it."

-Medea Benjamin, Cofounder of CODEPINK:
Women for Peace and Global Exchange.

see more *THE LIVING CONSTITUTION* on p. 3

MCLI ON CAPITOL HILL

Washington, D.C, Nov. 3: Congressman John Conyers chaired a session of the House Judiciary Committee, with Rep. Sheila Jackson Lee (D-TX), and others in attendance. Several speakers from the National Lawyers Guild convention addressed the Committee, including Marjorie Cohn, pres., Jeanne Mirer, executive secretary of the International Association of Democratic Lawyers, and Peter Weiss, vice president of the Center for Constitutional Rights.

When the subject of holding hearings to impeach Vice President Richard Cheney came up, Rep. Conyers said that, in his judgment, his Committee should not hold such hearings.



Ann Fagan Ginger, who met Conyers in the early 1950s, reported to him that, after a speaking tour across the country, it was clear that, regardless of the vote on impeachment in the House or

continued on p. 3

INSIDE THIS ISSUE:

- The Personal & the Political.....page 2
- Conyers' Health Insurance Act.....page 3
- 16 Steps to Save Democracy.....page 3
- Venezuelan Ambassador.....page 3
- New Additions to the MCLI Team.....page 4
- MCLI Archives.....page 5
- Bay Area Oil Spill.....page 6
- MCLI Meets with Friends.....page 6
- Holiday Gifts Order Form.....page 7
- Preamble to the Constitution.....page 8

THE PERSONAL AND THE POLITICAL

The first all-glass house, now in possession of the National Trust for Historical Preservation, was constructed in 1949 by Philip Johnson in Connecticut. It did not exactly catch on, probably as a result of privacy and safety concerns. However, living in full view of the street and other buildings evidently now has become very desirable. Penelope Green, of the New York Times, reports that all glass apartment buildings and condominium buildings are "spreading like Kudzu" in New York City. Residents are on continuous exhibit and some of the buildings even have glass interior walls.

This development in urban life seems clearly related to the emergence of "Narcissism Blogs", in which people describe on the internet in excruciating detail everything they think, do, and feel in the course of the day, in some cases broadcasting a continuous video of themselves. A possible explanation for all of this was suggested by the five psychologists who have been testing college students every year for the past 20 years on the Narcissism Personality Inventory test (over sixteen thousand students).

They have found that the level of narcissism has increased every year until last year, at which point over one third of the students were above average in displaying Narcissistic tendencies. They are concerned that the tendency is harmful to both personal relationships and to society, as Narcissists tend to lack empathy, react aggressively to criticism, and favor self-promotion over helping others. Their guess as to why Narcissism has become a problem is that it is rooted in the "self-esteem movement" which became popular in the 1980s. In this period, for example, preschoolers were taught a song to the tune of Frere Jacques that goes "I am special. I am special. Look at me. Look at me."

I don't know whether preschool explains glass houses, since there have been other theories about them. For example, there is the theory that people feel a need for the illusion of being connected to others in the city, to escape from the loneliness of being enclosed in modern industrial style buildings.

Whatever the explanation is, however, it does seem clear that the gradual increase of Narcissism over the years is partly responsible for the rise to power of Republicanism. The psychologists were not sure what to do about child rearing. But one thing is clear: We need to require candidates for office to take the Narcissism Personality Inventory.

-Jim Syfer, Ed.

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<http://bancroft.berkeley.edu/collections/meiklejohn/project.html>

LETTERS TO THE EDITOR

Dear *Human Rights Now!* Readers,

Please with your whole heart support HR676, the US National Health Insurance Act (**Conyers**) that expands Medicare to include all Americans. Michael Moore's movie "Sicko" documented the cases of middle-class folks who thought they had good health insurance until they got sick and found out the limits to their coverage.

Physicians for a National Health Program (PNHP) (pnhp.org) says: "Insurance companies waste health dollars on things that have nothing to do with care, such as overhead, underwriting, billing, sales and marketing departments as well as huge profits and exorbitant executive pay. Doctors and hospitals also must maintain costly staffs to deal with the insurance bureaucracy." PNHP estimates that bureaucracy consumes 31% of American's health dollars. Single-payer financing would save \$350 billion a year on paperwork alone, enough to provide comprehensive coverage to everyone without paying any more than we already do. PNHP estimates that comprehensive national health program that includes all medical, hospital, eye care, dental care, long-term and mental health services as well as prescription drugs and medical supplies – and preserves a choice of health care providers – could be financed by a 7% payroll tax on employers and a 2% income tax on individuals. Both businesses and families would spend less than they do now on private insurance coverage. Employers now pay upwards of 8.5% of their payroll for health coverage – and many small businesses have to pay 25% or more of their payroll on health insurance if they offer it at all...The Institute for Medicine found that "18,000 Americans die every year because they don't have health insurance," per today's *The Progressive Populist* editorial: "Go for Gold in Health" pg.3 col.2 - Joseph J. Kuciejczyk

HELP NEEDED ON NAZI LAWS AND IMMIGRANTS' RIGHTS TODAY

A state legislator needs a citation that Hitler made it a crime then to "harbor Jews" to defeat efforts today to make it a crime to "harbor illegal immigrants." Is this in Anne Frank's "Diary" as a law imposed on the Netherlands?

Email MCLI at sean@mcli.org

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MCLI ON CAPITOL HILL

continued from p. 1

later in the Senate, it was essential to U.S. democracy to have the Judiciary Committee lay out the many charges against Cheney for violating basic constitutional rights.

Conyers said, after the discussion, that he **would** hold Town Hall meetings across the country at which the case for and against impeachment could be made by NGOs.

Later Conyers spoke at the Lawyers Guild Convention, where many speakers urged him to hold hearings on impeachment, which he again declined to do.

Two days later, Rep. Dennis Kucinich proposed a Privileged Resolution to the House to impeach Vice President Cheney under three articles of impeachment filling five pages of specific, impeachable actions, starting with "Despite all evidence to the contrary, the Vice President actively and systematically sought to deceive the citizens and Congress ... about an alleged threat of Iraqi weapons of mass destruction."

A mixture of Democrats and Republicans (seeking to embarrass the Democrats) voted to send this resolution to the House Judiciary Committee.

A brief news clip on Pacifica radio said that Conyers first told CA. Rep. Lynne Woolsey that he would carry out this House Resolution. Later, Conyers issued a Press Release saying that his Committee had other critical issues to address before coming to this issue.

ACTIONS YOU CAN TAKE: The Berkeley Common Agenda meeting Nov. 17 voted to urge its affiliated organizations to convince Rep. Conyers to carry out the House Resolution, and to contact other members of the House Judiciary Committee to support such action. Congressmembers have indicated that they want to know how many people support a resolution. Conyers could be reminded of his "town hall meeting" commitment and asked when you can expect him to come to your area.

TALK TO ONE NEW PERSON EVERY OTHER DAY

"If everyone in this room talked to one new person every other day for the next year, that would be 8,000 conversations!" Ann Ginger told audiences recently in Southern California. "You can start a conversation in the check out counter, on the bus or subway, at the gas station. Ask what the other person thinks about war in Iraq/Iran, AND suggest something they can do.

"Let me tell you my other 15 steps to save our Democracy and stop U.S. invasions and wars."

2. Volunteer a few hours at your local high school -- in general or in an anti-recruitment campaign, at your local library, at your day care center, or rehabilitation/disability center.

3. Talk to your grand kids about what you did in The Movement when you were young.

4. Call in to Talk Shows on the radio and TV with a clear statement that goes beyond what the announcer was saying.

5. Write a letter to the Editor of your newspaper AND to web pages on a current issue.

6. Talk to everyone about Voting, about Registering to vote, about Filing for citizenship.

7. Go to the next Anti-War Rally near by, or put up a sign on your lawn against War.

8. Install an energy-saving device, for example, a solar panel, on your roof.

9. Read the U.S. Constitution yourself -- see MCLI's new **THE LIVING CONSTITUTION** -- especially about habeas corpus for everyone, and treaties supreme law of the land. Then ask your Pastor, Minister, Rabbi, Imam to do the same.

10. Read the U.N. Charter, especially Article 2.4 on no war, and 55-56 on human rights.

11. Vote for more money for Public Schools to help kids, to cut the crime rate, and to improve the quality of life.

12. Vote for more money for rehabilitation of prisoners - for education and job training for retraining of prison guards, with no prison for drug-

continued on page 4

NEW ADDITIONS TO THE MCLI TEAM



Sean Lyons (left) serves as our new Office Coordinator, along with Jessie Speers (right). Sean

recently graduated from UC Santa Cruz with a degree in Politics. He has replaced Jennifer Smith, who now attends Mills College in Oakland and continues to work at MCLI one day per week.

The minute he stepped into MCLI, he faced two deadlines: getting the CLE ready for Oct. 31 at the NLG Convention, and finishing preparation of *THE LIVING CONSTITUTION* with Richard Challacombe.

Jessie Speers volunteers at MCLI weekly. Jessie attends the New School in San Francisco, where she is a third year law student. She attended the recent NLG Convention in Washington, D.C, where she assisted MCLI participation by attending sessions and selling *The Living Constitution* and *Landmark Cases*.

MCLI AND VENEZUELAN AMBASSADOR



(l-r) Susan Scott, chair of the National Lawyers Guild Task Force on the Americas; Deborah James, Director of International Programs for the Center for Economic and Policy Research; Bernardo Alvarez, Venezuelan Ambassador to the U.S., and MCLI's Ann Fagan Ginger, recipient of the NLG's Lifetime Achievement Award.

Delegates to the NLG Convention were invited to the residence of the Venezuelan Ambassador to the U.S. to hear exciting specifics about what the Venezuelan people and their president, Hugo Chavez, are doing, including new definitions of "property."

Ginger suggested that some nation could ask the U.N. General Assembly to vote to ask the International Court of Justice to decide the question whether the actions of the U.S. and other U.N. nations in Iraq and Iran violate the U.N. Charter. She reminded the Ambassador that Vanuatu convinced the General Assembly to ask the Court whether nuclear weapons are legal or illegal in 1995.

Scott suggested that the Ambassador call for a special session of the U.N. General Assembly to prevent a U.S. attack on Iran. The procedure was created by the 1950 Uniting for Peace General Assembly Resolution:

"...if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security."

"THE LIVING CONSTITUTION" RUSHED INTO PRINT

Nov. 16: MCLI issued "THE LIVING CONSTITUTION," index and all, to be used by activists, lawyers, judges, legislators, students, professors -- everyone who needs to know what the Constitution really says today.

All amendments have been inserted where they fit into the six Articles of the Constitution. All provisions that have been deleted from the original Constitution by Amendment are in the Appendix.

See the Preamble on page 8.

"This is the first effort to present all of the provisions in the Constitution that are in force now," said Ann Ginger, editor, "and to include 'the supreme law of the land' from relevant treaties." The 64-page MCLI LITTLE ORANGE BOOK No. 2 includes the basic paragraphs that spell out what the U.S. government must, and must not, do today, under the Constitution, the U.N. Charter, Nuremberg Principles, Genocide Convention, etc. The book sold like hot cakes at the recent National Lawyers Guild convention.

ACTIONS YOU CAN TAKE: Order two copies -- one for yourself, and one to give to a teacher/professor to consider using in class.

Use form on page 7

TALK TO ONE NEW PERSON EVERY OTHER DAY

continued from p. 1
related offenses.

13. Get your City Council or County Board to join the Three-Treaty Reporting Project and make reports to the three U.N. Committees against race discrimination and torture and for civil and political rights.

14. Boycott the products -- and the stocks and bonds -- of companies that are off-shoring their work, or rejecting union contracts.

15. Go to the web pages of the Office of Inspector General when you have a complaint against what a government agency is doing -- or neglecting to do -- and file a complaint.

16. You, yourself, run for the School Board or the Library Board or a City Commission or the City Council. Run for the Board that runs your local Pacifica or other local radio station. Run to raise the issues, even if you can't win. At this point, you might cause a successful candidate to make a commitment to do something good! And, who knows, you might win!

MCLI/NLG CLE ON USING TREATIES AND OIG EFFECTIVELY

The lawyers and legal workers and activists who attended the Continuing Legal Education session Oct. 31 in Washington hailed the new reference book, and the presentations, for suggesting practical things they can do in their work.

Copies of the 374 page reference book are available now, and a DVD will be available soon to order, on the MCLI website. (*see order form on page 7*)

LOS MACHETEROS CASE FILES ON LOAN TO THE MCLI/NLG ARCHIVES

Attorney Margaret Levy of Hartford, CT recently donated significant archives to the MCLI collection.

The case files, from the famous "Los Macheteros" trials, are on loan to the Guild, and have been promised to the National Archives of the Independent Republic of Puerto Rico. The files contain Puerto Rican and American newspaper clippings spanning the duration of the nearly decade-long prosecution.

In 1983, 16 members of an underground Puerto Rican independence movement were tried for the robbery of \$7.3 million from a Wells Fargo Bank in West Hartford, Connecticut. Many of the defendants were tried on conspiracy charges, and the defense argued that the prosecution relied upon illegal wiretapping evidence. The case exposed the colonial nature of the relationship between Puerto Rico and the United States, and many saw the aggressiveness of the prosecution as a politically motivated attempt at crushing the Puerto Rican independence movement. On August 11, 1999, President Clinton extended an offer of clemency to the 16 defendants.

Note: Since its founding in 1965, MCLI has housed many basic documents of the national office of the NLG since its founding in 1937. And MCLI has also archived briefs, pleadings, transcripts and other materials from hundreds of cases reported in the *Civil Liberties Docket* and its successor *Human Rights & Peace Law Docket*.

In 2004, MCLI convinced the Bancroft Archival Collections of the University of California to become the permanent repository of MCLI's case collections and Lawyers Guild materials. The cases are now available at <http://bancroft.berkeley.edu/collections/meiklejohn/project.html>

On Nov. 3, the National Lawyers Guild Convention voted unanimously to adopt a resolution describing these facts and resolving that, "From 2008 forward, the NLG affirms that if a permanent seat on the Meiklejohn Civil Liberties Institute board is reserved for a member of the NLG, the NLG will fill said seat with a member who can regularly attend board meetings and report back to the NEC (National Executive Committee) about those meetings."

MCLI HERO OF THE YEAR: ALLAN TRESEDER

Berkeley, Nov. 11: Allan Treseder believes in community service as well as personal service to one's mother. When he volunteered to work every Wednesday morning at MCLI "for the foreseeable future" it was possible to lay out an almost impossible task that would take patience and conscientiousness and much more of the same.

DID YOU KNOW that libraries have no records of cases won in trial? Or lost in trial and never appealed? The only cases you can find in a law library are opinions written by judges, usually when cases were appealed.

But there are thousands of significant human rights cases won (and some lost) in trial courts all over the country, cases that can give ideas to lawyers and clients and NGOs for use in later cases.

MCLI had collected 105 loose-leaf binders full of descriptions of the steps in litigation in 11,000 cases raising issues of civil liberties, due process of law, civil rights, and international rights from 1955 to 1995.

The Problem:

The descriptions of the cases came from correspondence with thousands of lawyers, legal workers, and court clerks who answered queries sent by Ann Fagan Ginger as editor of a series of periodicals published by the National Lawyers Guild and the Meiklejohn Civil Liberties Institute.

Over the decades, scores of MCLI interns had carefully cut the description of the current status

of each case and glued it onto a page in a notebook so that a reader could quickly see the first and all future reports of that case, including, sometimes, citation to a law review article on the case.

The problem was that eventually the glue on some of the 1" and 2" clippings dried faster than on other clippings and some actually fell off when the notebooks were opened in 2006.

At this point, Allen agreed to look at every page in the 105 notebooks and re-glue every loose clipping. For several years, Allan came to MCLI every Wednesday morning and quietly sat at "his" desk and busily started finding and fitting and gluing the clippings, sometimes entering into conversations about the daily MCLI work, but often just working with almost no "how are you"s as the MCLI staff was busy with current issues.

P.S.: In his note on completion of the task Allan wrote: "I've finished now all 105 binders for civil liberties cases! I'll be gone the next two weeks -- eager to start on the next project then.

"Keep me posted on the final destination of the 105 binders."

QUERY: Should MCLI now make a copy of all of the pages and submit the originals or the copy to the Library of Congress?

ALERT: If you know anyone doing research on human rights case law from 1955 to 1995, tell them about this remarkable resource.

Helping MCLI Enforce Human Rights and Peace Law:

\$1000

☞ Judy & Roy Nakadegawa ☞
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☞ David Hershcopf ☞ Pierre Labossiere ☞ Stephen Bingham ☞ Dan Ernst ☞

MCLI GREETES FRIENDS IN BEVERLY HILLS, WESTWOOD, SANTA MONICA AND OAKLAND

In October, Jan Goodman and Eleanor Eagan arranged fruitful meetings for MCLI in Southern California. The Regional Council of Organizations meeting heard Ann Ginger describe the 3-Treaty Reporting Project and how it could strengthen the work of all organizations concerned with enforcement of human rights at the local level. The Westwood-Westside Democratic Club discussed MCLI's work with local government officials, on reporting under the 3 treaties and in filing complaints with the Office of Inspector General. The meeting at the Unitarian Universalist Church brought together activists and students from many communities to brainstorm on how to be more effective in defeating attacks on the Constitution and peace. The discussion at the home of Cynthia Anderson-Baker included local attorneys and city officials.

Linda Peterson, counsel to Occidental Petroleum, was MCLI's gracious host.

In September, MCLI Board Member Walter Riley hosted a fun fund-raising/issues event in Oakland with Detroit's Hon. Judge Claudia Morcom discussing historic and current events--from '64 Mississippi to the the Cuban 5, Katrina, and the Jena 5. MCLI Board President Barbara Blong introduced Judge Morcom, whose description of her work as a young lawyer deep in segregated Mississippi inspired others to recount

A QUESTION AFTER THE OIL SPILL TO: BAY AREA LEGISLATORS

Since all of the Bay Area oil refineries that have waterfrontage maintain skimmer fleets to contain and clean up oil spills, why were none of these companies called up immediately after the oil spill at the Bay Bridge?

NOTE: The skimmer fleet was established after previous large oil spills twenty years ago and the oil companies have the skimmers on 24-hour call to clean up small operating spills.

- Abbot Foote, Friend of MCLI

MCLI's HUMAN RIGHTS REPORTING PROJECT ZOOMS AHEAD

continued from p. 1

should make reports, and to make a mock up of the first report by a city, contact Amber Munger at amunger@uoregon.edu.

Marin County, CA, Nov. 13: Leading County officials concerned with human rights met with leading NGOs to discuss issues, including how to convince the county government to join the Three-Treaty Reporting Project.

ACTIONS YOU CAN TAKE: Contact Martin Schaaf, (510) 814-9979.

how they came into the movement for peace law and civil rights. The mood was one of "affirmative action" - that each individual can make a difference in very difficult times and circumstances.

The Meiklejohn Civil Liberties Institute
Human Rights Now!

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an MCLI Book!*



first page of Constitution
goes here