

Meiklejohn Civil Liberties Institute

Using International Human Rights and Constitutional Law to promote within the U.S. fundamental human rights including the right to jobs, food, and housing since 1965

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Testimony to the California State Assembly Committee on Judiciary:

I am Ann Fagan Ginger, lawyer, retired professor of constitutional and international law at University of Santa Clara and Golden Gate Law Schools and San Francisco State University. I am speaking for the Meiklejohn Civil Liberties Institute of Berkeley, a non-governmental organization that was recognized in 2006 by the State Assembly “for its many contributions to the local community and on its long history of community support.” MCLI’s work is inspired by the late California Supreme Court Justice Frank Newman.

We strongly support ACR 129 because it will let the world know about human rights legislation adopted in this state and will bring the state into compliance with three human rights treaties and two protocols the U.S. has ratified, which have therefore become the supreme law of the land.¹

Meiklejohn Institute has found that few people know about the human rights treaties ratified by the U.S. but when we make presentations describing what the treaties include, there is an enthusiastic response. This is true among grade school students who are learning a little about the global community, among high school students thinking about volunteering to help people in need, among college students studying human rights issues in other countries and graduate students planning a year abroad to study and work. Law students begin to study the many cases won in U.S. courts by citing these ratified treaties, starting with *Filartiga v. Pena-Irala*.²

Major human rights legislation, like the groundbreaking Unruh Civil Rights Act³, and the California Agricultural Labor Relations Act⁴ are a model for the nation. Numerous California statutes against hate crimes are also notable.⁵ California is a beacon of human rights in the U.S.

Under ACR 129 California will be able to report on our human rights leadership to the U.N.

Reporting will also heighten efforts to improve California practices regarding sex trafficking, child labor, unfair prison conditions, and other human rights violations.

The State Bar of California Conference of Delegates in 2002 voted to support the state making reports under these treaties. Many members of local churches, labor unions, college faculties, and nongovernmental organizations⁶ have expressed support for ACR 129.

I will be happy to answer any question you may have.

¹ Article VI, clause 2 of the U.S. Constitution, “...all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land.”

² 630 F.2d 876 (2nd Cir.1980).

³ Unruh Civil Rights Act, California Civil Code § 51.

⁴ California Agricultural Labor Relations Act, 1975, California Labor Code §§ 1140-1166.

⁵ e.g., P.C. 422.7, P.C. 594.3, P.C. 11412, P.C. 11413, P.C. 302, P.C. 422.6, P.C. 422.9, P.C. 538(c), P.C. 640.2, P.C. 11411, P.C. 190.2(a)(16), P.C. 190.3, P.C. 422.75.

⁶ Bay Area organizations that have formally approved of ACR 129 include: Bay Area Labor Committee 4 Peace and Justice, Berkeley Chapter of California Peace Action, and Common Agenda.