

HUMAN RIGHTS NOW!

Newsletter of the Meiklejohn Civil Liberties Institute

<http://mcli.org>



SUMMER 2004

GENEVA CONVENTION

Geneva Convention re Treatment of Prisoners of War (adopted 8/12/49; entered into force 10/21/50)

...Article 2

In addition to the provisions which shall be implemented in peace time, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them.

The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof.

Article 3

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each party to the conflict shall be bound to apply, as a minimum, the following provisions:

1. Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

cont. on page 7

ARE YOU ON THE NO-CARB DIET??

That is, no Cheney, Ashcroft, Rumsfeld, Rice, or Bush.

(Thank you to with-it librarians for giving us this gem.)

PROMETHEUS TO PUBLISH "CHALLENGING RIGHTS VIOLATIONS"

The broadest coverage of human rights violations ever attempted will appear as a book, "Challenging U.S. Human Rights Violations Since 9/11" in March 2005, published by Prometheus Books.

After carefully collecting and sorting all of the violations by all U.S. Government agencies since 9/11, MCLI editors enunciated 28 categories of rights and duties being violated.

By May 1, 160 reports were written and put into a category. Of course, the revelations of the attacks on Iraqi prisoners at Abu Ghraib prison required several more Reports.

The book will lay out new paths to action for concerned people to take against a particular violation, from suing to filing a complaint with the Office of Inspector General to reporting to the three UN human rights reporting committees -- always invoking the Mobilization of Shame that has proved so effective, from South Africa to East Timor.

WHO WILL PUBLISH THE PAMPHLET?

MCLI is determined to publish the same basic facts, and law, in pamphlet form, by Sept. 2004, for use before November. The pamphlet will list the 160 Reports spelled out in the book, with the web page and media citations so the reader can get more facts, and updates.

All suggestions for pamphlet publishers are welcome!

cont. on page 5

70-MILE MARCH FOR EDUCATION

"March for Education" is a grassroots organization of Northern California parents, children, teachers, community leaders and concerned citizens who came together shortly before the West Contra Costa County School District's announcement that they are eliminating sports, libraries,

cont. on page 5

Highlights in this issue:

Humphrey-Hawkins Act	p.2
Corporate Personhood Resolution	p.3
Treaty News	p.5
Vanunu & Lawrence Livermore	p.6

THE HUMPHREY-HAWKINS ACT AND JOBS

Congressman Bernie Saunders (Vermont) recently noted in his newsletter that we have lost 3.3 million jobs in the United States in the last three years. Unemployment is hovering around 6% (this means some 8 million unemployed), not counting those who have given up looking for work. Many have exhausted their unemployment benefits.

As the situation deteriorates, some of the elders among us may remember a bill introduced in Congress in 1946. Written by Bertram Gross, it contained this article:

“Section 2b. The Congress hereby declares that -- All Americans able to work and seeking work have *the right to useful, remunerative, regular, and full time employment*, and it is the policy of the United States to assure the existence at all times of sufficient employment opportunities to enable all Americans who have finished their schooling and who do not have full-time housekeeping responsibilities freely to exercise this right...” (italics added)

This bill became one of the foci of the struggle between the New Dealers and those intent on sweeping them out of Congress; when it passed, as the Full Employment Act of 1946, full employment was demoted to the "maximum employment" compatible with a set of other aims (such as promoting free competitive enterprise). However, the Act did mark a historic turning point. For the first time in our history the U.S. government assumed direct and official responsibility for the state of the economy.

Thirty-two years later -- under the Carter Administration -- Gross had another opportunity to work on an employment bill, the Full Employment and Balanced Growth Act of 1978, better known as the Humphrey-Hawkins Act (Title 15, Ch.21, Sec.1022). In giving its rationale for the Act, Congress declared, among other things:

“Unemployment exposes many families to social, psychological, and physiological costs, including disruption of family life, loss of individual dignity and self-respect, and the aggravation of physical and psychological illnesses, alcoholism and drug abuse, crime, and social conflicts.” (Title 15, Ch.58, Sec.3101a5).

The Humphrey-Hawkins law requires the President to establish, in the annual Economic Report to Congress, timetables for reducing the rate of unemployment to “not more than 3 per centum among individuals aged twenty and over and four per centum among individuals aged sixteen and over...”. In addition, “...every effort shall be made to reduce those differences between the rates of unemployment among youth, women, minorities, handicapped persons, veterans, middle-aged and older persons and other labor force groups and the overall rate of unemployment which are caused by improper factors...” (Sec.1022a, clause f,1).

Have Presidents obeyed the letter or spirit of this law? I looked at the Economic Report of the President for 2001 (Clinton) and for 2004 (Bush). Both consist of a President’s summary statement and a full report from the Council of Economic Advisors, with statistical tables. In neither one were any timetables provided for the reduction of unemployment to 3%, let alone with a non-discriminatory aim.

The Bush Report provides some speculative projections in Chapter 3 and 5 -- the unemployment rate is expected to fall to 5.5% by the fourth quarter of this year (2004) and is “projected to be flat at 5.1%” in 2008 and 2009. But the fact that Humphrey-Hawkins obliges the Administration to do something about the situation is absent from both the Summary and the Council Report.

I do not believe this scoff-law attitude is solely the responsibility of the Clinton and Bush Administrations. One thing that Humphrey-Hawkins also did was require greater cooperation between the Administration, the Federal Reserve, and Congress. This led to the bi-annual Humphrey-Hawkins Hearings in both House and Senate at which the Chairman of the Federal Reserve was compelled to answer to Congress regarding Reserve policy, something that did not please the bankers at the Federal Reserve. Congress has not, however, taken the further step of demanding that both the Federal Reserve and the Executive Branch take seriously the employment provisions of the Act. So Congress needs a wake-up call on this.

The rumor, circulating on the web, that the Humphrey-Hawkins Hearings are being phased out -- as a consequence of the Federal Reports Elimination and Sunset Act -- is false. The Senate Banking Committee plans to schedule another hearing in the Fall.

--JS

HUMAN RIGHTS NOW! Jim Syfers, Editor

MCLI, P.O. Box 673, Berkeley, CA 94701-0673 Telephone: 510-848-0599, Fax: 510-848-6008

E-mail: issues@mcli.org Web site: www.mcli.org

MCLI human rights case histories at UC-Bancroft:

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

RESOLUTION ON CORPORATE CONSTITUTIONAL RIGHTS

Passed by Berkeley Peace & Justice Commission on May 3, 2004:

WHEREAS, Chapter 3.68 of the Berkeley Municipal Code, which contains the initiative ordinance creating the Peace and Justice Commission, sets forth several functions of the Peace and Justice Commission, including, but not limited to, "(A) Advise the Berkeley City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice, including, but not limited to support for human rights and self-determination throughout the world; (B) Help create citizen awareness around issues of social justice [and] (C) Help develop proposals for the City Council in furtherance of the goals of peace and justice, and help publicize such actions in the community;" and

WHEREAS, under the United States and California Constitutions, all sovereignty resides with "We the People," such that people hold all inherent political power and government derives its power from the consent of the governed; government is created by the people and for the people for our health, safety, and welfare; our system of government is a representative democracy, through which the people govern; and "We the People" are entitled to inalienable constitutional rights to wield against oppressive governmental regulation; and

WHEREAS, "corporation" is not mentioned in the United States Constitution; our founders did not grant corporations rights; rights were reserved for natural people; historically corporations were created as artificial entities, chartered by state governments to serve the public interest, cause no harm, and be subordinate to the sovereign people; and yet by judicial interpretations, corporations gained personhood status, free speech and other protections guaranteed by the Bill of Rights and the 14th Amendment; and

WHEREAS, with "corporate personhood" and First Amendment rights, corporations dominate the political process and interfere with citizens' control over our government as follows: corporations lobby our legislative and regulatory bodies; with the Supreme Court's assertion that money is a form of free speech, corporations spend vast amounts of money to influence elections; and by virtue of their enormous wealth, corporations wield much more influence over our government and over the media than do "We the People"; and

WHEREAS, this corporate influence is transforming our government from one that is "by and for the people" to one that is by and for corporate interests; corporate influence over our government denies citizens our right to govern through a representative democracy and subjects us to minority rule by the wealthy few; and corporate influence has made it difficult to maintain a living wage, a clean environment, affordable health care, and quality education for all; and

WHEREAS, the citizens of the City of Berkeley consider it to be our sovereign right and civic duty to recognize that corporations remain artificial entities created by the people through our state legislatures; hope to nurture and expand democracy in Berkeley and in our nation; and reject the concept of corporate constitutional rights based on "corporate personhood" or any other factor.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley supports amending the United States and California Constitutions to declare that corporations are not granted the protections or rights of persons, and supports amending the United States and California Constitutions to declare that the expenditure of corporate money is not a form of constitutionally protected speech.

BE IT FURTHER RESOLVED, that the City Council directs the City Manager to send a copy of this Resolution to our state and federal government representatives including: Governor Arnold Schwarzenegger, Majority and Minority Leaders of the California Senate Don Perata and James Brulte, California Assemblymember Loni Hancock, United States Senators Barbara Boxer and Diane Feinstein, and United States Representative Barbara Lee.

Historical note:

Corporations were first declared to be "individuals" covered by the equal protection clause of the 14th Amendment in *Santa Clara v. Southern Pacific Railroad*, 118 US 394, 1886. Since then they have been accorded individual rights under the First, Fourth, Fifth, and Sixth Amendments. A full account of these decisions and others can be found in an article by Carl J. Mayer, *Hastings Law Journal*, vol.41 (577-667), March, 1990.

MEMORIAL DAY

Many media sources are finally printing pictures of the *torture* in prisons in Iraq. But we also need to see the *deaths*. After some uncertainty at MCLI about printing ghastly photos, it was agreed that the horrors of war must be clearly in the minds of everyone in the United States. We decided to only print the picture at the right.



The photo above was taken by a U.S. soldier in Iraq. This, along with many other scenes of the horror of war, was posted at <http://home.wi.rr.com/davef/iraq.htm> where we found it on April 26, 2004, but the photos have been removed. As of 5/10/04, all that is on the website is: "Dave ain't here no more. Go away."

"Baghdad Burning": A young woman in Baghdad has been keeping an online journal for the past year. She calls herself "river" and starts every entry with these words: "... I'll meet you 'round the bend my friend, where hearts can heal and souls can mend..." Here are excerpts from her response to the exposure of the tortures of detainees by U.S. and British forces. It is titled "Just Go..." (read the rest at <http://tinyurl.com/33gnx>)

Friday, May 07, 2004

People are seething with anger -- the pictures of Abu Ghraib and the Brits in Basrah are everywhere. Every newspaper you pick up in Baghdad has pictures of some American or British atrocity or another. It's like a nightmare that has come to life.

Everyone knew this was happening in Abu Ghraib and other places. Seeing the pictures simply made it all more real and tangible somehow. American and British politicians have the audacity to come on television with words like, "True, the people in Abu Ghraib are criminals, but..." Everyone here in Iraq knows that there are thousands of innocent people detained. Some were simply in the wrong place at the wrong time, while others were detained 'under suspicion'. In the New Iraq, it's "guilty until proven innocent by some miracle of God".

People are so angry. There's no way to explain the reactions -- even pro-occupation Iraqis find themselves silenced by this latest horror. I can't explain how people feel -- or even how I personally feel. Somehow, pictures of dead Iraqis are easier to bear than this grotesque show of American military technique. People would rather be dead than sexually abused and degraded by the animals running Abu Ghraib prison.

There was a time when people here felt sorry for the troops. No matter what one's attitude was towards the occupation, there were moments of pity towards the troops, regardless of their nationality. We would see them suffering the Iraqi sun, obviously wishing they were somewhere else and somehow, that vulnerability made them seem less monstrous and more human. That time has passed. People look at troops now and see the pictures of Abu Ghraib, and we burn with shame and anger and frustration at not being able to do something. Now that

the world knows that the torture has been going on since the very beginning, do people finally understand what happened in Falloojeh? ...

And through all this, Bush gives his repulsive speeches. He makes an appearance on Arabic tv channels looking sheepish and attempting to look sincere, babbling on about how this 'incident' wasn't representative of the American people or even the army, regardless of the fact that it's been going on for so long. He asks Iraqis to not let these pictures reflect on their attitude towards the American people. And yet when the bodies were dragged through the streets of Falloojeh, the American troops took it upon themselves to punish the whole city.

... The most pathetic excuse I heard so far was that the American troops weren't taught the fundamentals of human rights mentioned in the Geneva Convention. Right -- morals, values and compassion have to be taught.

All I can think about is the universal outrage when the former government showed pictures of American POWs on television, looking frightened and unsure about their fate. I remember the outcries from American citizens, claiming that Iraqis were animals for showing 'America's finest' fully clothed and unharmed. So what does this make Americans now? ...

Through all of this, where is the Governing Council? Under what rock are the Puppets hiding? ...

I sometimes get emails asking me to propose solutions or make suggestions. Fine. Today's lesson: Don't rape, don't torture, don't kill and get out while you can -- while it still looks like you have a choice... Chaos? Civil war? Bloodshed? We'll take our chances -- just take your Puppets, your tanks, your smart weapons, your dumb politicians, your lies, your empty promises, your rapists, your sadistic torturers and go.

A proposal from Ann: before every meeting or event that you attend, ask the group: "I'd like to ask for a moment of silence for all of the people that the United States Government has killed this week."

MARCH 4 EDUCATION TO SACRAMENTO

cont. from p. 1



counselors, and other programs and personnel. The group organized a 70-mile march to Sacramento, April 9-16. People of all ages and ethnicities marched to bring attention to the dire state of public education in California. MCLI office manager Soula Culver took part in the beginning and the end of the march. Here are her observations on the arrival at the Capitol

— 4 —

As we paraded around the block-size garden that sits behind the Capitol building, carrying our signs and chanting, we were passed by a group of young people in suits and "Sunday best" with puzzled expressions on their faces. We called to them, "Join us! Join the march!" But they were being carefully shepherded away from us by the prim parents who accompanied them. It turned out that these kids had been invited from Stockton to create a non-threatening kid-related photo opportunity for Schwarzenegger on this day when he knew our march would arrive, and they had just been inside to shake his hand.

At the Capitol steps, there was a spirited rally during which legislators Jackie Goldberg, Don Perata, and Tom Torlakson addressed the crowd and promised to produce some favorable legislation. Marchers young and old also spoke.

Later, after we were allowed to file into the 'majestic' building, we passed by the enormous glossy black portals (closed and guarded) of the governor's office. I was struck almost senseless when I saw the massive five-inch-tall golden letters above the doorway, raised an inch off the surface of the marble wall, spelling out A R N O L D S C H W A R Z E N E G G E R . I don't know if previous governors had this same stupendous ostentation, but this truly befits Conan the Barbarian.

Then in the small auditorium where they put us, filled with marchers and supporters -- but no

cont. on page 7

TREATY NEWS

● On December 18th, 2003, International Migrants Day, the National Network for Immigrant and Refugee Rights celebrated the entry into force in international law of the International Convention for the Protection of all Migrant Workers and Members of Their Families. The organization is launching a pilot project in California to develop a program and database for monitoring and documenting discrimination and all other forms of rights abuses against immigrants and refugees. Their web site address is www.nnirr.org.

● Five years after its adoption by the General Assembly, enough nations have finally ratified the Rotterdam Convention governing international trade in hazardous pollutants and pesticides. In force as of February 24th of this year, the convention bans exportation of PCB's, DDT, asbestos, chlordane, and over thirty other chemicals without prior informed consent. The treaty should end the practice of "dumping" pollutants on poorly informed underdeveloped countries. Complete information is available at: www.pic.int.

● In contrast, as the UN Decade of Indigenous Peoples comes to an end in 2004, progress on the Draft Declaration of Indigenous Peoples' Rights has been excruciatingly slow. Article I of the International Covenant on Civil and Political Rights says "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social, and cultural development." However, in eight years only 2 out of 45 articles of the Draft Declaration have been approved provisionally by the Working Group created by the Commission on Human Rights.

● A joint statement by nearly 40 indigenous peoples organizations emphasized that the human rights of more than 300 million persons are at stake, and that the states participating in the Working Group must -- according to the United Nations itself -- give primacy to the Declaration of Human Rights and existing human rights law, not their national laws regarding indigenous peoples. The International Indian Treaty Council, with an information office in San Francisco, carries information regarding this struggle on their web site: www.treatycouncil.org.

● The San Francisco United Nations Association is considering sending a letter to Secretary of State Powell expressing concern about the failure of DOS to file three very tardy reports due to UN Human Rights Comm., UN Committee on Elimination of Racial Discrimination, and UN Committee Against Torture.

NUCLEAR WHISTLEBLOWERS THERE AND HERE

MORDECHAI VANUNU



Cynthia Johnson and Hal Carlstad, friends of MCLI and members of the Social Justice Committee of the Berkeley Fellowship of Unitarian Universalists,

recently traveled to Venezuela, to hail the reforms of Hugo Chavez, and to Fort Benning, Georgia to protest School of the Americas (now WHISC) located there. Hal and Cynthia have just returned from a third trip -- to Israel, where they were present at the release of Israeli nuclear whistleblower Mordechai Vanunu.

Hal Carlstad made the following statement via email:

"Thank you Mordechai Vanunu, nuclear whistleblower and peace hero.

"In 1986 Mordechai Vanunu, a nuclear technician, having recently left Dimona nuclear research station, revealed information to the London Sunday Times about Israel's secret atomic weapons program. Days before the article appeared, the Mossad lured him to Rome where he was drugged and gagged and taken back to Israel where he was sentenced to 18 years imprisonment after being convicted of treason and espionage following a closed trial. He served almost 12 of those years in solitary confinement in conditions described by Amnesty International as cruel, inhuman and degrading akin to torture.

The government of Israel, according to Carlstad, did not succeed in breaking Vanunu's will or spirit and "Mordechai came out of prison with the same honor and principle and the blessing of international law when he revealed the stockpiling of hundreds of nuclear warheads with no debate or authorization from its citizens. Since then Israel has become, according to some experts, #3 with nuclear weapons and the capacity to deliver them, and we have seen a country bombed for not revealing its alleged plans for nuclear weaponry.

"Mordechai was not released unconditionally, as a model world citizen and whistleblower for the truth should have been. He is receiving sanctuary in the Anglican cathedral in Jerusalem by Archbishop Riah, who deserves our support as he is receiving a lot of pressure.

"Mordechai was greeted by 80-100 Internationals including Nobel Prize Laureate Mairead Maguire, two MPs from London, international actress Susannah York and many others to whom

LIVERMORE WEAPONS LAB

The U.S. Department of Energy held hearings on its 10 Year Plan for Lawrence Livermore National Laboratory in Livermore and Tracy, CA on April 27-28. MCLI encouraged witnesses to include in their opposition to such plans the fact that the International Court of Justice ruled unanimously in 1996 that nuclear weapons are illegal and that "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control." Tri-Valley CARES brought out a good crowd.

The recently-released Site-Wide Environmental Impact Statement (SWEIS) for the Lawrence Livermore National Laboratory lays out plans for huge increases in nuclear weapons design and manufacture in Livermore over the next ten years:

- A doubling of the amount of highly-toxic plutonium on-site.
- A tripling of the amount allowed "at-risk" at one time.
- A ten-fold increase in allowable tritium "at-risk."
- Dangerous new experiments with plutonium vapor clouds.
- Small-scale fission in the NIF mega-laser.

All of this, sandwiched between two earthquake faults less than 50 miles from seven million people in the Bay Area.

The people of Livermore have experienced considerable problems as a result of being home to the Nuclear Labs. At least a million curies of air born radiation have been recorded, about what Hiroshima experienced during WWII when the atom bomb was dropped there. Residuals of this continue in the air, water and soil of the place. Plutonium has been found in the town's playgrounds. Children of Livermore are six times more likely to develop malignant melanoma than others living outside the area.

he is a preeminent hero of the nuclear era who consciously risked all he had in life to warn his own country and the world of the existing and ongoing dangers of the nuclear era.

"There will be a celebratory party for Mordechai at 5pm at the Berkeley Unitarian Fellowship Hall on July 24th. Call Jeanne Shaterian local coordinator at 510-548-3048 for other actions to support Vanunu, or go online www.vanunu.com or www.vanunu.org."

Cynthia said that people can also help by calling the Israeli embassy. The Israeli Government has not issued Vanunu a passport. "We are hoping that Mordechai can be a great spokesperson for nuclear disarmament. He is still going to try to speak out. We still want him to be free."

MARCH 4 EDUCATION TO SACRAMENTO

cont. from p. 5

legislators, the kids who had marched got more chances to speak at the microphone. They spoke from the heart and it was very affecting. All of them had amazing, powerful things to say.

Most vividly I remember the beautiful little girl with the long dark braids who came to the podium to speak, so small that all you could see was her sweet round face upturned to reach the microphone, glowing pale in the lights. She said, "I came all this way, walked 70 miles, and the Governor won't even see me," and suddenly her face went down. For a long pause all you could see was the top of her head. Then she raised her face again and said bravely, through tears, "Because I'm Mexican."

These kids get it. They understand what is going on. Look out, world!

The chant won't leave my mind:

Everywhere we go
People want to know
Who we are
So we tell them --
We are the students
The mighty, mighty students
Fighting for our rights
And equal education.
Who's got the power?
We've got the power!

— a —

This march is one of many. We hear that there are nine rallies a day in Sacramento on many issues. And there are rallies for Education all over the U.S. As of this writing, 7 of the teachers and activists who participated in this march are continuing the action by fasting together. They are in Frank Ogawa Plaza in Oakland. Dolores Huerta has visited them, and they are receiving media attention. www.march4education.org

"CHALLENGING" BOOK & PAMPHLET

cont. from p. 1

A New One Every Week!

The editors have found it very frustrating to finish writing a report for the "Challenging" book, turn on the radio or TV, and discover some brand-new horror that requires an update of a Report, or an entirely new Report.

Emails and letters are being sent to all organizations for updates, explaining that it's worth their time because "Your organization will reap the benefits of this book, which will introduce organizations and individuals to your work who have been too busy on their own issues to relate to you."

ARCHIVES AND ARCHIVIST

MCLI has hired an archivist. Janet Kobren has been doing the much-needed archiving work at MCLI since January.

Janet has made great progress in saving pages of historic value and throwing away (interesting but) not-unique papers. The materials catalogued and saved will go into UC-Bancroft archival collections: of MCLI's own history and publications, of the National Lawyers Guild, and many smaller categories.

There are now 31 categories, including NLG, UN, MCLI, death penalty, etc. Things that had been stored in boxes are now neatly shelved with printed labels, on their way to Bancroft.

There is much work left to do, in the Library, the garage, and to clear out 3 file cabinets to make room for the 3 interns who will be coming to MCLI this summer.

Asked what her feelings are about this project, Janet said "I believe in Ann's work, which makes it feel worthwhile." The downside is the tediousness and lots of dust, but when an interesting historical item turns up, it is rewarding.

Ann reports that the archives are being used now. But this is a painful job because it is difficult to decide what to keep and what to throw away. We are throwing away old financial records and keeping what we call "the substance," but Ann remarked on how interesting it is to be reminded who gave to MCLI over the years and where they came from.

GENEVA CONVENTION

cont. from p. 1

(a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) Taking of hostages;

(c) **Outrages upon personal dignity, in particular, humiliating and degrading treatment;**

(d) The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

2. The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

from:

<http://www.unhchr.ch/html/menu3/b/91.htm>

MCLI needs illustrations for the "Challenging" book: photos or graphics to illustrate the many categories of violations of Human Rights described in the book. Please send ideas, ASAP; addresses p. 11

DIRECTOR'S DIARY

Mar. 4: MCLI's first **Continuing Legal Education** session at **Loyola Law School**: on how to use UN Charter and treaties in U.S. litigation -- and win! Well received.

Mar. 5: A fun and fruitful party at **Jan and Jerry's in LA** for MCLI. Proposed New Paths for these parlous times. (This & all appearances this quarter were with Warm, Active, Wise folks, hereafter WAWs.)

Mar. 6: Talked about International laws and treaties: Role of NGOs for **LA WILPF** annual International Women's Day luncheon. WAWs!

Mar. 7: Blood vessel burst; lost use of right eye.

Mar. 18: Talked about "How Marxists Can Use the Law After 9/11" at **Marxist School of Sacramento** in Point of View Series: (29 WAWs!) -- I guess the Cold War is finally over!

Mar. 19: 2nd MCLI CLE at **McGeorge Law School** in Sacramento. Later fun fund-raising party at **Co-housing** w/ Susan Scott, mcli alum.

Call from Davis: how to use UN treaties to convince local Board of Education to endorse a **Culture of Peace curriculum** proposal.

Mar. 22: Read with pleasure thoughtful review by Prof. John Quigley of MCLI's "How To ..." book in *Lawyers Guild Practitioner*.

Mar. 28: Reported on the **state of the budget** (city, state, national, international) for Berkeley Citizens Action (& important role of UN for us).

Apr. 5: Spoke at Oakland City Hall steps press conference demanding dropping of charges against **Oakland 25** peace rally protesters and NYC treatment of peace protesters. Spoke on local radio to report that UN Human Rights Commission in Geneva heard report on Oakland 25 as U.S. human rights violation. (**DA did drop charges!**)

Apr. 10: Strong Quarterly MCLI Board meeting.

Apr. 18: Spoke for **Whittier United Nations Association** and **First Friends Church**. WAWs!! They M/SC motion to take action: to make a presentation to City Council members that they are swearing to uphold the U.S. Constitution and UN Charter when they take their oath of office (based on MCLI excerpts of Const. Art. VI, cl.2).

Apr. 23: FSM reunion (not a rally) at FSM Cafe. NLRB ruled Berkeley Bowl violated many labor laws in fight against union.

Apr. 27: Phoned two witnesses appearing before Dept. of Energy's **10 Year Plan for Livermore Lab** hearing: 'Be sure to mention World Court

ruled nuclear weapons are illegal.' Then got call from Austin activist: what law will help convince UTexas not to seek contract if UC-B loses it?

Apr. 30: Drafted letter to **Sen. John Kerry** for Social Justice Committee of Berkeley Fellowship of UUs urging him to oppose U.S. military actions in Iraq under UN Charter Articles 2.3 and 2.4, and to support the rights of the freed Mordechai Vanunu.

May 1: Attended a Teach-in/Speak Out on **Education Not Incarceration** at Oakland Tech, by very well integrated activists of several generations. Heard heart-breaking stories of parents and grandparents of youth in California Youth Authority, and some former inmates. Read with delight a very accurate flyer: **What to do when stopped by the Police**. See www.may8.org.

May 8: Watched a video made by kids at a public school for disturbed children on **how to stop fights**, then heard Lorie Hill, founder/director of PAV, Providing Alternatives to Violence, at a joint gathering of DSA and CCDS.

Then on to a beautiful event for MCLI hosted by Robin Standish! (see p. 9)

One memorable day, not in my date book (!): spoke to Community College librarians of N. Calif. about the PATRIOT Act and its effects on librarians and their patrons. The other speaker, a retired **FBI agent**, now San Diego college prof., had never heard of the **International Covenant on Civil & Political Rights** or the **Convention on Elimination of Racial Discrimination**, ratified by U.S. in 1992 (and '94). Yet he had just been an instructor of new FBI agents. He said the PATRIOT Act added nothing new to powers of the FBI in the Foreign Intelligence Surveillance Act and previous Exec. Orders. We disagreed!

Who Will Take the Lead?

More lawyers and activists are talking about the three UN human rights treaties.

The question arises: Why doesn't Congress turn them into statutes that can be enforced quickly in U.S. courts? Then an act of torture, or racial discrimination, or censorship could be challenged in court under a clause in one of the treaties, like the violation of any other law can be challenged.

NAFTA and GATT are international agreements and statutes passed by Congress that are being enforced in U.S. courts.

Any member of the House or Senate can introduce a bill to implement or execute the three treaties.

Who will take this step? And when, in this election year?

**GARDEN PARTY WITH COLLEAGUES
OF ALEXANDER MEIKLEJOHN --
DICK MEIER AND LEN DUHL**



Prof. Dick Meier, UC Berkeley, Dept. of Urban and Regional Planning, with MCLI's Jeff Melcher

Saturday, May 8th saw a beautiful afternoon benefit party hosted at the home of Robin Standish and Dick Meier. About 40 people came to hear stories about Alex Meiklejohn and what projects MCLI is currently into. Len Duhl and Dick worked with Alex Meiklejohn in a JFK think tank known affectionately as "the Space Cadets" in the early 1960's. Out of this group came ideas "fomenting" the Peace Corps, JOB Corps, and the Head Start Programs. Ann gave an informative presentation and Jeff a pitch for MCLI. A great time was had by all.

Want to help throw a Party?

We are looking for a few good folks to help plan and coordinate a **FUN party in 2005**. As MCLI hits its 40th Anniversary, the UN its 60th, and **Ann Fagan Ginger her 80th**, we want to have a blowout!! (By the way, you are invited!) This will be an event you'll want to be a part of. Call Yolande to tell us what help you can offer. Yolande Adelson, an MCLI board member, is taking calls for volunteers. You can reach her at (510) 559-2961 or yadelson@hotmail.com. **Let's Celebrate!**

Note: All donors to MCLI automatically receive the quarterly Human Rights Now! Subs without donation are \$15-\$25/year.

FACES AT MCLI

Volunteers have been especially helpful at MCLI in the past few months, and we are very grateful to these wonderful people.

Cecelia Gutierrez, graduate of UCB, came in several times a week for many hours at a time since she first appeared to help us get out the March edition of **Human Rights Now!** Since then, she has been responsible for much of the progress on the "Challenging" book.

Cecilia said, "I like the idea of what MCLI is doing. The more I read, the more I feel involved, and I feel like I am not just complaining about society, but contributing -- even in some small way. Also in my own self-interest, I am applying to grad school and it will be nice to say that I worked here."

Melody Saint-Saens is a recent law school graduate who has written, and edited, many Reports for the "Challenging" book. She says, "How often do you find a human rights institution in your back yard? And I don't have to create it from scratch, like I did at school." She also is job searching and someone is bound to snap her up soon.

MCLI friend Sally Sommer, a retired teacher, has also been coming in to help us with the book, and we are very grateful.

Julie, a wonderful volunteer, has been helping as development secretary, putting out letters and correspondence.

Thanks to all these great folks!

|| HELP WANTED ||

MCLI needs your help. With Ann's retirement coming up, we need to add more people to the volunteer staff. Please call if you, or someone you know, has these skills and can help with the following:

Book promotion - Plan the director's trips - Maintain our Filemaker Pro data base - Help with our computer network - Host an MCLI house party. Join our crew of activists on a task.

LOOKING FOR DONATED COMPUTERS

We need newer computers. Our newest computer is three years old -- and the next newest is eight years old! We have interns coming who will need newer PC computers, to do Internet research.

Thank YOU for Helping Protect Human Rights

New Director Fund

Deborah and Brian Gaudet • Edward Setchko • Susan Scott

Donations of \$1,000 or more

Spring Friedlander

Donations of \$500 or more

Yolande Adelson • Martha Killebrew • Phoebe Watts

Donations of \$200-\$499

Dr. Elaine Allen • Buck Dinner Committee • Steven M. Birnbaum
Chandler & Natalie Zemon Davis • Martha Dresher • Dorothy Headley • Janice Wood

Donations up to \$200

Gerald Bill • Marguerite M. Buckley • Northern California Committees of Correspondence
Louise Todd Cope • Maria Crispi • Emma Dawley • Roger Dittman
Katherine Simon Frank & Richard Kain • Paul Z. Goldman • William Gordon • Lee & Pat Hackett
Marba Hazzard • Henry Helson • Rick Herbert • Nancy Hormachea • Jay P. Johnson
Sanford Kelson • Michael & Kelly Comras Lofchie • Evelyn Lundstrom
Archibald & Virginia Macnair • Anne & John McTernan • V.J. Mohan • Elizabeth Morris • Sara Nichols
Marty Oaklander • Clifford Orloff • Jan Osten • Theodore Pearson • Judith and George Prather
Joni Rabinowitz & John Haer • Sally Rainer • Myla Reson • Carmela Ruby • Karen Samski
Donald Sarason & Mary Jennings • Fred Slough • Phoebe Sorgen • John and Kathryn Swackhamer
•June Swan • Bradley Warren • Bridget Watts • Kristina Williamson • Ruth & Irving Willner
Elsbeth Wilson • Lorelee Windsor • Ed & Jean Fagan Yellin

Thank you to Jeff Clark and Rick L. Oglesby for their contribution in memory of **Martha Schaffer**

Thank you to Steven Birnbaum for donating a used computer. Are you looking for an excuse to upgrade your computer system? Donate your 2-3 year old system to MCLI.

Our volunteers need work stations.

Make Easy Monthly Credit Card Donations

Sign up using the updated donation envelope or call (510) 848-0599. This way of giving really helps us pay our bills and maintain our educational projects!!

Microsoft Settlement Money Can Be Directed to MCLI :

Yes! Corporate \$\$ for Peace Law education through MCLI. Go to www.settlementrecovery.com/srCRM/dd.do?m=a&ci=52 and sign up to send settlement money to help MCLI buy new computers. (Or call us.)

How Can Buying or Selling a HOME Help Protect Civil Rights?

20% of the commission on a real estate transaction will be donated to MCLI if you work through Mickey Tenenbaum or Kate Tanaka. Tell them you want MCLI to get the donation and let your move be a productive one.

Mickey Tenenbaum (510) 843-8075
Mickeyten@aol.com

Kate Tanaka (510) 839-4767
KateTanaka@aol.com

Do you have a **Creative Way** to help MCLI?

MEIKLEJOHN CIVIL LIBERTIES INSTITUTE

MCLI publications that I want to order:

qty. amt.

NEW!

• **Challenging U.S. Human Rights Violations Since 9/11:** What to do about arrests, beatings, censorship, deportations, detentions without charges, disappearances, enemy combatants, firings, student visas, surveillance, library checks, school budget cuts -- all violate U.S. & UN laws. 400 pp. Prometheus Books publication date March '05 Pre-pub \$25.00 + postage & handling

NEW!

• **“Challenging” 50 pp. pamphlet** w/brief descriptions and examples of 28 types of violations, list of 160 Reports, from the book. Pub: August '04 \$5.00

• **Human Rights Organizations & Periodicals Directory: '03-'04.** Invaluable descriptions of 1,200+ groups, including internships, subject and geographical indices. Individuals/NGOs: \$55.00
Libraries/Institutions: \$125.00

• **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

• **MCLI Issue Sheets** (Shadow Report) for 1st U.S. Report to UN Committee on Elimination of All Forms of Racial Discrimination in and by the U.S. ('01) \$12.00

• **MCLI Issue Sheets** on U.S. Violations of Convention Against Torture. (1999) \$12.00

NEW!

• **Socially Responsible Cities:** Nuclear Weapons Free Zone, Immigrant Rights, Human Rights Ordinance, Precautionary Principle, Resolutions against PATRIOT Act and war in Iraq, corporate personhood. **2004 Edition**, revised & updated. \$20.00

• **The Cold War Against Labor.** MCLI, reissued. (2 vols.) A rich anthology. \$10.00

• **Carol Weiss King: Human Rights Lawyer (1895-1952).** By A.F. Ginger. (1993) \$5.00 ~~\$10.00~~

• **Nuclear Weapons Are Illegal: The Historic Opinion of the World Court & How It Will Be Enforced.** (14 judges' opinions) A.F. Ginger, Editor. (1998) \$20.00

• **Alexander Meiklejohn: Teacher of Freedom.** Cynthia Stokes Brown. MCLI, 1981. \$20.00

Yes, I want to help: I am contributing \$ _____ to the New Director Fund
 I am making a tax-deductible donation of \$500 \$250 \$150 \$100 \$75 \$50 \$ _____
 I am subscribing to the *Human Rights Now!* Quarterly newsletter for 2004 (\$15-\$25)
 Please send it only by email

<hr/> <i>Name (please print)</i>	MCLI New Director Fund _____
<hr/> <i>Street address</i>	Donation to MCLI _____
<hr/> <i>City State Zip</i>	MCLI newsletter (\$15-\$25) _____
<hr/> <i>Phone # E-mail</i>	Book Total _____
<hr/> VISA / MASTERCARD Exp. Date	Shipping/Handling: _____
<hr/> <i>Make checks payable to MCLI. Send payments with order form to:</i>	Orders up to \$39: \$10 _____
MCLI, P.O. Box 673, Berkeley, CA 94701-0673,	Orders \$40 and up: \$15 _____
(510) 848-0599, Fax (510) 848-6008, issues@mcli.org	CA add 8.25% sales tax _____
Order online at website: www.mcli.org	TOTAL AMOUNT _____
<i>MCLI cases at UC-Bancroft:</i>	
http://Bancroft.berkeley.edu/collections/meiklejohn/project.html	

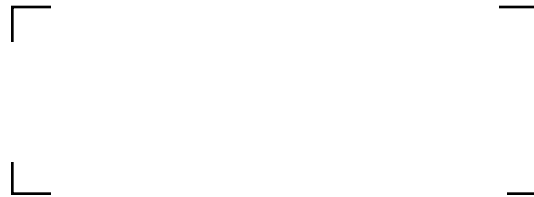
The Meiklejohn Civil Liberties Institute
Human Rights Now!

P.O. Box 673
Berkeley, CA 94701-0673
www.mcli.org

NON-PROFIT ORG.
U. S. POSTAGE
PAID
Berkeley, CA
Permit No. 901

Return Service Requested

TIME VALUE!



KANSAS CITY, MISSOURI
Sunday, June 6, 1 pm
Hogan College Preparatory Academy
1221 E. Meyer Boulevard
for more info:
Fred Whitehead + (913) 342-6379

DETROIT, MICHIGAN
Tuesday, June 8, 5:30 pm
Flood's Bar & Grill
733 St. Antoine (Corner East Lafayette.)
For more info:
Hon. Claudia Morcom (313) 331-0692.

TOWN MEETINGS
with **ANN FAGAN GINGER** on
NEW PATHS of ACTION for
HUMAN RIGHTS & PEACE

ST. LOUIS, MISSOURI
Monday, June 7, 5-7 pm
First Unitarian Church
5007 Waterman Blvd.
(Corner of King's Highway &
Waterman in Central West End)
For more info:
Janet Sondin (314) 647-1941

NEW YORK CITY
Thursday, June 10, 5:30 pm
Church Center for the UN
777 UN Plaza, Dag Hammarskjold Rm.
(Last bldg east on 44th St, off First Ave
across from the UN.)
For more info:
Selma Brackman (212) 228-5855