

# HUMAN RIGHTS NOW!

Newsletter of the Meiklejohn Civil Liberties Institute

<http://mcli.org>



SPRING 2005

## ATTORNEY ELIZABETH HADDIX TO MIAMI W/CLE FOR MCLI

The activists and union workers who demonstrated in Miami against the FTAA will put on another week-end of protest and education for hundreds of activists: Dissent in America Since 9/11, presented by Partners in Protest, a broad coalition (AFL-CIO, ACLU, NLG, UU Church, et al.) on March 11-13.

MCLI was invited to participate, and agreed. Attorney Elizabeth Haddix of Pittsboro, North Carolina, agreed to prepare and lead a Continuing Legal Education program: Legal Strategies To Challenge U.S. Human Rights Violations, based on the material in "Challenging U.S. Human Rights Violations Since 9/11." Charles Gittings, of Project to Enforce the Geneva Conventions, will discuss their amicus briefs in *Hamdi* and *Hamden*.

Haddix will also speak at the opening panel on "Dissent in Overview," along with Amy Goodman, Lynne Stewart, Richard Trumka, Medea Benjamin, and Leslie Cagan.

Haddix's course materials will become available through MCLI in late Spring.

## MCLI's 40th ANNIVERSARY!

Meiklejohn Civil Liberties Institute, a Unique Center for Human Rights and Peace Law, turns 40 this year. The Board of Directors has chosen **Saturday, November 12, 2005** as a day to celebrate the past, inform about the present, and spread the word about the future of MCLI. Plans, just now being formulated, include an afternoon and evening of events--informative, inspirational, fun! Many volunteers will be needed to produce this event--beginning now.

**To offer help, please contact MCLI at (510) 848-0599 or 2005@mcli.org**

Save the date: Saturday, November 12, 2005

## FRIENDS: THIS MAY BE YOUR LAST ISSUE

Sorry, but we can no longer afford to send a printed version to non-subscribers. Send in your sub so we can continue to mail this newsletter to you. And thanks if you have already done so. If you have subscribed and would prefer to receive the newsletter electronically (in PDF or Quark Express form), please send your email address to us at 2005@mcli.org. We will continue to put a PDF version of the newsletter on the MCLI website at <http://mcli.org>.

## MCLI TO PRESENT "CHALLENGING" BOOK TO UN IN NEW YORK MARCH 31

"Challenging U.S. Human Rights Violations Since 9/11," the comprehensive report by MCLI to the U.S. State Department and to the UN Human Rights Committee, will be presented by Ann Fagan Ginger on Thursday, March 31, from 1 to 2 p.m. across from the UN Building at the Church Center for the United Nations in the conference room. John Burroughs, of Lawyers Committee on Nuclear Policy, and Heidi Boghosian, of National Lawyers Guild, will join the discussion with members of the Gold Star Families for Peace, Center for Constitutional Rights, Unitarian Universalist UN Office, United Nations Association, and others whose work is recorded in the Reports.

The 180 reports include torture and detentions at Abu Ghraib and Guantanamo, undeclared wars in Afghanistan and Iraq, cutting funding to urban schools, arrests at the RNC and DNC, using Taft-Hartley against strikers, racial profiling and job discrimination, keeping nuclear bombs on trigger alert, targeting and deporting noncitizens, threatening the right to choose and family-planning funding, failing to insure that all voters can vote and have their votes counted fairly -- and 166 other issues.

The event will be co-sponsored by MCLI, LCNP, and UU UNO.

For more information, contact: MCLI (bottom of p. 2) or Michael Yellin, (212) 714-1677 ext. 203, FAX (212) 714-1674, [myellin@lra-ny.com](mailto:myellin@lra-ny.com)

The 550-page report is a paperback book (Prometheus Books issued March 30) with 18 illustrations. (See order form on page 11.)

To get this announcement as an email so you can distribute it, email 2005@mcli.org.

*Flash:* The Berkeley City Council will consider joining in the March 31 presentation of the Report at its March 15 meeting.

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## Time for a New Enlightenment

In a recent address at Harvard Medical School where he received the Global Environment Citizen award, Bill Moyers said that one of the biggest changes in politics in his lifetime was that "the delusional is no longer marginalized. It has come in from the fringe, to sit in the seat of power in the Oval Office and in Congress. For the first time in our history, ideology and theology hold a monopoly of power in Washington."<sup>1</sup>

That this is true (in the Executive, Legislative, and very nearly in the Judicial branch) testifies to how far removed we are as a society from the values of the Enlightenment and how poorly our educational institutions have transmitted them. In 1689 John Locke published his *Letters on Toleration*, arguing for the separation of church and state; that it is the business of churches to save souls and that of the state to preserve our natural rights. The three reasons he gave for toleration are just as applicable today as in the 17th century. A church is a "voluntary society of men," to join which no one gives up any rights or powers, so a church has no basis for the persecution of anyone. Second it is most unlikely that any church or person possess the full truth about human life and destiny. So it is possible the persecuted may be closer to the truth than the persecutors. Third, even if one party had the truth, little can be gained by intolerance; the use of force can at best secure an outward conformity, and it breeds hypocrisy and false religion.

Locke, himself a Christian, also helped to initiate the discipline of critical biblical scholarship. Anyone familiar with this discipline -- its results and its controversies -- would have great difficulty taking the bible literally as the word of God.<sup>2</sup> But this discipline is also poorly known, even in our universities. Another reason, perhaps, why fundamentalism can act the bullyboy.

It is not just a theocracy that many of the President's supporters are after. As Moyers sums it up, there is also the conviction that the Second Coming of Christ is near and will occur as soon as the Palestinians are driven out of Palestine and all the ancient Holy Land is occupied by Jews. Then those Jews who do not convert to Christianity will be burned to death while the rest are raised to heaven with other true believers.

### Those End-of-the-Worlders

These End-of-the-Worlders might pause in their support of ethnic cleansing in Palestine to make sure they are actually in the Holy Land. A Palestinian scholar has presented a very convincing case that the Holy Land -- the land of the Hebrew Old Testament -- actually lies in Southwestern Saudi Arabia. The evidence is in the close correspondence of the names of places, villages, and geographic features with those mentioned in the bible, and by the surprising paucity of archaeological and philological evidence for the present location.<sup>3</sup>

George Lakoff has reminded us in his various books, but especially in the latest -- *Don't Think of an Elephant* -- that the Enlightenment belief is false that everyone has Reason and will use it to objectively examine evidence and argument, draw appropriate conclusions and act on them in a rational manner, when given the opportunity. It is a false belief because that is simply not the way people do think and behave. We think within a mental framework that conditions what we consider relevant; we bring premises and values to the issues and only draw the conclusions that our premises and values will support.

While all this is true, however, it does not mean that the Enlightenment ideal of a rational citizen in a rational society need be consigned to the scrap heap. What it does mean is that the educational system must nurture a conviction of the value of -- and experience of -- independent thought and research; that all educational institutions must provide the model of a mental framework constructed on the values, principles, and methods of tried and tested science and scholarship. And that all our social institutions must be supportive of this kind of mental framework. A utopian vision of a new Enlightenment, I suppose, but not an impossible one.

Meanwhile California is being led in the opposite direction by the current governor, Arnold Schwarzenegger. At a recent Republican convention he has made clear that he is not interested in working with the state legislature, where Assembly and House have Democratic majorities. He is going to ignore them and put initiatives on the ballot. "Now we will see great things

**HUMAN RIGHTS NOW! Jim Syfers, Editor**  
MCLI, P.O. Box 673, Berkeley, CA 94701-0673  
E-mail: [mcli@mcli.org](mailto:mcli@mcli.org) Web site: [www.mcli.org](http://www.mcli.org)  
MCLI human rights case histories at UC-Bancroft:  
<http://Bancroft.berkeley.edu/collections/meiklejohn/project.html>

**J. Richard Challacombe, Photo Editor**  
Telephone: 510-848-0599, Fax: 510-848-6008  
in-house publication

happening," he said, "the unions will fight us, but ... we're going right there where all the evil is. This is going to be a great battle."<sup>4</sup> Where the evil is ? Evidently the delusional has come in from the fringe here in California as well.

-Jim Syfers, Ed.

1. The full address is available at [www.alternet.com](http://www.alternet.com)
2. Summed up at the beginning of the last century by Albert Schweitzer in "The Quest of the Historical Jesus." Macmillan, 1910.
3. Kamil Salibi, "The Bible Came From Arabia, Jonathan Cape Ltd., 1985.
4. San Francisco *Chronicle*, Feb.12, 2005, p.B4.

### ***See Jeannette Rankin Go To Congress and Vote Against World War I & II***

Now you can watch her in action in a new play: A SINGLE WOMAN: The life, times and fortitude of the first U.S. Congresswoman and lifelong pacifist, **Jeannette Rankin**, by Jeanmarie Simpson.  
**Mar. 28 and 30**, 7 pm, Redwood Gardens, Berkeley; **Mar. 30**, 7 pm, Temple Beth Shalom, San Leandro;  
**April 2**, 2:30 Claremont House, Oakland  
Info: (510) 587-3228  
MCLI is a cosponsor. **Enjoy!**

### **Progress with the Women's Convention**

There are now 179 United Nations member countries that have ratified the International Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW).

It became international law after the 20th ratification. The United States is one of thirteen nations that have not ratified the treaty. To be ratified it needs a vote of two-thirds of the Senators present at the voting, together with the President's signature. The Senate Foreign Relations Committee has twice voted in favor of ratification (1994 and 2002), but neither action resulted in a vote by the Senate before it went into recess.

In an effort to prod the Senate into action, Representative Lynn Woolsey (D-CA) has introduced a bill that has 104 co-sponsors, including Reps. Lee, Stark, and Pelosi from California. It reads as follows: "Resolved, That it is the sense of the House of Representatives that --

1) the full realization of the rights of women is vital to the development and well-being of people of all nations; and

2) the Senate should, therefore, give its advice and consent to the ratification of the Convention on the Elimination of All Forms of Discrimination Against Women."

The resolution has been stuck in the Committee on International Relations since January of 2003.

The Chair of the Committee is Henry Hyde.

In California, Hannabeth Jackson introduced a bill (AB 358) in 2003 that would require the state to implement the principles underlying the Convention, requiring all departments to examine their policies and programs -- including allocation of funding and delivery of services -- to make sure they are non-discriminatory. The bill, amended eight times, was passed by both houses in August, 2004, and promptly vetoed by Governor Schwarzenegger in September.

Progress has been made, however, at the local level. San Francisco, Los Angeles, and Berkeley have adopted ordinances to implement the principles of CEDAW. And San Francisco issued the first comprehensive U.S. city human rights report on women. ([www.sfgov.org/site/dosw](http://www.sfgov.org/site/dosw)) (Berkeley Women's Commission issued a partial report to the UN Human Rights Committee in 1995.)

A Working Group of over 190 national NGOs is engaged in outreach and education to achieve ratification of CEDAW by the U.S. It has published a valuable resource: "CEDAW: The Treaty for the Rights of Women: Rights that Benefit the Entire Community." It is available at [www.womenstreaty.org](http://www.womenstreaty.org), or free by mail from Sarah Albert at 202-347-3168 ([salbert@gfwc.org](mailto:salbert@gfwc.org)).

• For a newsletter about CEDAW, contact Billie Heller, National Committee on CEDAW, at [BilliCEDAW@aol.com](mailto:BilliCEDAW@aol.com), or 310-271-8087. Thanks to Human Rights Advocates for information used in this article. Human Rights Advocates, [www.humanrightsadvocates.org](http://www.humanrightsadvocates.org), Mailing address P.O.Box 5675, Berkeley, CA 94705.

**ABIGAIL PAROLISE  
2005 HAYWOOD BURNS MCLI INTERN**

Abigail Parolise was selected to be MCLI's Haywood Burns National Lawyers Guild intern for 2005. She graduated from UC Berkeley with a Bachelor of Arts in English in 2001. She taught 8th grade in the Oakland School District before entering Washington and Lee School of Law in 2004. As an African American activist, she applied to MCLI.

Several other very impressive candidates applied to work as interns at MCLI as Haywood Burns fellows. One of these will be selected to fill the Arthur Horowitz MCLI internship (to be announced soon).

After studying the application forms, Ann Ginger said, "If anyone had any doubts, let me say: 'There are MANY exciting young people coming up through the System!'"

**Goodbye to Vitamins ?**

The low-level "warfare" between alternative and mainstream (or establishment) medicine has heated up considerably in Europe. Unfortunately it is a David vs. Goliath battle, where the Goliath is the giant pharmaceutical companies - seeking a monopoly for their products - and supported by part of the medical establishment and various government bodies. The control of medical practice seems to be as or more authoritarian in European countries than it is here. A recent book by Sylvie Simone on medical practice in France, as yet untranslated, is entitled - "Healing: An Illegal Practice". As if to validate her book the French Government had Dr. Ryke Hamer - who has discovered a fascinating connection between psychosocial traumas, brain lesions, and cancer - extradited from Spain in October and jailed for "inciting against traditional medicine and instigating for the New Medicine with the goal of practicing it" (charges brought by a French court in Chambéry). ([www.newmedicine.ca](http://www.newmedicine.ca))

In 2002 the European Union's Food Supplement Directive became law, severely limiting the form and quantities of vitamins and minerals that can legally be sold and representing a blow against alternative medicine. The issue here is not whether there should or should not be regulation of the food supplement industry; it is regulation by whom, and for what purposes? In the United States the question was temporarily settled by the Dietary Supplements, Health, and Education Act of 1994 which removed food supplements from the jurisdiction of the Food and Drug Administration; a subsequent court case forced the FDA to obey the law (Pearson vs. Shalala, 154 F 3rd 650, DC Cir. 1999).

*cont. on page 6*

**THE PLAY'S THE THING TO CATCH  
THE CONSCIENCE OF**

"Guantanamo: Honor Bound to Defend Freedom" will be presented at the Brava Theater in San Francisco. It is based on transcripts of interviews in January 2004 with prisoners held at Guantanamo for more than two years and then released ... and interviews with family members, lawyers, and Donald Rumsfeld.

After extended runs in London and New York, MCLI members can get lower seat prices March 23 to April 17. Contact MCLI (510) 848-0559 and John Wilner, (415) 282-2486.

**FR. JEAN-JUSTE REPORTS  
DEMOCRACY UNDER SEIGE  
IN HAITI TODAY**

On Oct. 13, 2004, Haitian police forcibly entered the Sainte Claire Catholic Church Rectory in Port-au-Prince and arrested Father Gerard Jean-Juste without a warrant while he was feeding a meal to 600 hungry children. He was imprisoned, then released after several weeks of intense international pressure.

On Jan. 29, 2005, Fr. Jean-Juste spoke in Berkeley at St. Joseph the Worker Church. He was able to spell out what is really happening now in Haiti, and to act, without fear, knowing the odds. He was on his way to Africa to spread the word.

Jean-Juste had a minute to listen to MCLI's Ann Ginger suggest that he describe why the UN work in Haiti has not been helpful, because the decision on where the UN peace-keeping forces should come from was made by U.S. and Canadian foreign service officials who opposed Aristide and sent non-neutral troops from Brazil.



Father Gerard Jean-Juste in Berkeley

## RESIDENTS OF RICHMOND WORK AND WORK, AND WIN ONE!

On Feb. 15th, outraged citizens of Richmond and surrounding areas converged on the Richmond City Council meeting to "get a handle" on a runaway public health issue: the ongoing shower of highly toxic dust that has been emanating from the SuperFund-level toxic site in Richmond on the San Francisco Bay called Zeneca/Campus Bay/UC Field Station. All sides agreed this is a heavily contaminated site, once occupied by Stauffer Chemical. For over a century they manufactured blasting caps, sulfuric acid, pesticides and fungicides. Work was also done on radioactive materials. Many people died on the job or as a result of illnesses related to their jobs. The buildings were flattened in 1999 with no oversight or regulation.

Residents claimed that a subsequent cleanup-on-the-cheap was done with "lackadaisical" oversight by the SF Water Quality Board. By law, the cleanup operator, Levine Fricke, was allowed to select the agency which would oversee it. They chose the SF Water Quality Control Board, on which they had close contacts, with a reputation for not being strong on protecting public health. During the "cleanup" operation, toxic dust was dug up and much of it spread around by the prevalent heavy winds. People who were nearby during that time (1999-2002) said that **the dust got so thick that "you could not see the sky."**

The result: many severe health problems. For example: 13 of 200 neighbors who were surveyed informally since then have been diagnosed with thyroid cancer. Testing has shown levels of toxins in the soil thousands of times over the baseline that would qualify the soil as hazardous waste.

The site is enclosed on two sides by small, light-industry businesses. There are densely populated residential areas directly across the 580 freeway. The wind from the ocean blows through the toxic site and into the surrounding residential areas.

On Feb. 15, newly elected progressive Richmond City Council member Gayle McLaughlin introduced a resolution to change oversight from the Water Quality Board to the California Department of Toxic Substances Control, and to stop the digging now going on.

The chambers were packed, every seat full, with people lining the walls.

They put up signs everywhere (skull and crossbones were a prevalent theme). 33 people signed up to speak on the issue, many were emotional, begging that the Council do the right thing. Some people who live near the site said that when it rains they feel better but when it is dry for a long period they have burning eyes, blurred vision, and headaches. Mothers who had pushed their baby carriages along the Bay Trail, which runs next to the site, were furious that there had been no warnings posted about the dangers.

After "friendly amendments," the resolution was defeated 3 to 4 with 2 abstentions.

The City of Richmond is impoverished (due in part, it is said, to a long history of Council mismanagement

and shady deals). Some say developers with rights to these toxic sites are supposed to be the "saviors" of the city's budget. The rumor is that developers plan to reap billions from the construction of open-air cafes, children's nature centers, visiting scholar housing (UC), and especially from the construction of 1,330 units of housing in condo-towers. The design for these residential units includes large fans in their basements so that the poisonous gases that will emanate from the toxic waste below "will be blown away from the residents." Records show that developers of these projects contributed significantly to campaigns of most Council members who voted No on the Feb.15th resolution.

On March 1st, the Richmond City Council meeting was again jammed. 33 residents again signed up to speak. Before the Council voted on the resolution again, one Council member left. The vote was unanimous for the resolution! A cheer went up from the assembled crowd.

--Soula Culver

### **We Won't Go!** A Pledge of Resistance

**We, the undersigned young men and women, are eligible to serve in the U.S. armed forces, and if the draft is re-instated we may be subject to induction. We pledge, however, that we will not serve in the U.S. armed forces as long as U.S. troops are occupying or waging war in Iraq.**

On Jan. 21, 2005, the Progressive Student Alliance at the University of Tennessee announced the launch of **WeWontGo.org**: "Looking at the current political situation and despite official statements to the contrary, it is clear to many of us that the possibility of a military draft is very real. Learning from the experience of previous generations of young people, we see examples of not only the horror unleashed by unjust war and forced military service but the ability and creativity of young people to change the world. Drawing from their experiences, we hope that this pledge of resistance can help us make ourselves heard as young women and men opposed to the war in Iraq and a possible draft...."

"If this campaign is to help do what needs doing, it must belong to many more people outside of our group. It must, in a sense, belong to our generation. A personal pledge that we young men and women will act on our moral values when faced with forced involvement in this unjust and unjustifiable war and occupation aims to provide youth the opportunity to speak for ourselves, to exercise power over our own lives.

"Historically, young people have played important roles in the struggles against unjust wars. We possess one of the most valuable commodities needed for any military action, our lives. By taking this pledge we put the Congress, current and future Presidential Administrations, and the American public on notice: Not with My life, you don't!"

Contact info: [pledge@wewontgo.org](mailto:pledge@wewontgo.org) or **We Won't Go**, PO Box 16518, Knoxville, TN 37999

## WHAT THE MCLI BOARD IS DOING

The Jan. 8 MCLI Board meeting was short and to the point. The Board approved the plan for a gala in New York near the UN to give the MCLI report, "Challenging U.S. Human Rights Violations Since 9/11" to members of the three UN human rights committees. Retired UN High Commissioner of Human Rights Mary Robinson to be invited.

The Board met, talked with, and then welcomed new members to the Board: Barbara Blong, peace & human rights activist; Bill Simpich, civil rights lawyer; David Watts, computer specialist; also Phoebe Watts, community activist, and Lindsley Smith, Arkansas legislator, who could not attend this meeting. Carlos Villareal of the Bay Area National Lawyers Guild participated in part of the meeting.

The Board decided on a second Board meeting in Marin County for Jan. 31 and on a Retreat to plan for the future of MCLI.

The Jan. 31 MCLI Board meeting was held at the office of Charles Bonner and led to plans for the Retreat.

The Feb. 26 MCLI Retreat at MCLI was very full of discussion from all Board members present from 10 a.m. to 2 p.m. with Pres. Steve Birnbaum chairing, Ying Lee facilitating, and Charles Bonner, Phoebe Watts, Victoria Ashley, Jim Syfers, Dorothy Patterson, and David Watts giving their view.

Several committees were formed: Inventory of MCLI people, assets, liabilities: Steve, Jim, Victoria, David. Steve and Dorothy to meet and report back on how MCLI committees should work. Phoebe will chair the committee to put on an MCLI 40th anniversary event on Nov. 12, 2005.

The spirit of the Retreat was captured by Photographer Richard Challacombe (below).

## Goodbye to Vitamins (*cont. from p. 4*)

Now, however, the EU's Food Supplement Directive is being considered as the touchstone for the development of international standards for food supplements. The work is being done by Codex Alimentarius, an agency administered jointly by WHO and the Food and Agriculture Organization; it leans strongly toward the drug industry view that supplements are dangerous and need to be controlled, if not made available only by prescription. The strongest opposition has come from South Africa which has filed complaints that the process is not proceeding on the basis of scientific evidence and analysis. South Africa has recently been joined in its opposition by three other African nations and India.

Should the Codex end up with very restrictive standards, a case could be filed with the World Trade Organization to force member countries, including the United States, into conformity. This is the danger and it has prompted the British organization, Alliance for Natural Health, to file a lawsuit in the European Court of Justice. (Website: [www.alliance-natural-health.com](http://www.alliance-natural-health.com)) Another organization, International Advocates for Health Freedom, is helping to organize support for the suit ([www.iahf.com](http://www.iahf.com)).

Meanwhile, Mathias Rath, M.D., noting -- for example -- that over 100,000 persons die annually from the effects of pharmaceutical drugs (Journal of the American Medical Association, April 15, 1998), has filed a complaint against the pharmaceutical companies in the International Criminal Court in the Hague, charging them with genocidal practices. ([www.dr-rath-foundation.org](http://www.dr-rath-foundation.org))

--J.S.



6 back row: Dorothy Smith Patterson, David Watts, Phoebe Watts, Victoria Ashley, Jim Syfers  
first row: Ann Ginger, Steve Birnbaum, Ying Lee (Charles Bonner had to leave just before photo taken)

**JENNIFER HARBURY  
TO HELP MCLI SPREAD THE WORD  
ON U.S. LAW AGAINST TORTURE**

Dorothy Smith Patterson, MCLI board member, brought Jennifer Harbury to MCLI in January, 2005 to discuss how MCLI could be more effective in getting out the word about the living U.S. laws against anyone working for the U.S. Government using torture against anyone anywhere.

Attorney Harbury, from Texas, lived and worked with human rights activists and peasants in Mayan villages in Guatemala. Then she had to work with members of Congress and the Organization of American States to locate her Guatemalan husband and 35 others believed to be held by the military. Her husband, and others, had been secretly tortured and killed. She is now working with UU Service Committee on an anti-terrorism project.

This meeting led to MCLI requesting, and receiving, sponsorship for its event in New York on March 31 from the UU UNOffice. (See p. 1.)



Dorothy Smith Patterson, Ann Ginger, Jennifer Harbury

**The Bush Social Security Fraud**

When I was in High School in the 1940's, people were saying that the Social Security Administration would be "bankrupt" in no time. It is now projected to have a problem around 2045, a hundred years later, when the monthly pay-in to the Treasury Department does not fully cover the monthly pay-out. When that happens any number of things can be done to eliminate or cover the shortfall. Here are just a few.

1. The social security payroll tax can be slightly increased, or social security benefits can be slightly reduced, or both. These should be considered measures of last resort, since if anything the benefits should be raised for those with no other income.

2. The "cap" on the tax can be raised. Now no one pays social security taxes on that part of income over \$90,000. One estimate: the entire shortfall would be covered were it raised to \$200,000.

3. Congress can raise the income tax on the very wealthy, or increase estate taxes on the very wealthy. Great wealth is not an entitlement.

4. Congress can increase corporation taxes, which have declined in proportion to individual income taxes for the last half century.

5. A tax can be imposed on international trading in stocks, bonds, currencies, and other financial instruments, mostly done via satellite. Such trading across borders amounted to 18 billion a day in 1977, and now amounts to around two thousand billion a day. In 1978 James Tobin proposed imposing a very small tax on these transactions in his Presidential address to the Eastern Economic Association. Such a tax could be administered by an international U.N. affiliated "Tobin Tax Organization"; a tax of one half of one percent on each such transaction would raise funds to take care of many of our welfare needs around the globe.

A side benefit of such a tax would be the discouragement of capital flight from countries that adopt social policies that bankers don't like, as a Socialist government of France did a while back and was punished by a severe transfer of capital out of the country.

In contrast to the above solutions or some combination thereof, President Bush's program for "saving" social security does nothing to cover the projected future shortfall, and this is why it is a fraud. What it does do is create an immediate shortfall by re-routing part of the S.S. payroll tax income from the U.S. Treasury to privately held investment accounts largely managed by Wall Street. How the U.S. government is expected to meet its benefit obligations in this situation is unclear, as we are already facing a top heavy government indebtedness. One can only wonder what is behind this craziness -- greed, incompetence, ideological fanaticism, or some hidden agenda yet to be disclosed.

A very good book on the Tobin tax is "Democratizing Globalization: The Leverage of the Tobin Tax" by Heikki Patomaki, Zed Books, 2001. The book has been the basis of an effort by two organizations -- one in Finland and one in France -- to get the Tobin Tax on the international agenda.

-- J.S.



**Ossie Davis**  
*PRESENTÉ*

**James Forman**  
*PRESENTÉ*

**JoAnn Grant**  
*PRESENTÉ*

**Sadie Krieger**  
*PRESENTÉ*

**Karl Linn**  
*PRESENTÉ*

**Jules Seitz**  
*PRESENTÉ*

## From U.S. Navy Air Arm in Ireland To Vandenberg Air Force Base in California

Early one morning in January, a woman called MCLI and asked for legal advice in a very strained voice. She did not give her name. Finally she explained that she was calling from Ireland and had participated in the first Plowshares action in Ireland with several Irish citizens at the U.S. Navy Air Army.

A few days later, her lawyer, Joe Noonan, called and spoke with Ann Ginger and Board member Colleen Rohan, who had experience representing a member of the IRA some years ago.

(It became clear immediately that, since IRA and Plowshares are totally different in philosophy and actions, it is important never to mention the two in the same sentence.)

The Irish Government alleges that the Plowshares activists did \$1,500,000 damage to planes in the restricted area of the public airport and, if convicted of all charges, could spend decades in prison. They are now free on bail, pending pretrial hearings.

Ginger and Rohan suggested some legal approaches developed in the U.S. in many previous civil disobedience cases, such as the necessity defense. And they suggested using articles in the UN Charter and the International Covenant on Civil and Political Rights, and working with British lawyers active in the International Association of Democratic Lawyers.

Noonan thanked MCLI and said he would keep us informed of events as the case proceeds.

### Meanwhile, in California . . .

Bud Boothe is a World War II veteran who lives in Santa Barbara County near the huge Vandenberg Air Force Base and Space Command. Mr. Boothe has been participating in peaceful protest at the front gate of the base for two decades. In 2002 he was arrested while participating in a peace vigil and charged with illegal trespass. The Vandenberg Peace Legal Defense Fund was established to raise money for his defense and to defend the civil liberties of other peace protesters at the base. All charges were dropped against Bud Boothe the day before the trial was supposed to begin.

The federal prosecutors claim that the base allows peaceful protest and cooperates with the First Amendment rights of demonstrators. MacGregor Eddy and Dennis Apel have both been arrested while in the designated 'protest area' near the front gate. Ms. Eddy's trial will be in Santa Barbara in March and Mr. Apel will be tried in April.

The next demonstration at Vandenberg will be on May 21 with special guest speaker Kathy Kelly of Voices in the Wilderness. A victory for the defendants will make it easier for the peace protesters to participate in expressing opposition to "Star Wars" missile

## GRIGORY PASKO from VLADIVOSTOK PRISON to MCLI via AMNESTY INTERNATIONAL

Grigory Pasko, an investigative journalist working for the Pacific Fleet's newspaper, focused on nuclear safety issues in the Russian Pacific Fleet, specifically the practice of dumping nuclear waste.

Nov. 20, 1997, the Russian Security Police, FSB, in Vladivostok arrested Pasko, charging him with high treason through espionage while working with Japanese journalists. In July, 1999, the Court of the Russian Pacific Fleet acquitted him of treason, but sentenced him to three years in prison for 'abuse of his official position' and released him under a general amnesty. Both sides appealed.

In November 2000, the Military Collegium of the Russian Supreme Court cancelled the verdict and sent the case back for retrial. The retrial lasted from July 11, 2001, until Dec. 25, 2001. Pasko was acquitted on nine out of ten charges, but was convicted of treason. He was sentenced to four years of hard labor. Both sides appealed, the Government seeking a 12 year sentence.

On Jan. 7, 2002, Amnesty International adopted Pasko as a prisoner of conscience. June 25, 2002, the Court continued the sentence while changing the verdict slightly.

Jan. 23, 2003, the Ussuriysk City Council released Pasko after serving 2/3 of his sentence. After another 18 months, Pasko was allowed to get a passport to visit his overseas supporters.

On Feb. 10, 2005, Pasko came, alone, to visit MCLI to talk about the laws being broken by the Russian and U.S. Government nuclear weapons policies. Bill Mandel, with no notice, very kindly agreed to translate from his home phone as Ann Ginger sat at one telephone at MCLI and Grigory Pasko sat at the other.

For more than an hour, Mandel translated fast talk, mainly by Ginger, describing the World Court opinion that nuclear weapons are illegal, which Pasko had not known about. "It was a heart-warming experience," Ginger said, "to share ideas with a writer who put his life on the line to write the facts." Pasko thanked MCLI for a copy of "Nuclear Weapons Are Illegal: The Historic Opinion of the World Court and How It Will Be Enforced."

*For more about Pasko, see <http://www.bellona.no/en/international/russia/enviroirights/pasko/index.html>*

To contribute to the defense fund or get more information about the demonstrations at Vandenberg, check the website at [www.vpeaceldf.org](http://www.vpeaceldf.org) or write VPLDF, PO Box 5789, Salinas, CA 93915-5789, or call MacGregor Eddy at 831-753 5554 or cell phone 831-206-5043. Any donation more than \$10 can receive a 38 minute documentary "A Space 4 Peace" about Vandenberg Space Command and the peace activists who protest there. (Specify DVD or VHS.)

## DIRECTOR's DIARY

Dec. 1: Really enjoyed my trip to Chico to participate in a Forum with Paul Persons on Privacy & Secrecy (& the PATRIOT Act) at the **Center for Applied & Professional Ethics at Chico State**. And a good dinner with friends.

Dec. 5: A gratifying event at Redwood Gardens, Berkeley, where I was one of many honored by the **Committees of Correspondence for Democracy and Socialism**.

Dec. 11: To Fayetteville, AR to participate in a dialogue on **New Paths for Action in this Time of Crisis** at the **University of Arkansas**. Then interviewed by Robin Lehman of the *Fayetteville Free Weekly*. Delightful to meet so many people working so hard for causes we have in common, and with somewhat different accents.

However, on each airplane and in each airport, I happened to sit next to someone who had voted for Bush. So reality was my companion, and I had plenty of occasions to practice **the new skill I am seeking**: how to listen long enough to be able to hear something that may suggest what to say to begin to open the mind of a Bush voter.

Dec. 16: Fred Hensburger's **KDK Rising talk show** called me about Berkeley City Council's resolution on changes needed to make elections fair. I talked very fast, and I hope clearly, interrupting when necessary, and was **cut off after 20 minutes!**

Dec. 31: Interviewed on **KCYX radio** by Joy LaClaire in Mendocino and Sonoma, CA on what is happening in international law today. Fun!

Jan. 15: long talk with **Marie H. Davis**, state chairperson of NAACP, about **HR 10**, supporting reparations for descendants of slaves.

Jan. 23: a very good and interesting evening with **Midnight Special** in Oakland, talking about what people are doing that is the same, and different, from the 1930s and 1960s and 1990s.

Jan. 16: Made a presentation at the **Public Forum** of the Unitarian Universalist Church in **Sacramento**, with friends, old and new, joining to read very **lively, current parts of the U.S. Constitution, UN Charter and Nuremberg Principles**.

Feb. 16: sent package to Prometheus of all changes in "Challenging" book. (Well, not quite!)

Feb. 17: sent 100 copies of the "Challenging" book flyer and table of contents to be distributed at the

national **United for Peace and Justice** meeting in **St. Louis** by Janet Sondin now of St. Louis.

Feb. 20: Re-wrote "This Is Not A Poem," read it at Berkeley Fellowship of UUs, in 34 pt bold face.

Feb. 27: 9:30 a.m.: called Larry Bensky at KPFA/Pacifica to add to discussion -- on **alleged torture by U.S. troops** and contractors -- that U.S. is a signatory to Convention Against Torture and has refused to make required reports on U.S. violations.

1 p.m.: to Veterans of the Abraham Lincoln Brigade annual event in Oakland. Wonderfully uplifting! Best line from one of the 11 remaining vets in attendance: **"Bush is Franco."** And there's something about that line: **"No pasaran!"**

4 p.m.: to Central Committee of Conscientious Objectors event: what's really happening in Iraq, and to those who **discover they cannot kill any more**.

9 p.m.: listened to another episode in "Abraham Lincoln: the Prairie Years," by Carl Sandberg. Sen. James H. Hammond, a Connecticut Yankee's son who went to South Carolina to the Senate, just before the slave revolt at Harper's Ferry:

"The difference between us is that our slaves are hired for life and well compensated; there is no starvation, no begging, no want of employment. Yours are hired by the day, not cared for, and scantily compensated. Why, you meet more beggars in one day, in any single street of ... New York than you would meet in a lifetime in the whole South. We do not think that whites should be slaves, either by law or necessity. Our slaves are black, of another and inferior race. ...

"Your slaves are white, of your own race; you are brothers of one blood. ... They are your equals in natural endowment of intellect, and they feel galled by their degradation. Our slaves do not vote. We give them no political power. Yours do vote and being the majority, they are the depositories of all your political power. ***If they knew the tremendous secret, that the ballot box is stronger than any army of bayonets, and could combine, where would you be?*** Your society would be reconstructed, your government overthrown, your property divided, not as they have mistakenly attempted to initiate such proceedings by meetings in parks, with arms in their hands, but by the quiet process of the ballot box. You have been making war on us to our very hearthstones. How would you like us to send letters or agitators North, to teach these people this, ...?" (Vol. II, p. 221 (1926).)

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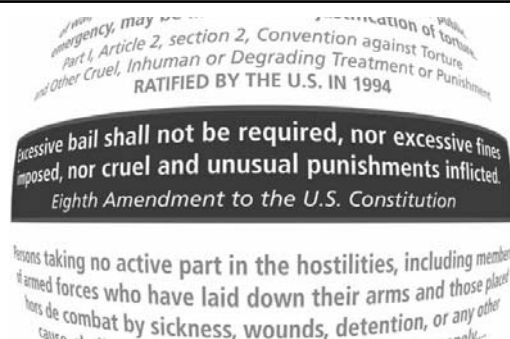
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## 1st and 8th Amendment T-Shirts



T-shirt fronts say "Make the Fabric of Democracy Visible." Back design of 8th Amendment shirt partially shown above. Designed by MCLI alum Wendy Surinsky. Not for profit, available at <http://democracyshirts.com>

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March 30, 2005.
- **How To Use 'New' Civil Rights Laws After 9-11** The basic book on Exec. Orders, PATRIOT Act, FBI/CIA actions, for activists, lawyers, teachers, media. Full texts of U.S. Const., UN Charter, 6 ratified treaties, sample complaint, ordinance. (320 pp.) MCLI. Nov. '02. \$36.95 \_\_\_\_\_
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777 UN Plaza (across from the UN bldg), 2nd floor Conference Room

Contact: MCLI or Michael Yellin (212) 714-1677 ext. 203

**Tuesday, March 22, 11:45-1 pm**

**Ann Fagan Ginger in Mountain View, CA  
TASC (Technology & Society Comm.)  
Luncheon Series at Golden Wok restaurant**

895 Villa Street (corner of Bryant)

contact Bob Kirby (650) 969-7215 for details

**Sat., April 3, 12:30 pm Rally at  
San Francisco Civic Center Plaza**

**LET THE SUN SET ON THE USA PATRIOT ACT**

hosted by Amnesty International

[To help at MCLI table, call MCLI]

**Sun., May 8, Fresno, CA**

Ann Fagan Ginger in  
9:15 and 11 am Sunday Services  
Unitarian Universalist Church of Fresno  
4144 N. Millbrook Ave.

**Ann Fagan Ginger: presentations on  
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**Thurs., Apr. 14, 7-9 pm, Santa Rosa  
Peace & Justice Center**

467 Sebastopol Ave.

contact: (510) 332-1877



**Fri., April 15, 7:30 pm, Santa Cruz  
Truth Network**

Veterans Bldg, Front St.

contact: Emily Maloney (831) 475-0435

**Sun., Apr. 17, 3 pm, Salinas, CA**

**Miguel Hernandez' office, 40 Central Ave**

contact: (831) 206 5043



**Thurs., May 19, 7 pm, Sonoma  
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