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Supreme Court: another reason why 2012 matters

By Sam Webb

For millions of Americans who are suffocating under the weight of a protracted economic crisis, the makeup of the U.S. Supreme Court may not register as a priority, or even as a passing concern.

A job, a living wage, mortgage assistance, or relief from racial harassment probably rank much higher. And that is perfectly understandable.

Nevertheless, who sits on the U.S. Supreme Court does matter and not only to legal scholars, but to ordinary Americans.

Indeed, the court, through its rulings, can impact either very positively or very negatively on people's struggles and lives.

The present Supreme Court, according to one study, is the most conservative since at least the 1930s. Of the 10 most conservative members of the court from 1937 to 2006, five are serving today: Clarence Thomas (1 on the most conservative list), Antonin Scalia (3), John Roberts (4), Samuel Alito (5), and Anthony Kennedy (10).

Talk about a "rogues' gallery."

Ironically (and ominously), Kennedy is considered a moderate swing vote on today's High Court, which not only indicates how far the court has shifted to the right, but also how far to the right Thomas, Scalia, Roberts and Alito (the "gang of four") are. In fact, to characterize them as "right-wing extremists" may not adequately capture how far out they sit on the political and judicial spectrum.

Worse still, in the coming years the Supreme Court will be ruling on cases that could either considerably enhance or seriously hollow out democ-



racy and the quality of life for tens of millions.

First up is the constitutionality of President Obama's main legislative achievement - health care reform. According to court observers who monitored the hearings, the likelihood of an adverse ruling is high.

Then - not necessarily in this order - the court will turn its attention to the affirmative action program at the University of Texas that allows for race to be considered as one factor among many others in the university's admission's process. It will also reach a judgment on the legality of Proposition 8 which banned gay marriage in Califor-

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nia, and on the Defense of Marriage Act. It will render as well a decision on section 5 of the 1965

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Voting Rights Act which compels states that are enacting new voting rights laws to clear them with the federal government to ensure that they aren't discriminatory in their impact.

The court will also listen to a legal challenge to Montana's ban on corporate campaign contributions in election campaigns, and to a case involving the indefinite detention of "enemy combatants."

Finally, the court may well hear challenges to *Roe v. Wade*.

Any Mitt Romney additions to the Supreme Court would almost certainly guarantee a series of adverse decisions on these and other legal matters over the next four years and beyond.

The chairman of Romney's Justice Advisory Committee is none other than Robert Bork.

Some readers may be too young to have heard of Bork. So a little political biography might be helpful. Bork was solicitor general in 1973 and, at the command of then-President Richard Nixon, fired Archibald Cox as special prosecutor in the Watergate scandal, hoping to aid the Watergate

coverup.

Later Ronald Reagan nominated him to the Supreme Court, but the Senate, in a bitter fight, rejected him by a vote of 58-42.

While the vote reflected a partisan divide, the grounds for rejecting Bork were substantive. He was on the wrong side of many settled judicial issues. He opposed broad protection for free speech; he questioned the constitutional right to privacy; he vigorously opposed integration of public accommodations, calling it "unsurpassed ugliness" - to name but a few of his more noxious views.

Since leaving the federal bench he has been a champion of ultra-conservative causes.

Here we have another compelling reason why the 2012 elections matter. While we don't know who President Obama would nominate to the court if he is re-elected in November, we do know from his earlier appointments that they would in all probability fall on the democratic side of the political and judicial equation.



Sam Webb is Communist Party USA chair.

Obama advances civil rights revolution

By PW Editorial Board

I think same-sex couples should be able to get married." That simple statement by President Obama on Wednesday of last week is a historic turning point for our nation. It is both a culmination and a launching point of a new American civil rights revolution.

The movement for gay and lesbian equality in all spheres of life, emerging in the 1970s, has become a mainstream movement, as more and more gays and lesbians have courageously "come out of the closet," often with great personal sacrifice. Same-sex couples too have gone public and, with their compelling stories of long-term loving relationships, moved the nation.

A growing number of states have recognized same-sex relationships, whether through civil unions or marriage itself. And there has been an evolving shift in overall public opinion, with a majority favoring marriage equality.

Yes there has been a backlash by the far-right. Thirty states - with North Carolina the latest - have passed amendments to their constitutions barring same-sex marriage. But the tide is turning toward equality.

This movement, like the women's equality movement, stands on the shoulders of the great civil rights movement of the 1950s and '60s.

Actress Tyne Daley said a few years ago, "When I got married [in 1986 to African American actor Georg Stanford Brown], my marriage was illegal in seven states in this country. ... Government can't dictate hearts and minds. But it can decide law, and when laws change, other things change."

Racist Jim Crow laws seemed enshrined forever, but they were overcome - by a mass movement, courageous individuals, and leaders who were able to galvanize the nation and transform public sentiment.

Obama's statement this week was bold, gutsy and the right thing to do. And that's what the American people want. Whether or not they personally support gay marriage or regardless of what they think about homosexuality, most Americans favor fairness and rights. And they will admire a president who stands up for these things.

They admire and support equality.

The task now is to insure that the statement of President Obama becomes a reality and enshrined in law across the length of breadth of our great land. In the first place this requires a defeat of the Republicans in November. It is a precondition for democratic progress on GLBT rights and rights for all.

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Shrimp workers exploited and enslaved at Walmart warehouse

By Blake Deppe

Two thousand shrimp workers from Cambodia and Myanmar, who suffered human rights abuses and indentured servitude at the hands of department store giant Walmart, recently protested at a shrimp supplier in Thailand. This was yet another case highlighting the severe worker abuse perpetuated by the retail chain.

In response to the shrimp workers' protest, police were called, and shots were fired.

The massive protest was a direct response to Walmart's factory managers, who slashed the workers' wages (which had already been at poverty-level and didn't cover basic life staples). Those wages, in fact, were so low that many workers became indebted to the factory, forced to stay on as de facto servants. Later, managers snatched the workers' passports to force them to stay.

Of the 2,000 workers, 1,500 hail from Cambodia, and 500 from Myanmar. Many of them remain financially trapped at the factory, from which 73 percent of shipments to the U.S. go directly to Walmart.

Additionally, in what is a problematic human trafficking situation, reports have arisen that children aged 15 or younger have been bought and sold to work there.

Phatthana Seafood owns the shrimp-processing factory, and is a significant exporter to the U.S., Europe, and Australia. It is part of the Rubicon Group, which is one of Walmart's largest suppliers.

Walmart is already under pressure after an expose of a top-level cover-up of a bribery scandal by the company in Mexico. Workers rights activists in Asia and union organizers here in the U.S. feel the time is ripe for bringing an end to some of Walmart's most abusive practices.

Unions note that whenever Walmart is exposed for committing atrocities overseas, the injustices are actually extensions of practices tried and tested first in America.



James Thindwa, a labor activist who has campaigned against Walmart's entrance into the Chicago marketplace, says "the company has long made contributions to politicians to get them in line for approval of Walmart expansion plans."

When a Chicago Walmart Express store opened, moreover, the correlation between anti-worker atrocities here and in Thailand was plain to see. The superstore's warehouse in Elwood, Ill. had violated a so-called "ethics policy," and deprived workers of earned pay. When they complained to Walmart about the stolen wages, 65 of them were summarily fired.

Workers are fighting back against Walmart, both in Thailand where the company uses slave labor and here in the U.S. where abuse of workers at warehouses it has contracted with are rampant.

Organizers with Making Change at Walmart, a project of the UFCW International Union, have been aiding the Phatthana Seafood.

To that end, they recently sent a letter to Walmart, outlining in detail the abuses and manipulation for which the factory in Thailand is responsible.

"Receiving half the hours and pay promised to them, and without promised lodging and transportation, many of the [shrimp] workers face malnutrition, because they are unable to afford enough to eat," the letter noted.

Of the 2,000 workers, 1,500 hail from Cambodia, and 500 from Myanmar.

Nurses to go ahead with Chicago protest

By Scott Marshall

When the G-8 Summit was first set to happen in Chicago, the National Nurses United union immediately called for a demonstration to demand that the United States pass a “Robin Hood” tax on Wall Street speculation to help deal with the terrible affect of the Great Recession on working people. They argue that a very small stock transaction tax would bring in billions of dollars a year that could be used for people’s needs and public programs.

Other labor and community groups, including Occupy Chicago, have made it clear that they will march with the NNU on May 18.

The NNU began negotiating with the City of Chicago for the necessary permits and parade routes to organize their protest. Even after the G-8 was shifted from Chicago to Camp David, the NNU continued to organize. They made the point that regardless of where the actual meeting was held, people’s protest against austerity plans needed to be heard, along with other ideas for alternatives that could save vital public services like health care.

With a lot of hard work they got the necessary permits to demonstrate at Daley Plaza in downtown Chicago. Daley Plaza is a public square that often hosts all kinds of public activities including demonstrations, music events, sports celebrations, art exhibits and much more.

However, earlier this week Mayor Rahm Emanuel decided to change the protest march route and permits to shunt them away from the very visible central downtown area to a less accessible park location.

The nurses quickly swung into action enlisting the Illinois ACLU for a legal challenge and vowing not to back off of their call for the protest action.

EEUU reforma sistema de visados estudiantiles ante los abusos

Por Holbrook Mohr, AP

El Departamento de Estado anunció el 04 de mayo profundos cambios en su programa de intercambio de universitarios tras una investigación de The Associated Press que descubrió abusos generalizados. La agencia emitió nuevas normas para el Programa J-1 de Viajes para el Trabajo Estival, que trae más de 100.000 universitarios extranjeros a Estados Unidos cada año. Los cambios son los últimos de una serie de medidas adoptadas por el Departamento de Estado para enmendar el programa desde que una investigación de la AP destapó en el 2010 abusos generalizados.

La investigación de la AP descubrió que algunas participantes trabajaban en clubes de nudistas, y no siempre de forma voluntaria, mientras otros fueron sometidos a condiciones de vida y trabajo comparables con la esclavitud. En uno de los peores casos de abuso, una mujer dijo a la AP que fue golpeada, violada y obligada a trabajar como desnudista en Detroit tras serle prometido un empleo de camarera en Virginia.

Problemas más comunes que los abusos sexuales fueron viviendas inadecuadas, copiosas horas de trabajo y paga ínfima. En agosto del 2011, decenas de trabajadores protestaron las condiciones de trabajo en una empresa de golosinas que empaqueta chocolates Hershey en la ciudad de ese nombre en Pensilvania, por abuso de los esfuerzos físicos y deducciones salariales por alquiler de la vivienda que con frecuencia les dejaban casi sin dinero.

Las autoridades sostienen que la

nueva norma limita las horas y empleos que los participantes pueden ejercer y dedicar e insiste que el fin del programa es fomentar el entendimiento cultural.

El programa J-1, creado al amparo de la ley Fulbright-Hays de 1961, permite a los universitarios extranjeros vivir y trabajar hasta cuatro meses en Estados Unidos. Su fin fue fomentar el entendimiento cultural, pero ha pasado a ser un negocio internacional multimillonario.

“En los últimos años, el componente del trabajo ha ensombrecido con mucha frecuencia el componente cultural fundamental del Programa de Viajes para el Trabajo Estival para que sea consecuente con la ley Fulbright-Hays. Además, el Departamento supo que organizaciones delictivas mezclaron a los participantes en incidentes relacionados con la transferencia ilegal de dinero en metálico, la creación de empresas fraudulentas y las violaciones de la ley de inmigración”, dijo el Departamento de Estado al anunciar las nuevas normas.

Cubano Erick Hernández promete más récords Guinness

El cubano Erick Hernández prometió conseguir este mismo año más récords mundiales en dominio del balón.

Hernández, quien quebró la víspera la cota planetaria en la prueba de permanencia golpeando el balón solo con los pies al mantenerse 12 horas y cinco minutos sin dejar caer la esférica, dijo que intentará otras dos marcas en 2012.