

# HUMAN RIGHTS NOW!



Newsletter of the Meiklejohn Civil Liberties Institute

WINTER 2003

## "CHALLENGING U.S. HUMAN RIGHTS VIOLATIONS since 9/11" Meiklejohn Institute's New Book

Over one hundred reports of human rights violations by U.S. government officials and agencies are packed into MCLI's new book. In early 2004, the "Challenging" book will be published as No. 4 in MCLI's Studies in Law and Social Change series. Later the book will be sent to the Office of Inspector General (see story on p. 2) and to the UN High Commissioner for Human Rights.

Part One explains the contents and goals of this book, starting with the Mobilization of Shame and presenting a brief summary of the 28 types of violations that have been committed, from 1. **The Right of Every Human Being Not to Be Killed or Disappeared** to 28. **The Government's Duty To Report to the People Truthfully.**

Part Two presents over 100 reports of violations, in the 50 states of the U.S., its territories and other leased land (Guantanamo, etc.), with dates, names of victims and perpetrators (when available), and a list of the U.S. and UN laws apparently violated. The reports fall into several broad categories:

\* **Basic Rights of All People under U.S. Jurisdiction**

\* **The Government's Duty**

\* **The Government's Duty Not to Fund Illegal Weapons or Wars**

\* **The Government's Duty To Properly Fund Education, Health, Environmental Protection**

\* **The Federal Government's Duty To Report Violations of Basic Law to Congress and the UN**

\* **The Government's Duty To Report to the People Truthfully**

Each Report includes the laws apparently violated or ignored, both U.S. and treaties ratified by the U.S.

Part Three describes What the Government Is Committed & Required to Do, starting with making periodic reports and why making a report matters. It explains how the reporting process actually works in the UN Committees, the difference between the first National report and the second and later reports at the State and Local Levels, and the budgetary costs of such reporting. *cont. on page 5*

**WE NEED YOUR SUBSCRIPTION FOR 2004!**  
Use order form on p. 11.

## VOTING: A SERIOUS MATTER

One of the most fundamental of Rights is the right to vote and to have one's vote counted as intended. Up to now there was little chance of votes being switched during the final tabulation of the votes, but not any more -- electronically it can be done in the blink of an eye -- an almost perfect setup for vote-fraud.

The computer-based, touch-screen voting systems, if they provide no secure trail of verifiable paper ballots, leave no way to check the honesty of the final count. The voting machine vendors want you to believe that no computer chip can be defective. In fact, the vendors have gone out of their way to prevent by law the public from inspecting the computer codes and the computer chips in their machines. They also want you to believe that the electronic systems cannot be manipulated either by insiders or by outside hackers... For more information go to the Internet and read Thom Hartmann's

*cont. on page 6*

## MEIKLEJOHN INTERNS FOR 2004

MCLI will offer four internships on the Human Rights Reporting Project for summer 2004. Law and college interns will prepare accurate, detailed reports of violations, and enforcement, of human rights laws in the U.S. in 2002 and 2003. The reports will be submitted to the U.S. Dept. of State and then to the three UN committees that enforce the human rights treaties the U.S. has ratified.

The Haywood Burns Fellowship Program will provide half of the \$2,000 for one law student; MCLI will pay the rest. The Arthur Horowitz Law Intern Grant will provide \$1,000 toward a second internship. Two other interns will be welcome, on a full- or part-time basis, to

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## Highlights in this issue:

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**WHAT DOES THE INSPECTOR GENERAL  
HAVE TO DO WITH ME?  
or  
YOU MEAN THERE'S A WAY TO COMPLAIN TO THE GOVERNMENT?**

Every federal government agency since 1978 has had an Office of Inspector General to receive complaints about misconduct by employees of the agency or by companies with government contracts, including the new Department of Homeland Security. The PATRIOT Act acknowledges the requirements of OIG reports on complaints they receive. The OIG is required to investigate these complaints and file a report to the chair and vice-chair of the Senate and House Judiciary Committees every April 30th and October 1st for release on July 1 and January 1. **(The only exceptions are the Executive Office of the President, the CIA, the General Accounting Office, and any entities of the judicial or legislative branches.)**

The Office of Inspector General Act of 1978 (5 U.S. Code Appendix §§ 1-12) also requires the OIGs to let the media know what they are investigating and what they are finding.

**Organizations and individuals can use this procedure on each of their campaigns.**

Cong. John Conyers is Vice Chair of that Committee in the House and he has made many statements based on the OIG reports he has received over the years.

Every Office of Inspector General is required to be independent of all other parts of the Department to which they are connected. **They are required to conduct independent investigations of all complaints.** However, there were exceptions in the original Act as to the power of the Attorney General to limit OIG investigations of certain types, and the same with the Department of Defense. Under the statute, all OIGs are appointed by the President with the advice and consent of the Senate without regard to political affiliation, and no military officer can be an OIG.

The OIG procedure has only been used by the handful of people who knew about it to complain about fraud by government contractors and other misconduct by government employees in several departments. **The OIG procedure has yet to be used extensively by everyone who has a legitimate complaint about a human rights violation by a federal agency or contractor.**

#### **Complaints that Can Be Filed with OIGs**

The new MCLI "Challenging" book describes many specific issues that can be brought to Inspector Generals in various federal government agencies, including corporate misconduct and violations of disarmament and weapons agreements. In fact, every issue that has arisen since 9/11 can probably be the basis for a complaint to the OIG of some federal agency.

For example, **On Racial Discrimination and Hate Crimes:** Every report of racial injustice by anyone in the federal government can lead to sending a complaint to the Office of Inspector General, Civil Rights Division, U.S. Department of Justice and asking them to investigate. The address of the OIG for each department is on the web page of that department, or can be obtained by a phone call to the Department. The web page of the Justice Dept. OIG is: [www.usdoj.gov/oig/](http://www.usdoj.gov/oig/). A complaint should also go to Civil Rights Division or to: U.S. Dept. of Justice, Office of Inspector General, 950 Pennsylvania Avenue NW, Suite 4322, Washington, D.C. 20530-0001.

**On Misconduct by State and City Officials:** The federal government funds some state and city programs. That means that a discriminatory action by a state, county or city employee (including prison guards, personnel who decide who does not get aid, etc.) can be complained about to the federal agency funding the local program.

#### **STEPS TO TAKE:**

1. Figure out the specific agency that committed an act you are convinced is against the law.
2. Pull up the web page of the Office of Inspector General for that agency and read from the last report it made to the Congress on the issue of concern.

**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: [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>

3. Write a complaint (get it co-signed by organization or individuals?), send it to: OIG, by snail mail (return receipt requested), keeping a copy with the date sent, with copy to the media.

4. Check the report of the Judiciary Committee Jan. 1 and July 1 on OIG complaints it received, check how your complaint was handled.

5. Regardless of the action or inaction of the OIG, and/or the Judiciary Committee chairs, send a copy of the complaint to Meiklejohn Institute, Box 673, Berkeley, CA 94701-0673, or [afg@mcli.org](mailto:afg@mcli.org). MCLI will include the complaint in Part Two of the "Challenging" book and in the report it makes on enforcement of the three human rights reporting treaties.

6. Send a copy of the complaint and the OIG action to the U.S. Secretary of State to include in the reports he is required to make to the three UN committees that enforce the three UN human rights treaties the U.S. has ratified.

### **Success Is Not Assured**

It is necessary to say that something happened to the report by the OIG of the EPA after it was issued and given wide circulation. The OIG reported to the House and Senate Judiciary Committees that the EPA did not tell the truth when it said it was safe to work at Ground Zero immediately after 9/11 when they knew it was not safe. And the OIG issued their report to the media effectively, so that this report got on the major media.

But, if you go to the OIG website for the EPA now, you will find that this report has been removed from distribution to the public. This is possible under a provision of the PATRIOT Act.

However, many in the Office of Inspector General of some agencies will work to keep their jobs, which means investigating complaints.

We, as citizens, have a right, and a duty, to use this tool in our work on every issue on which the federal government has an agency that acts unfairly or against the law.

### **What Groups Can Do in Cities, Counties, States, Washington**

The concern about Bush administration actions since 9/11 has led the governing bodies of cities, counties and states to pass resolutions to repeal the PATRIOT Act, etc. This concern can be the basis for NonGovernmental Organizations (NGOs) to propose that cities, counties and states also pass resolutions calling on the Office of Inspector General to investigate complaints of misconduct by many federal agencies, including Customs and the new INS, Department of Defense, Veterans Affairs, Criminal Division of Department of Justice, etc. (described in the book, Part Two).

### **What NonGovernmental Organizations Can Do in the UN**

The U.S. government made a commitment to take certain steps when it ratified each of three human rights treaties. One step is to file periodic reports with the appropriate UN human rights committees. The current U.S. Secretary of State has only filed one of three First Reports required under the treaties, and has filed none of the three Second Reports required under the treaties.

The Second Reports must include reports by each city and county in each state, and by each state and territory on successes and failures in enforcing the provisions of the three treaties.

The NonGovernmental Organizations that filed complaints with the OIG can take the second step: write to the Secretary of State, demand that he immediately prepare the Second Reports for each of the three committees AND that he collect information from cities and counties, and from state officials for inclusion in the Second Reports by the U.S.

An NGO can send copies of its complaints, with the action taken by the OIGs, to the U.S. Secretary of State to include in the reports he is required to make to the three UN committees that enforce the three ratified UN human rights treaties. NGOs can send a copy of the same OIG complaints and reports to the UN High Commissioner for Human Rights in Geneva.

And NGOs can themselves send a copy to the UN Human Rights Committee, UN Committee Against Torture, and/or the UN Committee on the Elimination of Racial Discrimination. UN committee members are people active in the civil societies from which they come all over the world. If NGOs send delegates to attend the meetings in Geneva and New York between Committee members and U.S. government officials, Committee members will welcome their attendance and may meet informally with them to explain and improve Committee work.

**See page 4 for Reports in the "Challenging" book on OIG Reports on EPA and DOJ.**

## Reports by Office of Inspector General in new "Challenging" Book

Two exciting Reports by the Office of Inspector General were issued in 2003, suggesting the real possibilities for using complaints to OIGs to publicize important problems. Two examples of MCLI use of these OIG reports follow: Report 25.1 below is virtually complete. Report 28.4 has been cut due to lack of space. There will be over 100 Reports of human rights violations since 9/11 in the new MCLI book: "Challenging U.S. Human Rights Violations since 9/11."

### THE FEDERAL GOVERNMENT'S DUTY TO REPORT VIOLATIONS OF BASIC LAW

#### 25. THROUGH THE OFFICE OF THE INSPECTOR GENERAL

##### Report 25.1 Inspector General Found Detained Aliens Were Physically Assaulted

On June 4, 2003 Inspector General Glenn A. Fine released his report to the Judiciary Committee Chairs of the U.S. Senate and House as required by Office of Inspector General Act of 1978. The report is entitled "A Review of the Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Terrorist Attacks."

After the attacks, one of the principal ways that the FBI detained people thought to be involved was through immigration law.

He reported:

1. Some of the September 11th detainees did not receive notice of what they were being charged with for up to a month after being detained. Immigration and Naturalization Services had a policy pre 9/11 of serving immigrants with notice of charge within 48 hours of detention. After September 11, 2001 this was extended to 72 hours. The report found that 60.7% of the time detainees did not receive the charging documents within the 72 hours and in some cases did not receive the documents until up to a month after being detained.

2. In order to check whether the person detained was involved in September 11th or a known terrorist, they used immigration laws to detain people until they had been checked. This process took on average 80 days. . . . the detainees were not released on bond and were confined under highly restrictive conditions. Guards forced handcuffs and leg irons onto detainees, and moved them with heavy chains until they were cleared . . .

3. The U.S. had a restrictive policy with regard to phone use, which limited detainees' conversations with their lawyers to one legal call per week. . . . There were also examples of detainees not getting the lists of free counsel, or lists given to the detainee had bad phone numbers and people who did not take their type of case.

4. The report also documented allegations of verbal and physical abuse by guards. The allegations of physical assaults included bending of fingers, hitting the heads of the detainees against the wall, putting a

detainee naked in a cell without a blanket. . . .

5. In one of the detention centers the lights were left on 24 hours a day for several months. As a result some detainees complained of lack of sleep, exhaustion, depression, stress, acute weight loss, fevers, panic attacks, rapid heart beat, and reduced eyesight. (Glenn A. Fine, *The September 11 Detainees: A Review of the Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Attacks*, Office of the Inspector General, DOJ, April 2003.)

#### Relevant Law:

<b>U.S. Constitution</b>	<b>ICCPR Art. 9.2, 9.3,</b>
Art. VI, cl.2	9.4, 10.1, 14(1),
Amendment V, VII,	14(3)(a), 14(3)(b)
XIV	<b>CERD Art. 2(1)(a)</b>
<b>UN Charter Art. 2.3,</b>	<b>CAT Art. 1.1</b>
2.4, 55, 56	

### THE GOVERNMENT'S DUTY TO REPORT TO THE PEOPLE TRUTHFULLY

#### 28. BUSH ADMINISTRATION STATEMENTS PROVED TO BE FALSE

##### Report 28.4 Administration Suppressed EPA Reports on Ground Zero Dangers

The EPA Office of Inspector General (OIG) published a report on August 21, 2003 stating that the White House Council on Environmental Quality (CEQ) and the National Security Council suppressed EPA warnings about potentially dangerous environmental contamination, ordering EPA to replace warnings with misleading statements that there was no cause for concern.

The OIG report presented detailed comparisons between press releases drafted by the EPA staff and the final text that was released at the end of 2002 after discussions between EPA and CEQ Officials. (See Report 24.3) "The CEQ official's suggested changes added reassuring statements and deleted cautionary statements," says the report. "Every change that was 'suggested' by the CEQ contact was made." According to the EPA chief of staff, "Final approval came from the White House." According to the OIG, the chief of staff "told us that other considerations, such as the desire to reopen Wall Street and national security concerns, were considered when preparing the EPA's early press releases." . . .

**THE WAR THEN**

Hundreds of men drafted during the Vietnam War decided they could not fight. Some applied for conscientious objector status and ended up in court, or in prison. Their cases were recorded in the Civil Liberties Docket from 1955 on, and are now available on the UC Berkeley Bancroft Archives web:

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

Here are two case reports.

**123.23 U.S. v. Gormley.** (Southern District Iowa, #30859) Defendant Gormley **refused to pay federal income tax** because money goes for war. U.S. Government seized Defendant's bank account, Defendant protested seizure; sent to federal prison hospital for "mental observation"; released after more than 30 days. Aug. 27, 1962: after criminal trial, Defendant convicted of unwarranted loitering in federal building; sentenced to 2 days and costs.

Sidney C. Levine, Des Moines, Ia.

In Docket Vol. VIII, p. 12, November, 1962.

**123.22 U.S. v. Aarons and Swann.** Nov. 22, 1960: 9 pacifists attempted to **board nuclear submarine** Ethan Allen, equipped with **Polaris missiles**; arrested. Charge: violating Coast Guard order; dismissed; reindicted with allegation of knowledge (scienter). Defendant Henry pleaded guilty; 1-yr. suspended, 2 yrs. probation after release from 1 yr. in another case (reported at 120.23). 3 Defendants tried by jury, 4 Defendants tried by Judge. May 23, 1961: all convicted; sentenced to 20, 30, 90 days, 4 years. Oct. 30, 1962: U.S. Court of Appeals 2d Circuit affirmed.

Catherine Roraback, New Haven.

In Docket Vol. VIII, p. 12. Cite: vol. 310 Fed'l. reporter 2d series p. 341.

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Part Four tells What the People Can Do, in the U.S. through the Office of Inspector General and what groups can do in cities, counties, states, and in Washington, D.C. Then it describes what people can do in the UN.

Part Five contains the text of resolutions and ordinances adopted by city, state and national governmental bodies against the PATRIOT Act and the War in Iraq; in favor of City Reports to UN Committees, for an Excess Profits Tax and for the Precautionary Principles in all government decisions.

Part Six contains the text of laws violated and ignored, from the U.S. Constitution to the UN Charter, each of the three ratified human rights treaties, the Nuremberg Principles, etc.

The book will also have a useful Index.

**THE WAR NOW**



MCLI is receiving at least one phone call per week seeking information on application for CO status -- from men who have registered, or their mothers.

**A WARNING**

Members of the Sonoma Valley Peace & Justice Group go into the local high school and set up a table to provide information to students on alternatives to military service. This story is being repeated in many places in the U.S.

"The military services have enough money to send recruiters into high schools all across the country," says Jim Syfers, a Group member. They try to get 16 year olds to sign a contract that they will go into the Service on reaching 18. "We inform students that if they signed such a contract at 16, it won't be legal until they reach 18, so they can change their minds legally."

The Group also explains about Conscientious Objection to war and that someone can become a CO after they register for the draft at 18, and even after they enter one of the Services. Syfers reports that they have had no negative responses, and teachers, students and staff have been positive. Each tabler goes through a training session in advance.

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fulfill school requirements.

Anyone interested is urged to send an application immediately to: Student Internship Program, MCLI, Box 673, Berkeley, CA 94701-0673 or [afg@mcli.org](mailto:afg@mcli.org).

*For Albuquerque Peace Values internships  
(as organizer or researcher), call (505) 842-8288.*

## MCLI'S CONTRIBUTION TO THE HISTORY OF HUMAN RIGHTS LITIGATION

Have you ever wondered about the arrests in the Civil Rights Movement in the 1960s? or the anti-war protests during the VietNam War, and the First Gulf War?

One quick source of information is the MCLI archives. They contain very abbreviated descriptions of **12,000 cases reported in the Civil Liberties Docket / Human Rights and Peace Law Docket** starting in the Cold War/McCarthy/Truman Days of 1955 through the Bush/Clinton days of 1995. The cases were divided into three categories: **I. Civil Liberties** (free speech, press, religion, assembly, association, conscientious objection, privacy). **II. Due process** (no unreasonable search and seizure, right to counsel, right to jury trial, reasonable bail, no cruel or unusual punishment, etc.). **III. Civil Rights** (equal protection in education, jury selection, voting, housing, transportation, employment, etc.).

Each case description was brief and used many abbreviations. To get MCLI readers started, one case description is printed below, with the abbreviations all spelled out. Since law cases often last for years, you need to go to the name of a case, find the Docket number at the beginning of the write-up, and then look on the web for each description of that case.

MCLI also gave to the Bancroft Archival Collection hundreds of briefs, complaints, unreported opinions, interrogatories, and other legal papers filed in many of the cases reported. The specific legal documents available on each case reported are listed at the bottom of the write-up. Copies of these documents are also available by contacting the UC Bancroft collection at The Bancroft Library, University of California - Berkeley, Berkeley, CA 94720-6000; (510) 642-3781-Administration office, (510) 642-7589-Fax, (510) 642-6481-Reference desk; <http://bancroft.berkeley.edu/info/>

★ To find cases, go to <http://bancroft.berkeley.edu/collections/meiklejohn/dockets.html> and enter a keyword into the "Case Title" box on that page.

**54.28 Brooks v Briley.** (Nashville) (vol. 274 Federal Supplement p. 538, vol. 391 US Supreme Court reports p. 361) **Apr 9, 1967:** Plaintiffs-Student Nonviolent Coordinating Committee (SNCC) leaders and other civil rights workers arrested; charged with: disorderly conduct, vagrancy, inciting to riot, carrying dangerous weapons, loitering, unlawful assembly. Plaintiffs brought a class action suit against Nashville city officials to restrain them from enforcing statutes, ordinances and common-law prohibition against inciting riots, and moved for a special 3-judge federal court to hear the case. A 3-judge court was empaneled. Oct 9, 1967: the Court held: (1) allegations of **bad faith** and scheme or **plan to harass Plaintiffs was sufficient to raise a federal constitutional question** and to support jurisdiction; (2) the lawsuit was not properly maintainable as a class action; (3) request for injunction denied: situation not such as to require equitable remedy; defenses could be given in the course of trial in the state court. May 1968: U.S. Supreme Court affirmed this decision of the 3-judge court without writing an opinion (per curiam).

**Attorneys for the plaintiffs** were: I. T. Creswell, Jr, Nashville; Wm Kunstler, Arthur Kinoy, Harriet Van Tassel, Dennis Roberts, NYC; Howard Moore, Jr, Atlanta; Morton Stavis, Newark; Michael Standard, NYC; C B King, Albany, Ga.

**MCLI Archives include copies of:** Complaint, amended complaint, pretrial memorandum of law, motion for Temporary Restraining Order (Middle District of Tennessee); jurisdictional statement filed in the U.S. Supreme Court.

In MCLL Archives of the **Docket**. Vol. XIII, p. 19. 1967-1968.

### VOTING: A SERIOUS MATTER cont. from p. 1

thought-provoking review of the electronic voting systems, "The Theft of Your Vote is Just a Chip Away" [[w.alternet.org/story.html?StoryID=16474](http://w.alternet.org/story.html?StoryID=16474)] And see the web site of computer scientist Dr. David Dill of Stanford: [w.verifiedvoting.com](http://w.verifiedvoting.com).

Thanks to Leroy Rockwell of Piedmont for submitting the above!

#### **Voter Confidence Act**

Rep. Rush Holt, (D NJ), introduced an amendment to the Help America Vote Act of 2002 entitled the Voter Confidence Act (HR2239). The bill has 69 cosponsors, and will require a non-electronic record to be made by any electronic voting machine.

This bill has been tied up in the House Committee on House Administration since May 2003. Readers can add their names to the petition on Dill's web site above to get the bill out of committee and onto the floor.

Evidence of the seriousness of the problem has been compiled by Bev Harris on her web site: [w.blackboxvoting.com](http://w.blackboxvoting.com) or [w.blackboxvoting.org](http://w.blackboxvoting.org). See **Black Box Voting: Ballot Tampering in the 21st Century**, by Bev Harris and David Allen (forthcoming from Plan Nine Publishing Co.). For an overview of the whole problem of voting frauds and manipulations, see a recent survey by Steven Hill, cofounder of Center for Voting AND Democracy, a nonprofit advocating voting reform: **Fixing Elections: The Failure of America's Winner Take All Politics**, Routledge, 2002.

--Jim Syfers

## INTERVIEW WITH MCLI EDITOR JIM SYFERS ON ACADEMIC CORPORATE RESEARCH

**Question:** You have spent much of your life in universities as a teacher and administrator. What are your thoughts concerning the present situation in our institutions of higher learning?

**Answer:** Let me first say that I have always believed that universities should function -- among other things -- as an institutional conscience of society; not the only one, but a major one. And that is one main reason for the institution of tenure, guaranteeing freedom of inquiry, freedom of research and freedom of teaching.

**Q:** I understand the institution of tenure for professors in universities is under attack, and one part of this attack is simply not granting tenure to new professors.

**A:** That's right. And it is part of an overall process now going on in which universities are being integrated into the corporate economy, a process that is undermining their traditional role.

Let's consider the freedom of research as an example. The right to freedom of research in the sciences is based on the idea that it will, in the long term, promote the common good.

But now what happens when the scientist contracts with a private corporation to do research on its behalf? In many such contracts the nature and results of such research are secret and the results can be published only at the discretion of the corporate sponsor.

This means that there is no public oversight, the scientific community is excluded from the process. And what is perhaps most outrageous, in any publicly supported university the public is paying all or part of the scientist's salary, and providing part or all of the facilities and equipment, as well as the graduate assistants, scientific journals, and so on.

**Q:** So the corporation is getting research done at a reduced cost, at public expense. But what is the university getting out of this?

**A:** Well, there are university departments today whose budgets and programs are so dependent on this outside money, that faculty are expected to hustle for contracts as part of their job. This creates an atmosphere in which any talk about the common good is just good for a laugh.

**Q:** So what is your solution to this, what do you suggest?

**A:** I think that we have to seriously consider restricting the freedom of research. If universities are to be part of the corporate order, they will have to be regulated just as much as corporations need to be regulated. And I am convinced that the rage for deregulation that has been going on since the Reagan Presidency is going to end and we are going to have a return to sanity simply out of necessity. At that time we can make some thoughtful adjustments in universities as well.

**Q:** Students must now go deeply into debt in order to get through a college or university. How does this fit in -- if at all -- with what you have described here?

**A:** From the corporate standpoint, universities are not there to provide higher education to anyone with the ability and motivation; they are there, basically, to provide future pliable personnel for the corporations. So the fact that students graduate into financial servitude is not antithetical to the corporate aim.

Unfortunately, when students are forced to view university education primarily as an investment, what they need is the quickest route to the most economically beneficial degree. So they are going to be less concerned with getting a liberal education, and professors who insist on that begin to be seen as impediments, as standing in their way. That's part of the commercialization of education. The losses are much greater than the gains, if there are any gains.

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*Jim Syfers is a Professor Emeritus in the Philosophy Department at San Francisco State University, and has recently published "Law and Philosophy Subversive of Democracy," with Peter Lang Publishers.*

### **PROJECTS WE NEED HELP ON!**

- \* Reviews of the "Challenging" book  
(In January, after the book is done)
- \* Help w/ website / Amazon "Marketplace"
- \* MCLI brochure
- \* Advertising via email or postal mail

**LET US KNOW WHEN/HOW YOU CAN HELP!**  
Thank you!

## DIRECTOR'S DIARY

**Sept. 3:** Second filming session with crew making **documentary** on defense lawyer **Charles Garry**.

**Sept. 5:** In panel on "Reflections on the War on Terrorism" for SFSU's new course on **America and the World in the 21st Century**, chaired by Prof. Kassiola.

**Sept. 10:** Exciting meeting with **Zoia Horn** and **Dean Galloway**, librarians par excellence, on how to let more **librarians** know about MCLI's 2003-04 "**Human Rights Organizations & Periodicals Directory**."

**Sept. 17:** Call from Iraqi American seeking to get **rights of women** into the new **constitution of Iraq**. Since Iraq has ratified ICCPR, I drafted language from UN Charter arts. 55a and 56, and ICCPR 2.1. She was very grateful; said she would give the language to someone she knows on the constitution drafting committee.

**Sept. 19-24:** To **Fort Collins** for memorial services for **Dr. Paul A. Bates**, MCLI friend (and relative).

After meeting on **racial profiling**, prepared memo: A Very Important, Little Known, Tool to Work against Racism and Racial Discrimination in the U.S. Sent to Publisher, *Fort Collins Coloradoan*, **State Representative Angie Paccione**.

**Sept. 24:** On **KPFK Morning Show** on environment, economy, and civil rights changes under Bush.

**Sept. 27:** To **Common Agenda** meeting talking about how to use the Office of Inspector General in our work.

**Sept. 28:** On **KPFK Blase Bonpane** show on Iraq and Palestine and campaign **against occupation of Palestine**, and the need to use UN Charter law.

**Oct. 7:** Talked w/ **Vicki Sawicki** on how best to raise **Right of Women to Breast-Feed** at national meeting of Coalition of Labor Union Women (CLUW) in Seattle.

**Oct. 9:** Videotaped by **Kathy Kelly** for "UnCivil Liberties" documentary.

Talked with **Donna Carter** before her first national meeting with **U.S. Labor Against the War**.

**Oct. 19:** Talked about using OIG and reporting to UN with **WILPF Bay Area** annual meeting.

**Oct. 23-26:** To Nat'l. Convention of **National Lawyers Guild** in Minneapolis with Jeffrey Melcher for MCLI.

Presented Workshop on Excess Profits Taxes and Other Affirmative Actions Against War with **Prof. John Brittain** and **Ward Morehouse** of Council on Int'l. & Public Affairs.

Presented Workshop on How To Use UN Treaties w/ **Nancy Hormachea** on Palestinian girl arrested in Israel, and on OIG and reporting to UN.

**Nov. 7:** Long interview with *Berkeley Daily Planet*.

Heard U.S. Labor Against the War: Report back by **U.S. delegation to Iraq Union Leaders & workers**.

**Nov. 3:** Long interview with **Lisa Rothman** on her biography of attorney/mother/woman **Faye Stender**.

**Nov. 9:** At **Social Justice Committee** of Berkeley Fellowship of Unitarian Universalists: Adopted six Yes and six No demands for Schwarzenegger; used at demo on his inauguration day in Sacramento Nov. 17.

**Nov. 22:** Presented workshop on **Convention on Rights of the Child** at UN-A Conference on The Rights of the Child and the United Nations' Role in the Middle East at Boalt Hall, UC-B.

## FROM OUR READERS:

**Rocky Mountain Peace and Justice Center** on MCLI email about "Challenging" book: "So glad you are doing this. How can we get a copy of the completed document?: Thanks, Betty Ball."

**Ada** emailed: "I appreciate the overall goal of this project. However, offering a reward is tasteless."

**Award winner announced in Spring '04 newsletter.**

Bill Boothby: "Do you still have copies of Maurice Sugar's **'The Ford Hunger March'**? I want to give it to a friend in Santa Barbara." Answer: Yes, will send.

## MATERIALS RECEIVED BY MCLI:

"**Israel, the Rule of Law, and the Subjugation of Palestinians ...**" report of the National Lawyers Guild Emergency Delegation to the West Bank, May 16, 2002.

**Grounds for Impeachment** of Bush: Resolution adopted at National Lawyers Guild Convention, 10/03.

**INS/City Separation Ordinance** adopted by Minneapolis in Oct. 2003 to stop city police from following illegal demands of Immigration Service under Homeland Security Act.

## MCLI goes to NLG convention in Minneapolis

My first National Lawyers Guild convention was a **great experience of hope**. As Coordinator for the Human Rights Reporting Project for Meiklejohn Institute, I staffed a table at the NLG convention. It was clear from the minute Ann and I walked in the door that Ann Fagan Ginger is a renowned Human Rights Lawyer. People started greeting her through the lobby, "Hi Ann." Most of the new members at their first NLG Convention knew of her by the end of the weekend. People know her by her willingness to argue a point and her **dedication to human rights work** here in the U.S., based not only on the U.S. Constitution but using the UN treaties, ratified and signed by the U.S., to illuminate the rights of the people and the responsibilities of the government.

I came to raise funds at two premier screenings of a film, to meet with a publisher about our next book, and to table at two workshops Ann chaired. **We did show the first screenings of the** (unfinished) **Charles Garry documentary at the NLG convention and the Cry Justice All People's Activist Conference**. It got good reviews and there is definite interest in MCLI coming back to show the finished film. I was told that we inspired MN Film Arts to consider putting on an activist film festival.

I was thrilled to see all the activist lawyers, legal workers and law students sharing ideas and speaking about social justice issues. **Many students were very hopeful about their impact on the world**; many seasoned lawyers were holding their ideals steady while discussing how to move the NLG forward in these troubled times. A dialogue between students and lawyer members around how to support new, young members into supportive roles in the NLG was debated on the floor of the plenary. Some students on the panel were asking for a leg up. Others said "Look out! Here we come!" Another student told her contemporaries to stop whining for help and get out there and just do it! I've seen this in other organizations and I hear about it in many. Problem: **How does one generation successfully bring in the next and share the power, responsibility, vision, history, and experience?**

I was glad to be tabling, distributing well-written materials to activist lawyers and legal workers and activist lawyers-to-be. It was clear that Meiklejohn had very useful, accessible literature on Conscientious Objection, Excess Profits Tax, and on our new book *Challenging US Human Rights Violations since 9/11*. My youngest visitor was fourteen, and we talked about CO. I encouraged him to give us a call if he had any questions. After the weekend, everyone knew about Meiklejohn Civil Liberties Institute.

**We supported the striking University of Minnesota workers** in AFSCME by relocating

**Fresno Human Rights Day  
Celebration with MCLI  
55th Anniversary of Universal  
Declaration of Human Rights and  
the role of MCLI  
Key Speaker: Ann Fagan Ginger  
Dec. 7th 2-4 pm at  
Unitarian-Universalist Church of Fresno  
4144 N. Millbrook Ave.  
(1/2 block S. of Ashlan)  
For more info call Howard Watkins  
(559) 435-1992**

## Buying or Selling A House?

One of our long-time supporters, Mickey Tenenbaum, has a proposal that could result in a large donation for the Institute.

Mickey is a real estate broker who represents buyers and sellers in Berkeley, Albany, Oakland, and Richmond. If there are sellers who live farther away, Mickey could work with you in partnership with a local agent.

Mickey will donate 20% of his commission to MCLI on completion of a sale. This could be a significant amount -- ranging from \$2,000 to \$8,000 or more, depending on the amount of his commission.

If you need a progressive broker with lots of experience -- 20 years in Berkeley -- please call Mickey at 510-843-8075, or send him an email at Mickeyten@aol.com. Be sure to tell him you want part of his commission to go to MCLI.

## New MCLI FUNdraising Committee

Remember, the first part of the word fundraising is FUN. The September 9th meeting of the MCLI board saw the enthusiastic creation of a committee specifically for raising money to keep the doors of MCLI open this year and well into the future. Current members are Steve Birnbaum, Nancy Hormachea, Seth Chazin and Jeffrey Melcher. We are talking about house and book parties, luncheons, a Bay Area premier of the Charles Garry film and setting up museum tours of MCLI materials. If you want to join us in some FUNdraising give us a call or email [jeffrey@mcli.org](mailto:jeffrey@mcli.org)

our second film showing to the Wm. Mitchell School of Law in St. Paul. We sent a letter in support of their efforts and **refused to cross their picket line**.

Also, our great thanks go out to friend Wes McGee for all his support of these events and connecting us deeper with the local Black Trade Unionists. We look forward to a long and productive friendship.

MCLI made friends with Minneapolis that weekend. It was worth the trip!

--Jeffrey Melcher

## A New Easier Way to Donate to MCLI

**\*\* Make a monthly donation on your credit card.\*\***

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### **Friends of MCLI Who Have Given Generously Since September 2003 Your Support is Greatly Appreciated!**

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Donation of \$10,000:

**Robert Boehm**

We send warm thanks to **Marcia Roth** of San Francisco for her wedding gift to her relatives of a \$100 donation to MCLI

**The New Director Fund** is for hiring an Executive Director in 2005, as Ann Fagan Ginger retires after 40 years of pro bono work. Please give generously to support this transition.

MCLI New Director Fund Donors:

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MCLI publications that I want to order:

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NEW!

- **Challenging U.S. Human Rights Violations Since 9/11: A Report to the People, the UN and the Media.** Arrests, beatings, censorship, deportations, detentions without charges, disappearances, enemy combatants, firings, student visas, surveillance, library checks -- all violate U.S. & UN laws. MCLI. Pub.date 1/20/04 *Pre-pub* \$25.00 \_\_\_\_\_

NEW!

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

NEW!

- **How To Use 'New' Civil Rights Laws After 9-11** \$36.95 \_\_\_\_\_  
The basic book on Exec. Orders, PATRIOT Act, FBI/CIA actions, for activists, lawyers, teachers, media. Full texts of U.S. Const., UN Charter, 8 ratified treaties, sample complaint, ordinance. (320 pp.) MCLI. Nov. '02.

- **Laws Bush & Co. Are Allegedly Violating:** Text of Bill of Rights, UN Charter FREE \_\_\_\_\_

- **How To Be A Conscientious Objector** FREE \_\_\_\_\_

- **Memo: Very Important, Little Known, Tool to Work against Racism and Racial Discrimination in the U.S.** FREE \_\_\_\_\_

- **Excess Profits Tax information** FREE \_\_\_\_\_

- **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. **2003 Edition**, revised & updated. \$20.00 \_\_\_\_\_

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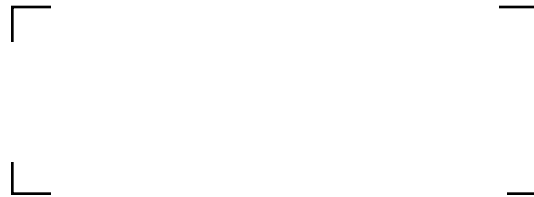
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**Teach-in and  
Community Discussion on  
55th Anniversary of  
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**Donations to MCLI  
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**Hosted by Mickey Tenenbaum**

**R.S.V.P.: Mickey (510) 843-8075  
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