

BROOKLINE PAX NEWS

Volume XXI No. 1

www.brooklinepax.org

March 2010

Co-chairs: Frank Farlow & Marty Rosenthal

Newsletter production by Mark Levy

Join us for our

2010 Brookline PAX Annual Meeting & Awards

Sunday, March 21, 3:00-5:00

Martin Luther King Room, Brookline High School

(Snow date: Sunday, March 28, same location and time)

“Leading from Behind: Obama's First Year and Beyond”

Jack Beatty, longtime senior editor of *the Atlantic* and

incisive progressive news analyst for NPR's “On Point”

Mr. Beatty's presentation will be followed by a period of questions and answers.

Election of officers and board members

Annual Awards

- Jack Backman Social Justice Award: **Don Weitzman**
- Ethel & Ben Alper Progressive Activism Award: **Julie Johnson & Rep. Frank Smizik**
- Brookline PAX Lifetime Achievement Award: **Ellie & Hon. Sumner Kaplan (retired)**

Campaign Kickoff Party – Sunday, April 11, 4:00-5:30, 63 Buckminster Rd

Help PAX kick off the race for Brookline's future by supporting thoughtful, progressive candidates! Share food and progressive fellowship, and meet PAX-endorsed candidates as they begin their run for victory in the May 4 Town Elections.

Join PAX or renew your membership (See back cover)

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Brookline PAX Board – Co-chairs Frank Farlow and Martin Rosenthal, Treasurer Gary Jones; Members Mariela Ames, Catherine Anderson, John Bassett, Craig Bolon, Edith Brickman, Nelson Brill, Margaret Burnham, John Businger, Cathleen Cavell, Abram Chipman, Susan Chipman, Susan Cohen, Joyce DesRoches-Golden, Shira Diner, Marvin Feinman, Andrew Fischer, Phyllis Giller, Jack Golden, Ruth Golden, Rachel Goodman, Amy Hendrickson, Chobee Hoy, Gilbert Hoy, Julia Johnson, Estelle Katz, David Klafter, Jody Lally, Virginia LaPlante, Mark Levy, Rita McNally, Burton Nadler, John Reinstein, Evelyn Roll, Richard Rosen, Harriet Rosenstein, Joshua Rubenstein, Susan Senator, William Slotnick, Rep. Frank Smizik, Diana Spiegel, Stanley Spiegel, Donald Weitzman, Karen Wenc, Sarah Wunsch, & Ellen Zucker

Co-chairs' Column – Frank Farlow & Marty Rosenthal

PAX members have been unusually busy this year, as individuals and as an organization. Last May we were involved as usual in Brookline's election, recruiting and supporting Town Meeting Member candidates in most precincts to further improve the Town's steadily more progressive legislative branch. Once again, PAX activists in Precinct 1 (the Cottage Farm area) deserve special acclaim. Through persistent organizing and campaigning, over the past three years they have completely reversed the previous, strongly conservative tilt of their Town Meeting delegation. Townwide we gained about nine PAX endorsees. And for the first time we had four endorsees in South Brookline's Precinct 14 – and of the eight candidates running, all four endorsees won!

The selectmen's election was uncontested for two seats. We endorsed the incumbent, Betsy DeWitt, who topped the ticket. For School Committee, longtime PAX friend Barbara Scotto earned a stunning first place finish, and PAX endorsee Judy Meyers won hard earned re-election. We congratulate and look forward to working with new selectman Ken Goldstein and new School Committee member Elizabeth Childs.

We had a number of successes in Town Meeting, including achieving an expanded Planning Board and funding for the long-awaited Carlton Street Footbridge. In May, we wrote a letter supporting the Women's Health Services' permit on Harvard Street near School Street. In December, returning to our '60's roots, we wrote a TAB op-ed, "Escalation in Afghanistan a Mistake." And that same month we became a partner organization in CCAB's carbon footprint reduction program, **Brookline 2010: A Community Climate Challenge**.

Several stalwarts continue to participate in the Brookline Peace Coalition's Saturday vigil in Coolidge Corner from noon to 1:00. Oriented around ending the occupations of Iraq and Afghanistan, this consciousness raising activity is in its seventh year. Extra flags and signs are available, and you're welcome to drop by for part or all of the hour.

Another major ongoing project has been our attempt to prevent the installation of a dozen Department of Homeland Security surveillance cameras at major intersections about town, or, more recently, to at least minimize their use. Despite our Town Meeting resolution urging the selectmen not to deploy the cameras, which passed by a nearly 2/3 vote, the selectmen by a 3-2 vote opted to proceed with their installation.

As a result of widespread public resistance to the nationwide trend of public video surveillance by local governments, the selectmen instituted a two-week limit on retention of camera records not pertinent to ongoing

investigations and restricted routine camera use to the hours of 10:00 p.m. to 6:00 p.m.

We have continued to press the selectmen to provide an itemized accounting of the monetary costs to the Town (e.g., roughly 100 hours' work each from such high-level officials as the Chief of Police and Associate Town Counsel, plus training of the entire police force). More important, we have repeatedly urged the selectmen to determine and make public the degree to which the cameras have been *critical*, as opposed to merely "useful," in determining the outcome of each incident in which the Chief says they've helped. We ask: *how often, how much, and how else* (would the cases have been solved)?

A selectmen's committee will soon conclude its study of the first year of camera use. It has already reported that it is unable to meaningfully measure half of its mandate, the "privacy" costs – our foremost, but not sole, concern. Before initiating another attempt to terminate the use of these cameras by curtailing their funding, we have decided to await the results of this study and perhaps the judicial outcomes of some of the arrests credited to the cameras.

PAX members have also been heavily immersed in the two-year process of reforming police procedures following the 2007 Arthur Conquest incident. Marty served on the Citizen Complaint Review Committee and dissented from three of its recommendations in January 2009. At the following Town Meeting, PAX introduced a successful warrant article based on Marty's dissent. After several additional selectmen's meetings at which they received still more citizen input from us and others, new and even better discipline policies were finally adopted in July, much improved over the 1987 procedures (co-authored by Marty), which we hope will serve as a statewide model of "civilian review." (see http://www.brooklinema.gov/index.php?option=com_docman&task=doc_download&gid=2814&ItemId=94).

We have continued to push for further progress in implementation of the by-law we successfully proposed in 2007 mandating (1) e-mail notices of all town committee meetings (to anyone who wishes to receive them), and (2) electronic posting of all committees' minutes – both exceeding the requirements of state law.

Finally, we take this opportunity to again urge YOU to sign up, if you haven't already done so, for the **PAX listserv**. To e-hear more from PAX folk, including upcoming local events, and to be able to lift a keyboard finger for occasional grassroots lobbying, **please join** by sending an e-mail to dianaspiegel@yahoo.com, including your name in the body of the message.

PDM – A Growing Force in Massachusetts Politics

Cathleen Cavell

In the wake of Mitt Romney's election as Governor in 2002, we set out to build a statewide organization capable of articulating and implementing a progressive agenda – and electing progressive Democrats to public office. From the beginning, Progressive Democrats of Massachusetts was committed to creating and training a network of progressive activists to support one another as well as progressive causes and candidates across the Commonwealth. We believe that practicing political action is integral to being citizens in a constitutional democracy. We have seen that small numbers of people who develop their organizing skills and work together on common causes can make a big difference, especially in local and statewide campaigns.

In September 2005, PDM was one of the first statewide organizations to endorse Deval Patrick for Governor. Our members were campaign leaders across the Commonwealth, and we provided organizing and strategy workshops for campaign workers across Massachusetts. In 2010, we anticipate that PDM will provide many campaign workers and leaders as Governor Patrick assembles another grassroots campaign in a very difficult year for incumbents.

PDM is committed to grassroots organizing and maintaining its network during periods outside the election cycles. We now have five active chapters (in Brookline, Lexington, Cape Ann, Southern Berkshires and Chelmsford) and one in formation (Springfield), as well as many unchaptered members and a mailing list of nearly 1,000 names. Our mission is to help make progressive change happen in the Commonwealth, in both local and statewide elections, via issue-based and electoral campaigns, building a network of activists and sponsoring skills training for our members. We have formed partnerships with other advocacy groups –

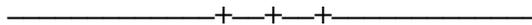
including Mass Alliance, One Massachusetts, and Stand for Children – to support and extend the crucial work of progressive change. Individual chapters are free to work on issues or candidates that matter to them.

Unlike the state Democratic party, PDM endorses individual candidates in Democratic primaries. We have taken a particular interest in increasing the number of progressive voices in the legislative branch. In the past three state elections, our members have selected six legislative races across Massachusetts in which we felt our work and financial support could make a difference for progressive candidates in the primary or general election. Sometimes that has meant supporting a promising candidate who could not win that time but would run a better race in the next election.

In Brookline our members have focused on environmental issues and legislation; helped recruit and elect progressives to Town Meeting; organized political action at the Farmers' Market; volunteered for progressive candidates in many other communities during their campaigns and on election day; and staffed numerous successful canvasses and phone banks to promote health care reform and support individual candidates. Our training sessions have educated and empowered many local activists, enhancing their skills at persuasion, framing the issues, organizing and working for change.

If you are interested in learning more about PDM or joining us at a meeting of the Brookline chapter, please contact me at cathleencavell@gmail.com and check out our website at <http://progressivedemsofmass.org>.

PAX board member Cathleen Cavell guides the activities of PDM Brookline



China's Example: Make Money, Not War

Amy Hendrickson

Aside from recognizing the moral abyss posed by our country's apparently permanent state of war, we should be asking ourselves how well these policies are serving the real interests of people living here. The level of military spending, increasing every year, is clearly unsustainable, with human needs including health, education and infrastructure going unmet. The retooling

required to develop clean-energy technology, a need which might well be satisfied with just a single year's worth of military spending, is being largely ignored, threatening us all with the catastrophic consequences of onrushing climate change .

Is there another model that we might follow? It seems that the experiment has already been run.

Professor James Petras, a prolific author on Mideastern political issues, has written an article comparing the US and Chinese policies titled “The US and China: One Side is Losing, the Other is Winning” – and it is not China that is losing. Petras writes that under the leadership of China, a number of the countries of Asia are becoming world powers as a result of their enormous investment in technology and manufacturing. By contrast, the US’s position in the world is declining, its wealth drained by prolonged militaristic empire building and the shift from an economy based on manufacturing to one centered on speculative financial activity. He supports his claim with numerous compelling comparisons:

"Washington drains the domestic economy to finance overseas wars. China extracts minerals and energy resources to create its domestic job market in manufacturing. The US invests in military technology to target local insurgents challenging US client regimes; China invests in civilian technology to create competitive exports. The US multiplies wars and troop build-ups in the Middle East, South Asia, the Horn of Africa and the Caribbean; China provides investments and loans of over \$25 billion in building infrastructure, mineral extraction, energy production and assembly plants in Africa."

"China signs multi-billion dollar trade and investment agreements with Iran, Venezuela, Brazil, Argentina, Chile, Peru and Bolivia, securing access to strategic energy, mineral and agricultural resources; Washington provides \$6 billion in military aid to Colombia, secures seven military bases from President Uribe (to threaten Venezuela), backs a military coup in tiny Honduras and denounces Brazil and Bolivia for diversifying their economic ties with Iran."

We thus see China pursuing a policy of very limited military intervention, with massive domestic and foreign investments in manufacturing, transportation, technology, and mining and mineral processing, and its economy advancing for the past decade at an annual rate close to 10 percent.

In a similar vein, in “China plays Pipelineistan” Pepe Escobar writes: "China needs Iraqi oil. But instead of spending more than \$2 trillion on an illegal war, Chinese companies got some of the oil they needed from Iraq by bidding in a legal Iraqi oil auction. Chinese companies committed to investing no less than \$120 billion in Iran's energy sector over the past five years. Despite sanctions, trade between China and Iran grew 35% in 2009, to \$27 billion." (*Asia Times*, 12/23/09)

Instead of the deaths and billions of dollars that the

US has sunk into Afghanistan, China has made a deal to develop the Aynak copper field, south of Kabul. In 2007, following two years of bidding, China Metallurgical Group agreed to invest billions of dollars in the project and related infrastructure development – one of the biggest foreign investment projects in the history of Afghanistan. By the estimates of some geologists, Anyak is the world's largest undeveloped copper field. (*Radio Free Europe*, 11/24/07)

China prioritizes green investment. Its State Council (China's cabinet) has committed itself to reducing emissions of carbon dioxide for each unit of economic output by 40% to 45% from 2005 levels by 2020. (*Seattle Times*, 11/25/09)

According to the China Greentech Initiative, the green market in China could reach a staggering \$1 trillion a year by 2013 – 15% of its gross domestic product. In 2009 China became the world's biggest producer of wind turbines. A new report by the Breakthrough Institute, a progressive think tank in Oakland, argues that China, along with Japan and Korea, will win the clean energy race by out-investing America. Asia's clean-tech tigers are already launching massive government investment programs to dominate this industry. According to the report, they have surpassed the U.S. in virtually all clean-energy areas, including wind and solar power and electric-car batteries.

How can we in the US loosen the grip of militarism on our economy and foreign policy and redirect our resources to the greatest problem at hand – the need for global transition to clean energy and CO₂ remediation? Examining China's foreign and economic policies suggests that the path our leaders have taken is not the only one possible, and furthermore that there is much we could learn from the Chinese model.

We clearly need to understand the differences between the structural dynamics of our own political system, which lead to ever greater military spending and deployment, and those in pursuit of different priorities in China. In exceedingly broad strokes, can the critical difference be, simply, that in our country the government is owned and run by corporations, whereas in China the government owns at least some of the corporations itself, thus avoiding the pressure of military contractors for ever greater military expenditures? If this analysis is correct, the conclusion we might draw is that the US will not change its present disastrous course without first changing the way its political and economic system works.

PAX board member Amy Hendrickson was a founder of Brookline PeaceWorks before the Iraq invasion.

JUSTICE! through JALSA
Former PAX board member Lisa Guisbond

The Jewish Alliance for Law and Social Action (JALSA), a Boston-based non-profit inspired by Jewish teachings and values, was founded in 2001. Its mission is to promote religious freedom and diversity, secure social and economic justice, defend the rights of minorities and protect constitutional guarantees for all Americans. It provides a progressive, inter-generational voice that seeks to eliminate the legal, societal and economic barriers that stand between too many and the promise of the American dream.

At its January annual meeting here in Brookline, awards were presented to METCO Executive Director Jean McGuire, former Newton Mayor David Cohen, and Massachusetts Teachers Association legislative lobbyist Julie Johnson. Julie, a former PAX co-chair, was honored for her tireless work in behalf of quality public education and social justice. In accepting her award, she noted that hanging in her mother's kitchen was a framed copy of Margaret Mead's words: "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

PAX members were well represented at the event, where they probably felt right at home, since JALSA's work parallels and complements that of PAX. Following are some recent and ongoing JALSA activities and accomplishments:

- Inspired by keynote speaker David Harris of the Charles Hamilton Houston Institute for Race and Justice, JALSA convened more than 40 organizations to advocate successfully for the creation of a senior-level civil rights position in the Patrick administration.
- JALSA provides leadership in efforts to obtain and preserve equal marriage rights, serving on the steering committee for MassEquality and pursuing legislative and judicial activities to prevent discrimination against

the gay, lesbian and transgender communities.

- The organization's efforts to advance civil rights and end discrimination in the workplace were recognized, and its Executive Director Sheila Decter honored as a "Woman of Justice," by *Massachusetts Lawyers Weekly*.
- JALSA is working toward legislation to stabilize communities affected by the foreclosure crisis through proposals such as allowing tenants and owners to make reasonable mortgage payments based on the current value of real estate, and legislation to prevent wholesale eviction of tenants while their homes are owned by banks.
- Founding of Community Servings, a hot meals program for people with AIDS and other life-threatening diseases and their caregivers.
- Protection of constitutional right of religious freedom by coordinating two amici briefs in two important cases on religious accommodation before the Massachusetts Supreme Judicial Court.
- Addressing health as a civil right, supporting the improvement of and access to health care for people of all incomes;
- JALSA has a solid and enduring commitment to public education, working for funding adequacy and equity, urban school reform and improvement, and opposition to privatization and destructive high-stakes testing policies under the auspices of Citizens for Public Schools.

For additional information, contact PAX board member Andrew Fischer, re-elected to a second term as JALSA president in January, or visit the website **jewishalliance.org**.

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Dargo's Jefferson's Louisiana: Politics and the Clash of Legal Traditions republished

George Dargo, a law professor at Boston's century-old New England School of Law, was the principal author of PAX's 12/17/09 TAB op-ed denouncing President Obama's escalation in Afghanistan. His book *Jefferson's Louisiana: Politics and the Clash of Legal Traditions* has just been republished in a beautiful new and revised edition. First published 35 years ago, it has a new introduction updating all the recent historical and legal scholarship on the subject. Three *signed* copies are available at Brookline Booksmith. Be the first on your block!

Global Warming Update

Ross Gelbspan

While the world's leaders continue to push such half-baked measures as carbon sequestration, energy efficiency and cap-and-trade, they are failing to acknowledge both the political promise and the political peril embedded in the climate crisis.

Nature is telling us to cut our emissions globally by about 80 percent. Since the recent Copenhagen Climate Summit made it clear that there is a huge deficit of leadership at the national level, it falls to local activists to drive this effort from the grassroots.

We are all familiar with the environmental consequences of intensifying climate change – the deep oceans are heating, violent weather is increasing, the timing of the seasons is changing, and all over the world, birds, plants, insects, fish and animals are migrating toward the poles in search of the temperatures they need to survive.

The potential political fallout from intensifying climate change is almost as disheartening. When governments are confronted by breakdowns, they frequently have no choice but to resort to totalitarian methods to keep order in the face of chaos. It is not hard to foresee governments here and there around the globe resorting to permanent states of martial law in the face of crop failures, water shortages and mass migrations of environmental refugees. So one casualty of accelerating climate change could very possibly be the democratic process itself.

Unfortunately, the major remedies currently being considered are dismally inadequate to the task of stabilizing the climate. Carbon capture and sequestration is a completely unproven – and extremely expensive – technology in which huge facilities would capture carbon emissions from power plants and pipe them deep underground. There is nothing to prevent the release of these emissions back into the atmosphere from a seismic event or from simple leaks. Basically this program represents a full-employment act for companies like Halliburton and Bechtel. It also raises

the question: how many windmills could be produced for the cost of one CCS plant?

Energy efficiency, while a useful beginning, is also no panacea. According to energy specialists, a really aggressive, mandatory program of energy efficiency would reduce emissions by perhaps 30 percent – far less than what nature requires.

As for cap-and-trade, it is not monitorable and it is not enforceable. Moreover, it is subject to criminal exploitation, as pointed out by Interpol. According to the *Financial Times*, cyberthieves have made millions recently by fraudulently obtaining European greenhouse gas emissions allowances and reselling them. Even assuming the program worked honestly, the system is riddled with loopholes and pitfalls. The bottom line is: we cannot finesse nature with accounting tricks.

On the other hand, a global public works program to rewire the world with clean energy would create millions of jobs, especially in developing countries. (For details, see “Toward a Real Kyoto Protocol” at www.heatisonline.org.) It would turn impoverished and dependent countries into trading partners. It would jump the renewable energy industry into being a central, driving engine of growth for the global economy. It would yield a far more equitable, secure and prosperous world.

If President Obama were to initiate this kind of program, he would receive enormous support from most of the world's leaders, who are acutely aware of the destabilizing potential of an overheated atmosphere. Looking beyond the climate crisis, a coordinated global transition to clean energy could provide the platform for a new era of peace – peace among people and peace between people and nature.

Brookline resident Ross Gelbspan, author of The Heat Is On (1997) and Boiling Point (2004), maintains the website www.heatisonline.org.

Rep. Frank Smizik – Dealing with Global Warming and Climate Change

The current legislative session started off in 2009 on a roller coaster ride with the resignation of House Speaker DiMasi and the appointment of his successor, Robert DeLeo. I moved from my old position as chair of the Environment Committee to head up a new one – the House Committee on Global Warming and Climate Change.

I'm proud to serve in this new position, overseeing what I believe to be one of the defining issues of our time, and certainly the defining *environmental* issue. And I'm pleased that I can do so while representing a progressive community of activists fighting on the local level to do what they can.

Over the course of the year, we have held a series of informational hearings throughout the state to educate legislators and the general public on how climate change is impacting our coasts, our communities, our national security, and our lives, and how we can prepare for those changes.

We have also been keeping a close watch on how our state executive agencies are implementing the numerous environmental and energy bills we succeeded in passing last session, including the Global Warming Solutions Act, the Green Communities Act, the Oceans Management Act, the Green Jobs Act, the Clean Energy Biofuels Act, and the Energy and Environmental Bond Bill. These new laws are helping the Commonwealth reduce harmful greenhouse gas emissions while building a green economy through investments in environmental preservation, new technologies and job training. We are now a model for the rest of the nation.

But that doesn't mean we can stop and relax. This session, I have been working on some new bills to help our state achieve more emission reductions and greater environmental protections while also stimulating our green economy. Some of my top

environmental priorities are bills I have initiated addressing electronic waste ("e-waste"), expanded energy efficiency, and sustainable water resources.

The e-waste bill requires electronics manufacturers to be responsible for recycling their products, saving towns money on their waste management programs. This bill will also strengthen an already booming electronics reuse market and reduce the amount of toxic chemicals that end up in our landfills through discarded electronic products.

My energy efficiency bill expands regulations in the Commonwealth to cover common household products such as televisions, DVD players and recorders, and portable lamps. Expanding these regulations will help consumers save money on their electric bills and reduce the Commonwealth's overall energy usage.

Finally, the water resources bill works to balance the needs of people and the environment by requiring the Department of Environmental Protection to adopt regulations establishing standards for restoring and maintaining stream flow in the rivers and streams of the Commonwealth. The bill also updates the state's dam safety statute and allows for municipal "water banking" to pay for more efficient infrastructure and watershed protection efforts.

All of these efforts, along with your own work, will help ensure the preservation of our planet and our natural environment for future generations.

Frank Smizik, a former chair of the Brookline Housing Authority, vice chair of the School Committee and co-chair of PAX, has represented most of Brookline's precincts in the Massachusetts House of Representatives since 2000. He can be reached at (617) 722-2676. Visit <http://www.franksmizik.com/index.ht>

PAX Events Calendar

Sun	March 21	3:00	PAX Annual Meeting & Awards, MLK Room, BHS
Sun	March 28	3:00	Snow date, Annual Meeting & Awards, MLK Room, BHS
Mar 31 or Apr 1		7:00	PAX candidate endorsement meeting, 123 Buckminster Road
Sun	April 11	4:00	PAX Campaign Kickoff, 63 Buckminster Road
Sun	April 18	7:00	April PAX board meeting
Tue	May 4	7am-8pm	Town Election
Sun	May 16	7:00	PAX board meeting concerning Town Meeting warrant articles
Tu-Th	May 25-27	7:00	Town Meeting
Sun	June 13	7:00	June PAX board meeting

For more information about PAX, visit www.brooklinepax.org and join us on **March 21** for our **Annual Meeting and Awards!**

Join Brookline PAX or renew your membership today!

Send this coupon with a check payable to **Brookline PAX** to: Brookline PAX, P.O. Box 470525, Brookline MA 02447-0525

- Yes, I'd like to join Brookline PAX or renew my membership for 2009. My dues are enclosed:
 \$30 Regular (\$50 couple; \$20 fixed income) \$50 Sustaining Member \$100 Patron
 I'd like to get more involved in PAX activities; please call or e-mail me.

Name(s) _____

Address _____

E-mail _____ Phone (_____) _____

BROOKLINE PAX ACTIVELY SUPPORTS

Excellent Public Education – Brookline PAX is committed to the public schools. The organization and the political candidates it supports have a proven record in support of public education, from early childhood through graduate school.

Excellent Public Services – PAX supports sustained state and local investment in quality municipal services such as police, fire protection, public health, libraries, schools, parks, recreation, and public works, as well as state services such as social programs, transportation and environmental protection. PAX and its endorsed candidates pursue policies of support for basic human needs, including healthcare for all, affordable housing, and services for both children and senior citizens.

Respect for Public Employees and Organized Labor – PAX stands up for fair labor practices and for policies that show respect for the dedicated people whose competence and commitment make Brookline and this Commonwealth work.

Respect for the Environment – PAX is committed to keeping Brookline and this Commonwealth livable and environmentally responsible – by supporting recycling; energy conservation; the maintenance and enhancement of parks, play-grounds, and green space; and sound environmental regulation.

Diversity, Social Justice, and Peace – PAX works to preserve and protect ethnic and economic diversity and social and economic justice for all, through affordable housing, universal health care, and fundamental civil rights and liberties. We respect the human rights of all people, regardless of ethnicity, nationality, or location; and we support multilateral solutions to international affairs. We oppose the unilateral use of military force except when applied defensively under international law and clear and convincing evidence exists of a serious and imminent threat of aggression, and only force that is no more than commensurate with the magnitude of the threat.

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