

# HUMAN RIGHTS NOW!

## Newsletter of the Meiklejohn Civil Liberties Institute



Sept. 2006

### "LANDMARK CASES LEFT OUT OF YOUR TEXTBOOKS"

*Note: The following facts may be upsetting.*

A quick and accurate poll of law school students in summer 2006 revealed that NONE had ever heard of the Angela Davis case, the Pentagon Papers case, the Rosenberg case, Pete Seeger or his contempt of the House UnAmerican Activities Committee.

MCLI responded by changing plans for two MCLI summer interns and making a new book including all of these cases, and many more. The Introduction to "Landmark Cases Left Out of Your Textbooks" proclaims that every student of the law needs to know these cases in 2006 and 2007 if they are going to help stop the juggernaut against democracy and peace.

The short book describes 43 cases, from "Convincing a Governor To Pardon the Haymarket Martyrs" to "Katrina Victims Shame U.S. at UN Human Rights Committee," with *Harry Bridges v. Wixon* and *Huerta and UFW v. San Francisco police*, and many more.

Attorneys Paul Harris, E A Dawley, Robert Meeropol and Buck Davis, and clients Pete Seeger were among those who supplied information on their cases. Interns went from web pages to "The Labor Spy Racket" and other "old" books for facts, and pictures.

Publication date: October 15. Price: \$10 + \$3.50 shipping/handling (with discounts for quantity orders). (And see comments of Intern Clayton Kamm on page 2.)

MEDIA coverage: KPFK on Sept. 14.  
BOOK PARTIES: Baltimore Sept. 17  
National Lawyers Guild Convention Oct. 20  
in Austin  
Your City on \_\_\_\_\_!

### WHERE DO WE GO FROM HERE, EACH ONE OF US?

#### A VICTORY!

#### WHAT DO WE DO NEXT?

On July 28, the State Department representatives told the UN Human Rights Committee meeting in Geneva that the U.S. Government is committing more money to help Katrina victims, and will be investigating the attacks on Gretna Bridge in New Orleans of poor and African American victims fleeing the flood.

#### Great news that somehow didn't make it into the media!

MCLI Advisory Bd. Member Judge Claudia Morcom (ret.), MCLI Vice Pres. Rev. Daniel Buford, and MCLI intern Brandon Hollinder made presentations to the Committee through the International Association of Democratic Lawyers. More than 30 U.S. NonGovernmental Organizations also made presentations and 140 submitted information. (See *Hollinder's report on page 2.*) These reports shamed the Government into some motion.

MCLI had played an early role in moving the Government to act by submitting its 180 reports to the Committee in August 2005 from "Challenging U.S. Human Rights Violations Since 9/11."

(See *Order Form page 3.*)

### HELP BRING THE TROOPS HOME NOW

This victory by U.S. NGOs working together to shame the Government into carrying out the law can lead to other victories. If every activist managed to learn the difference between "taking the First Amendment" and "taking the Fifth" in the witch-hunting McCarthy days, can't everyone today learn to demand that the U.S. obey articles 2.3 and 2.4 of the UN Charter, which forbid what we're doing in Afghanistan and Iraq and ...? (For text of Charter, go to MCLI's web page: [www.mcli.org](http://www.mcli.org))

We can all ask our Senators and Representatives to speak up in Congress about the urgent need for the U.S. to show that it will obey these treaties, not just demand that other nations do so.

Then we can repeat this reporting and going to Geneva process on the Convention on Elimination of Racial Discrimination. (Go to MCLI web page again for updates.)

### HURRICANE KATRINA AND LOCAL DISASTER PREPAREDNESS

Rev. Daniel Buford, of Allen Temple Baptist Church, and People's Institute West, Vice President of Meiklejohn Institute, will lead a 2-Day Teach-In and Local Disaster

cont. on page 3



Interns at  
MCLI  
2006:  
Clay  
Kamm,  
Erin  
Wasley,  
Brandon  
Hollinder

**WE ALL MUST HOLD THE GOVERNMENT ACCOUNTABLE**  
**Brandon Hollinder**

In July I traveled to Geneva, Switzerland, on behalf of Berkeley think tank, Meiklejohn Civil Liberties Institute.

As a law student, I had the honor of being a member of the U.S. Coalition Reporting Group that went before the U.N. Human Rights Committee to challenge the U.S. government's account of its human rights record.

The group is composed of 140 nongovernmental organizations from across the country who prepared reports highlighting the omissions, misleading statements and false statements in the official U.S. report.

The committee, which was established to ensure compliance with the International Covenant on Civil and Political Rights (ICCPR), a treaty the United States ratified in 1992, used the reports as the basis for its dialogue with U.S. government concerning its implementation of the treaty.

On July 17 and 18, the U.S. government went before the 18-member committee. Key issues of concern were: U.S. immigration policy, Hurricane Katrina victims, systemic racism, criminal justice, and the treatment of detainees associated with the "war on terror."

Unfortunately, and not surprisingly, I saw the U.S. delegation cooperate with the committee in appearance only. Throughout the session, the U.S. government continually requested favors, bent rules, and expected deferential treatment from the committee, displaying unabashed U.S. exceptionalism.

In reality, the U.S. message was one of disrespect. The reporting protocol under the ICCPR calls for details and facts on the treaty's implementation.

Repeated requests for this information fell on deaf ears. The United States simply repeated what the policy or law was, or how much money was thrown at a problem, providing little real knowledge and nothing that could not be obtained from a book, leaving unanswered allegations of abuses of its own laws. As a law student and citizen of this country, this was disappointing.

The issues the U.S. government failed to address properly are issues that affect the people in this country every day.

From my time in Geneva, it became clear that there is a growing belief in the international community that the United States is full of hollow rhetoric; that the country believes it need not follow the rules it helped create and that it insists others play by.

As this belief grows stronger and takes root, the ability of the United States to obtain cooperation and support for its programs and policies abroad diminishes and resistance increases. ...

For the above reasons, it is crucial that U.S. civil society expresses itself and projects its voice to the international community.

We must let the world know that not all Americans support the current administration's policies, especially on ... extraterritorial rendition, the response to Hurricane Katrina, and the detainment of "enemy combatants" at facilities such as Guantanamo Bay, all of which the committee critiqued in detail.

We can make a difference. The information provided by coalition members to the committee allowed them to press the U.S. delegation in an informed manner for more complete and thorough explanations.

They let the delegation know that the world is watching and judging the U.S. government's actions.

**This technique has already made an impact**

The day after the committee questioned the United States about Hurricane Katrina victims, the U.S. government announced the release of almost \$10 billion to Katrina victims.

We in the United States must apply these lessons to our future actions. Together our voices can be heard and can be a catalyst for change.

Meiklejohn Institute is working with community organizations to bring treaty information before city agencies to educate them, and ask them to make the required reports as the committee requested.

I encourage everyone, especially students, to become involved in protecting their rights.

*Hollinder is a third-year law student at the University of California Hastings College of Law who worked as the 2006 MCLI Summer Intern.*



**Brandon Hollinder, Judge Claudia Morcom,  
and Rev. Daniel Buford in Geneva**

**Urgent Call For Help For C.O. In Iraq War**

SPC Agustin Aguayo is currently AWOL in Germany, has been in hiding for weeks after the Military denied his application for Conscientious Objector status. His lawyers urgently need \$1000 just to file the appeal in his ongoing court case. And his family is destitute, with military pay stopped.

Aguayo, from Mexico, joined the military from California to be eligible for the educational benefits. He regretted joining the moment he started training with munitions. He applied for CO status before his first deployment to Iraq as an Army Medic in 2004, always refusing to load his weapon. His application was denied, despite the support of his commanding officer. They did not inform him until the time to appeal had lapsed. 24 August 2006 his application for habeas corpus was denied. His unit in Germany was 'stop-lossed'-redeployed to Iraq. The commander said he would be put on the plane, even if in handcuffs. Augustin went AWOL.

For more Info: meredith.wheeler@free.fr Or send check to: Peter Goldberger, Esq., 50 Rittenhouse Place, Ardmore, PA 19003

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

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**in-house publication**

**Clayton Kamm, University of Arizona Law School - MCLI Haywood Burns Intern 2006**

**Summer Reflections**

I come from a background and a place very different than the one I found myself in this past summer. Since the age of fifteen, I have spent most of my summers in Southern Arizona working construction. I have never had an office job, never worked 9-5, and never worn a wool coat in June. I have also rarely been as mentally challenged as I was this summer at Meiklejohn. Upon arriving, I discovered that I was to work on one of twenty reports to be delivered to a Human Rights Committee in Geneva the following month -- a daunting enterprise considering I had only completed one year of law school. Immediately, I found myself immersed in files, books, Internet sites, conference calls, and dictionaries. What I learned was fascinating, and I am very proud of the product I completed. Without coming up for breath, I jumped into another project that allowed me to spend my days researching and summarizing the progressive law movement in the United States. Another intimidating task, but given my love for history, one for which I was better equipped. The project, near completion, is another product of which I am proud. My 10-week internship taught me that there are many different avenues available for those who are interested in fighting for human rights. Although I am not sure if I can spend my life in front of a computer, I am sure that I will continue to work for issues of social justice and human rights that are fundamental to our existence.

(MCLI's other 2006 Haywood Burns Intern, Erin Wasley, will be featured in the next newsletter.)

**Katrina / Disaster Preparedness cont. from p.1**

Preparedness with Katrina survivors now in the Bay Area and volunteers working in New Orleans.

Betty Brown, of Common Agenda, has invited Alameda and Contra Costa County and ABAG officials to discuss their plans, and problems, concerning the next Bay Area disaster.

The sessions on Sat. and Sun. Nov. 18-19 will be at Berkeley Fellowship of Unitarian Universalists, 1606 Bonita, Berkeley (nr. Cedar St.).

Attorney William Quigley, who works with MCLI on Haiti and UN HumanRights Committee issues, has been invited to describe the laws the Governments have broken.

Ann Fagan Ginger, of MCLI, is urging folks to demand that the U.S. government immediately respond to Recommendations by the UN Human Rights Committee in Geneva in July to end government practices discriminating on the basis of race and poverty of Katrina victims. (See **Brandon Hollinder on page 2**).

"Attend the Teach-In, and join in ongoing work to permit the citizens of New Orleans to vote without showing ID they lost in Katrina, and to rebuild their area as the majority of pre-Katrina residents see fit."

Bay Area co-sponsors already include Women's International League for Peace & Freedom, Women for Peace, United for Peace & Justice Coalition, Peace Action, Hayward Grandmothers for Peace, Committees of Correspondence for Democracy & Socialism, Berkeley Fellowship of Unitarian Universalists, National Lawyers Guild, and Labor for Peace & Justice.

email peoplesinstitutewest@hotmail.com or call (510) 540-9400 or FAX (510) 540-9425. Registration: \$15-\$25; scholarships on request

**MCLI PUBLICATIONS THAT I WANT TO ORDER**

- **Challenging U.S. Human Rights Violations Since 9/11:** Paths for action against PATRIOT Act, Iraq war, censorship, deportations, detentions, library checks, budget cuts -- 180 Reports w/text of U.S. & UN laws violated. 574 pp. Prometheus Books. (2005) qty. \_\_\_\_\_ amt. **\$24.00** \_\_\_\_\_
- **Landmark Cases Left Out of Your Textbooks:** MCLI's book of 43 cases -- *Haymarket to Lawyers Guild v. Atty. Genl. to Angela Davis to Katrina Victims*, w/ cites & pix (10/06) qty. \_\_\_\_\_ amt. **\$10.00** \_\_\_\_\_

I am making a regular credit card donation of \$ \_\_\_\_\_  monthly  quarterly (details below)  
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**What are you doing on  
UN Day, Oct, 24? and on  
Human Rights Day, Dec. 10th?  
Why not invite Meiklejohn to come  
and talk about all the ways to use UN  
law on U.S. issues?  
Call (510) 848-0599 or email  
afg@mcli.org**

Come to the **MCLI Tables** at the  
National Lawyers Guild  
Convention in Austin, Texas  
at Radisson Hotel  
111 Cesar Chavez, Austin  
Thursday, Oct. 19 -  
Sunday, Oct. 22

**HURRICANE KATRINA AND  
LOCAL DISASTER PREPAREDNESS  
Teach-In  
Sat. and Sun. Nov. 18-19  
in Berkeley  
with Rev. Daniel Buford,  
Atty. Bill Quigley, many more.  
Listen, Learn, and Act!  
Your organization can co-sponsor.  
Contact People's Institute West:  
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