What Can Congress Do to Save Our Republic?

By THOM HARTMANN, Independent Media Institute

The Founders of this nation, and the Framers who wrote our Constitution, created (as Ben Franklin famously said) a constitutional republic: a government “deriving its just powers from the consent of the governed” through citizens’ (then white men) right to vote.

They referred to this as “republicanism” because it was based on the Greek and Roman republics (then thousands of years in the past but still remembered and idealized), and when put into law they called it “a Republican Form of Government.”

Today that form of government is in crisis in America, as that core right to vote that defines republicanism is under attack by Republican legislators in red states across our nation.

“In emergency, break glass” is the almost-never-used option available should a building catch fire or otherwise be in crisis. There’s a similar alarm and safety valve built into the US Constitution that, like that glass in so many buildings, has never before been used to protect our republic.

It’s called the Guarantee Clause, and it’s the basis of the Right To Vote Act that has passed the House and is stalled by a Republican filibuster in the Senate.

The Guarantee Clause, however, has never been used as a part of our everyday politics or law: most people, in fact, have never heard of it.

It’s never been used or adopted as law by the courts so it’s essentially “potential power,” a powerful but tightly coiled force quietly waiting for a real emergency, buried deep in our Constitution for 232 years.

But it comes alive when Congress activates it for the first time, which could be right now because the Freedom to Vote Act does just that, explicitly firing it up by name.

Joe Manchin is one of its co-sponsors, although it’s mostly an effort by Senators Klobuchar (its main sponsor), Kaine, King, Merkley, Padilla, Tester, and Warnock. On the Republican side, it appears to have support from Alaska’s Lisa Murkowski.

And when you understand the background of the Guarantee Clause, the urgency and the consistency of The Right To Vote Act with the Framers’ vision about the possibility of this political moment is unmistakable:

July 18, 1787

It was a brutally hot summer in Philadelphia that year, and a week and a day after a mob chased down Mrs. Korbmacher on the streets outside Independence Hall (then the seat of the Pennsylvania legislature) and beat her to death for witchcraft.

Inside the Hall, the delegates were writing the Constitution for a new nation, and the question had come up whether the new US government should have the power — or the obligation — to “guarantee” that no state could so change its laws as to deprive its citizens of a “Republican Form of Government.”

This was particularly important, as British law at the time specifically outlawed republicanism: only monarchy was allowed, and citizens had to swear fealty to the king. Nowhere in the “civilized world” of 1787, in fact, was it legal for a nation to elect their own representatives and live under their own laws, all made and enforced “by the consent of the governed” through “a Republican Form of Government.”

At the end of the long, intense day, James Madison wrote a short letter to Thomas Jefferson:

“Congress has passed a resolution declaring that the principle of a Republican form of Government is under attack by some of the states, and that Congress has a constitutional power to guarantee the right of the people of those states to elect their own representatives and live under their own laws.”

John McCutcheon Concert Postponed

By KEN SCHROEDER

In the meantime, John will perform several online concerts during the winter and spring on the livestream platform Mandolin.

The scheduled January 11 concert with John McCutcheon has been postponed due to COVID concerns. The six-time Grammy nominee will perform a benefit for the Modesto Peace/Life Center on Tuesday, June 7. If you donated for a sponsorship, you will be contacted.

John McCutcheon has been coming to Modesto since 2002. His socially and politically conscious songs inspire us, his songs about family and every-day life move us and his wicked sense of humor entertains us.

Beyond entertainment, his concerts bring us together in a sense of community and shared values.

In the meantime, John will be performing several online concerts during the winter and spring on the livestream platform Mandolin. As a Mandolin Associate, the Modesto Peace/Life Center will receive a share of ticket sales that are purchased through our ticketing URL.

The first concert will be “Sweet Home Wisconsin” on January 29 at 4:00pm Pacific Standard Time. John goes back to his roots in north central Wisconsin, revisiting songs written and inspired by his Midwestern upbringing. From stories of his first teenage gigs to songs about his ancestors, local legends, and friends, this will be a unique look into John’s Wisconsin memories. He’ll also include some of his favorite traditional songs from his home state.

Single concert ticket prices are $20 single ticket; $30 family/household; $10 student; $5 unemployed; $50 music supporter. Full series tickets are $75.

The other concerts will be 50 Years of Traditional Music - March 6, 2022
Songwriters in the Round - April 3, 2022
Details will be forthcoming when available.

John urges us all to get vaccinated so that musicians can work and audiences can gather to enjoy their music.
Modesto needs a Police Review Commission with an Independent Police Auditor

A Civilian Review Committee composed of representatives from various community organizations, including the Modesto Peace/Life Center, has prepared specific proposal documents, modeled upon the City of Davis’ successful police review process, which have been sent to each member of the Modesto City Council. Please contact your councilmember and urge support for a Civilian Police Review Board with an Independent Police Auditor. To receive a copy of these documents, email Jim Costello, jcstello@igc.org.

A Community Forum on Civilian Oversight of Law Enforcement for Modesto, with recognized experts on this issue, was held on February 27, 2021. Watch it here: https://www.youtube.com/watch?v=39G3jn10uHU

Supported by the following groups: Modesto/Stanislaus NAACP, ACLU Stanislaus, Latino Community Roundtable, North Valley Labor Federation; Modesto Peace/Life Center; Faith in the Valley; Democratic Women’s Club of Stanislaus; Valley Improvement Projects; Indivisible Stanislaus; Turlock Black Lives Matter Movement; Stanislaus & Tuolumne Central Labor Council; United Domestic Workers of America UDW/AFSCME 3930; Advocates for Justice; DSA Stanislaus; Modesto Church of the Brethren; College Avenue United Church of Christ.

**ACTION:** Get your local organization to sign on to this effort. How? Email Jim Costello at jcstello@igc.org for information.

Follow closely “Forward Together” — An initiative focused on police-community relations started by the City of Modesto at https://www.modestogov.com/forwardtogether. And watch for news about Sheriff Dirkse’s “Project Resolve.”

---

A Call for Action

By ANITA YOUNG, Chair
Yokuts Group of the Sierra Club

The City of Riverbank is planning to develop a large parcel of land at the corner of McHenry Avenue and the Stanislaus River. This land is not within the city limits of Riverbank nor is it in its Sphere of Influence.

There is a local citizens’ campaign to oppose this development based upon a number of factors. First, it is sprawl development onto prime farmland that has good access to water from the river. The project is slated to be built largely for people ages 55 and up and, as such, will do nothing to meet the housing needs of families in the County. The project will greatly increase traffic on McHenry Avenue and Coffee Rd., Patterson, and Hogue Roads. Sewage problems need to be addressed with detailed studies of the capacity of Riverbank’s sewer treatment facilities.

While there is enough water for existing farming, adding 2,400 new homes to this area will impact both water quality and quantity.

Please join the Yokuts Group in opposition to this development. You can get involved now by attending Riverbank Planning Commission and Riverbank City Council meetings, as well as Stanislaus County LAFCO meetings to voice your opposition. Please check their websites for meeting dates and agendas, but generally the Council meets on the 2nd and 4th Tuesdays at 6707 3rd St., Riverbank. The Planning Commission meets on the 3rd Tuesday at 6707 3rd St., Riverbank. LAFCO meets on the 4th Wednesday at 1010 10th St., Modesto (in the basement). All meetings begin at 6 p.m. And, of course, send your letters and emails to these agencies voicing your concerns.

---

Del Puerto Canyon: The Jewel of West Stanislaus County in Peril

WHEN: Friday, January 21, 2022, 7:00 p.m. 
WHERE: By Zoom*

Please join photographer and Patterson native Elias Funez, as he goes over the extensive history of Del Puerto Canyon paired with a visual collection of photos and videos he’s taken over the years.

The presentation will discuss the current efforts of the Del Puerto Water District’s plans to create a dam over the historic Gateway of the Del Puerto Canyon and what the Save Del Puerto Canyon group has done so far to oppose those plans and continue conversations to preserve this important natural and cultural area.

*To attend this Zoom format program, please email Anita Young, at ayyoungbooks2@gmail.com any time the week before and she will send you the link.

---

Spring 2022 MAPS Schedule

MAPS offers free, informative, and engaging community science programs. 7:30 pm. Participate by logging on to an Internet Link: https://www.mjc.edu/instruction/sme/maps.php to sign up for notification of the link.

For archived MAPS talks: https://www.youtube.com/playlist?list=PLL8lU2WuJbe6joR9r56BiRUIXFdrXNxc

**January 28:** Restoring the Ecosystems of Palmyra Atoll.
Disease ecologist and conservation biologist, Danielle Lee Cantrell, Ph.D. will share her work restoring the beautiful and ecologically important ecosystems of the Palmyra Atoll National Wildlife Refuge, located in the equatorial Pacific.

Danielle Lee Cantrell - Website

**February 25:** Weather vs. Climate Impacts on Our Environment.
Family Science presentation. Channel 3 meteorologist Dirk Verdoorn, keynote speaker, will be joined by MJC students for a panel discussion. The presentation focuses on the difference between weather and climate and the impacts climate can have on our environment. Dirk will emphasize the importance of being good stewards of our planet. Dirk Verdoorn - KCRA

**March 25:** The Rise and Recent Fall of Sierra Nevada Glaciers.
Geologist, discusses the essential role glaciers have played in shaping the Sierra Nevada. The impending loss of these glaciers will likely have ripple effects throughout the high elevations of Yosemite. Presentation by ZOOM.

---

KCBP Community Radio Seeks Volunteers

The Modesto Peace/Life Center’s Community Radio Station the “Voice of the Valley” KCBP 95.5 FM needs volunteers to help develop the following programs:

- Children • Art • Poetry • News/Journalism • Education • Health • Science • Social Justice • Multicultural • Music/All Genres

Other Opportunities: Underwriting • Fundraising/Event Committee • Community Outreach.

Contact Jocelyn Cooper, KCBP Development Director, (209) 422-0119 kcbpvolapp@gmail.com

---

LOCAL

The Yokuts Group

Rethink Our Origins | Nat Geo Live. Presentation by ZOOM

MAPS is grateful to the MJC Foundation, SCOE, MJC, the MTA (Modesto Teachers Assn.) and the GVM for generous support.
Kate Trompetter: Dedicated Advocate for Social Change

By TOM PORTWOOD

Community Advocate and Coach Kate Trompetter was ten years old when her mother gifted her with one of the more important lessons she could ever receive.

“I’ve shared this story many times, but it continues to inform my life,” Ms. Trompetter recently recalled. “I had read this story in the newspaper of a child who had been born HIV-positive and this child’s family needed money. So I sent some of my allowance off to this family, and then I got excited when this baby had a first birthday party and I was invited to go. As an adult, I asked my mom why she had said yes to taking me to that birthday party – we didn’t know this family, they didn’t live in our safe neighborhood – and my mom answered by saying that all of us are only one streak of bad luck or one bad decision away from being in the same boat. That the only distance between us is the distance we impose.”

Ms. Trompetter has seized upon that early lesson about empathy and awareness and made it a cornerstone of her work. For more than twenty years now, she has been finding ways to bring people in the Valley together to work toward common goals and a better community. Ms. Trompetter readily admits that while in many ways her privilege and experience destined her to be the highly accomplished social advocate and convener she’s become, when she graduated from U.C. Davis “I didn’t have any idea of what I wanted to be when I grew up.”

“I was born right here in Modesto, at Doctors Hospital,” she recounted. “My dad came here from Pennsylvania. My mom’s family is from Ceres, and they have deep roots in Ceres, and go a long way back in the community. My grandpa was the Chief of Police there for a long time.”

From an early age, Ms. Trompetter was trained as a classical pianist, and music continues to this day to hold a crucial place in her life. “I was supposed to go to Downey High School,” she explained, “but I’m a musician, and I was very much interested in continuing to pursue music and Johansen had a stronger program for that at the time.” She had earlier attended Fremont Elementary School’s Open Plan, which she credits as being “a very formative experience for me.”

“It’s as if from a very young age,” Ms. Trompetter shared, “everything in my environment was pointing me at healing the world and being in relationship with people and valuing diversity and differences. And it all started with my parents, grandparents, and the teachers I had at Open Plan. My dad is the public figure in our family and has had a profound impact in his community and field. I think I may have inherited that more extraverted, leadership from him, and my mom is a quieter, fierce leader - she is one of the wisest women I know. I hope I got a part of that, too. No matter what, it all felt so beautifully woven together, as did growing up in the synagogue. Everywhere I turned a part of myself was being nurtured that would ultimately lead me to doing the type of work that I do around community leadership and change.”

Many years later, after graduating from college, all those lessons she had learned from her parents and teachers about community and connectedness and caring for others would come back into focus for Ms. Trompetter as she searched for her first job as an adult. Although she “had no intention of ever coming back - and I think that’s true for a lot of us who grew up here in the Valley - I got very lucky and got a job right out of school in Modesto, at Therapeutic Pathways, and I worked for a couple of years with kids diagnosed with autism.”

These experiences, Ms. Trompetter noted, “were very rewarding. I think that working with kids was another thing that helped me to become serious about families and people and to develop more empathy for those who have had a different life experience than I have had.”

During the early 2000s, she worked for a time as the business manager of the Modesto Symphony Orchestra, and continued to play piano professionally, often finding gigs at the Queen Bean Café, Del Rio Country Club, and more. And it’s through music where she met her husband, musician David Rogers. “Music has always threaded in a big way through everything I do,” Ms. Trompetter said. “And music remains a huge part of our lives. All of our kids play - music is happening in our house all the time. I’m really proud of David and his Drum Circle facilitation and all the music he’s bringing to town.”

When she was in her mid-twenties, Ms. Trompetter began working for Center for Human Services, where she worked for the next fifteen years.

“CHS was another lovely group of people, and an organization that offered me a great opportunity for growth. I wore many hats in the years that I was there. It really is a transformational organization. They raised me professionally in many ways. They allowed me to pursue my own interests, in much the same way my earlier employers had done. The fact that I could walk into the executive director’s office and announce that I was leaving and she was totally supportive and continues to be totally supportive speaks volumes. I think in many ways I stand on their shoulders.”

Inspired by the work of so many before her, including her parents, Ms. Trompetter started her own business in 2017, specializing in coaching and facilitating in the non-profit, community, and public sector. A primary focus is on engaging and working with the people these sectors are intended to serve, strong leadership, and creating opportunities for people to learn and adapt together. She is currently supporting several key community-wide efforts, including Project Resolve, Forward Together, Cradle to Career, Focus on Prevention, among others.

“I call myself a consultant, but I’m much more comfortable with the title of Coach,” she stated.

“I don’t have an expertise in many of the areas or sectors that I’m working in, but I know how to ask really good questions. I know how to help people think through things that are really complicated. I know how to really investigate circumstances or conditions against the backdrop of what our community wants to do moving forward. I think a lot of my work revolves around getting people out of arguing about their positions, and really getting them to think about what their interests are – and how those interests are so often aligned with others about what we want for this community.”

Ms. Trompetter is passionate in her belief that our community can only thrive if we learn to listen to each other, if we make the effort to show up and roll up our sleeves and discuss the hard things with our neighbors.

“I don’t care if people leave our community, but I don’t want people running away from this place. I want my daughter and sons to feel proud of where they live. I want to live somewhere where even when we disagree about things, we are still connected enough that we can still talk.”

“I wish that poverty wasn’t an issue. That people didn’t experience homelessness in our area. And that we experienced more equitable educational outcomes. I do wish for all of those things, and more. We’ll always be confronted by these issues. I think the way we show up and the way we work with each other is what matters. We will produce all the right things if we pay attention to the quality of our interactions with each other. And I would hope that people would feel supported in that when they are with me.”
A Gentle, Kind Spirit in Our Midst

By DAN ONORATO

Shelly Scribner
(June 20, 1942 - November 6, 2021)

Shelly Scribner was a long-time member of the Peace/Life Center’s Planning & Directions Board and over the last 40 years was active in many of the Center’s activities. Those of us who knew her will miss her dearly. We’ll miss the person who, despite her physical limitations, seemed tireless in volunteering to help whenever it was needed. We’ll miss the friend who’d show up to a meeting or demonstration wearing a home-knit yarn beret sprinkled with sequins. We’ll delight in remembering the further display of her panache when she’d sport flashy, multi-colored, striped socks and a neon-bright Tie-Dye T-shirt that made the sun look dull.

But as characteristic as her colorful statement-making clothing was, what we’ll miss for a long time to come arose out of the very core of her spirit. The late Congressman and Civil Rights activist John Lewis, in a recent posthumous book of reflections called “Carry On,” urges readers to pursue profound but simple wisdom. In his chapter on happiness, he writes, “Don’t underestimate the power of a kind, warm smile.” The power of a kind, warm smile. That’s what we hold most dear about Shelly — her kindness and her warm, welcoming smile — the quiet aura about her that spoke of acceptance, affirmation, and enthusiasm to learn, to keep growing, and to be helpful.

President of the Center, Jocelyn Cooper, says Shelly made her feel like a friend. She and Shelly met when they were both working on Barack Obama’s second campaign. “She invited me to visit the center,” Jocelyn told me. “Then she followed up, sharing her knowledge of the Center’s history and activities, and asking how I was doing. She was always there for me. When I was ill, she called. Even in her last days in the hospital, she called to see how I was.” John Lucas said the same thing: when he was ill, Shelly would pick up the phone and help him remember that he was not alone. She put others before herself.

Shelly was born in Philadelphia but moved to California in her early 20s. She lived in Napa, Oakland, and then came to Modesto. In Napa she met Kathleen Wall. “In pre-school our kids became friends,” Kathy shared with me, “and my Sean and Shelly’s Juniper would play together at Juniper’s house. Shelly was so welcoming, and if you needed something, she’d go out of her way to help. She was a sparkly person. We became life-long friends, Shelly’s the one who invited me to Peace Camp and to the John McCutcheon Concert. She was always thinking of others.”

Juniper remembers their mother-daughter jamming sessions — no, not music-making, but making the sweet stuff you slather on toast. Years later when Juniper became a scientist, she insisted on sterile technique — using gloves. No, Shelly retorted, holding up her sticky hands. This is the way we’ve always done it. The verbal jousting went back and forth, the age-old tension between youthful innovation and elder resistance to change. Juniper laughs affectionately about it now. “It was a bonding time for us both, her passing on a tradition to me.” Another family tradition was their annual summer trip to Rhode Island to visit Shelly’s mom and other relatives.

Juniper is grateful for another, very special bond in her family history. When she was eight, Shelly and Gil, a single father raising two boys, became an instant family. They raised their children together, celebrating many birthdays, Thanksgivings, Hanukkahs, Christmases, and graduations in their loving home. Gil’s sons Bobby and John along with their families are a big part of Juniper’s life. Sadly, Gil passed away a few months ago.

Shelly passed on far more than the knowledge of jam making and the importance of nurturing family ties. Juniper remembers her mom “always wanting to help people less fortunate, and she insisted that value in me.” Juniper recalls that when she was a child, her mom and a friend started a children’s craft program at a hotel housing many homeless families in Modesto. One night a week, parents staying at the hotel could drop off their children for an hour of crafts and snacks. And if a child had a birthday, there’d be a party with presents and cake.

After Juniper went away to college, Shelly widened her concern for others into community involvement and activism. Her career as a teacher of children and babies with disabilities at the John F. Kennedy School in Ceres and in the Merced County School System required a lot of her time and energy. But as friends I interviewed for this article made clear, the list of her “free time” activities was long and varied. She attended meetings and supported the work of Merced’s Sister City Program in Somoto, Nicaragua. She joined the local Democratic Women’s Club and its Cupcakes Committee to unseat Jeff Denham and help Josh Harder become our congressman. She joined Indivisible Stanislaus to oppose Trump and Trumpist candidates and became a member of the League of Women Voters and the ACLU.

Besides political concerns, Shelly gathered toiletry items for prison inmates, joined a book club, volunteered as an usher at the Gallo Arts Center, and spent much of her time focusing on Peace/Life projects. For many years she was a Board member, including being co-Chair with John Frailing for five years. For Shelly, John emphasized, it was important that everyone got to speak up.

When the Peace/Life Center began helping homeless people get much-needed CA IDs, Shelly volunteered as a contact person, and with Sandy Sample, started the Center’s Kitchen Korner to collect and distribute kitchen ware for homeless people who had secured housing. She helped with Peace Camp and the Peace Essay Contest organizing committee. She helped mail our fundraising letters and she took charge of the Center’s monthly Peace & Justice Vigils at the intersection of Needham and McHenry. She set the date, time, and theme – Climate Justice, Migrants’ Rights, Strengthen Voting Rights — whatever was relevant at the time. It didn’t matter how many showed up; she was always there because for her it mattered to speak out. She also spoke out with her frequent letters to The Editor of The Modesto Bee, and with other Peace/Life members, walked in huge demonstrations in San Francisco against the Iraq War and the disastrous U.S. occupation that followed.

A lover of music, she attended the Grace Valley International Music Festival in summer and participated in the Center’s Song Circle and the Holiday Potluck & Song Fest at my and my wife’s home each December. Because Hanukkah is a major religious feast day for Jewish people, she introduced the Song Fest crowd to Peter Yarrow’s popular Jewish
folk song, “Light One Candle.” Under musician John Poat’s inspiration, when we sang that song with its powerful and timely lyrics, our soaring voices became passionate prayers to keep our light for peace and justice from burning out.

The light in Shelly’s spirit did not burn out. On the contrary, in her last few years, it glowed ardently as she reconnected with her Jewish roots. Shelly’s parents had been very culturally Jewish. They celebrated holidays and practiced other traditions, attended synagogue here and there, and sent their kids to Hebrew school. Shelly maintained some of the ritual celebrations when Juniper was growing up, and even when Shelly was not active. But Shelly resumed active engagement in Beth Shalom after she met and got to know Rabbi Shalom Bochner. She developed a hunger to understand her faith more deeply, to explore the Torah while she still could, and now she had a teacher.

Her Jewish Heritage trip to Poland in 2019 with Rabbi Shalom, members of Beth Shalom, and Juniper only strengthened her resolve to learn more. Shelly and Juniper had traveled before—to Europe, Mexico, Central America, Cuba, Eastern Europe, Hawaii, and some of our western and eastern states—but this trip was a journey of the soul. As Rabbi Shalom explained in his funeral talk at Beth Shalom, “This trip was not only about honoring her own Jewish ancestry in Eastern Europe but also about understanding the Holocaust, to learn the lessons of genocide persecution, fascism, and racism so she could apply them to today’s struggles with hate, white supremacy, division, and threats of violence.” Though the visit was optional, Shelly chose to visit Auschwitz to understand its horrific reality. Back home, Shelly began to study the Torah with the eagerness of a true student. When the pandemic spread and Zoom classes at Beth Shalom started, she attended as many events and classes as she could. In some weeks, Rabbi Shalom shared, she was at every adult education class offered.

When I visited Shelly in the hospital two days before she died, she had a hard time talking. But she wrote notes on a tablet. One note mentioned her unforgettable trip to Poland, another her classes on the Torah. On her lap lay a bilingual version of the Torah, and on that Torah her hands rested.

To borrow from a Jewish prayer:
may the memory of Shelly’s kindness, warmth, and generous, caring spirit be a blessing for all of us.

ACTION: Shelly didn’t want people to mourn her passing. She wanted a party with music, singing, dancing, and storytelling. Juniper is fulfilling her mom’s wish for a lively memorial Celebration of Life on February 20, 2022 from 1:00 – 4:00. It will take place at the Teamsters Union Hall (Local 948) at 1222 I St. in Modesto 95354, at the corner of 13th & I. The hall is located on the second floor; (there’s an elevator). Around the corner is the Peace/Life Center’s new office. If you’d like to help with planning, decorating, providing tasty finger food, or setting up a microphone and music system, please contact Juniper Scribner soon: (415) 728-6952, email: scribner.juniper@gmail.com

“If you are neutral in situations of injustice, you have chosen the side of the oppressor. If an elephant has its foot on the tail of a mouse and you say that you are neutral, the mouse will not appreciate your neutrality.”

Archbishop Desmond Tutu, 1931-2021
Homeless: Your (Regressive) Tax Dollars at Work

By ERIC CAINE, The Valley Citizen

The legitimate object of government is to do for a community of people, whatever they need to have done, but cannot do, at all, or cannot, so well do, for themselves in their separate, and individual capacities. — Abraham Lincoln

As homeless numbers continue to rise along the West Coast, more and more voters are beginning to realize that the failure of political leaders is among the chief reasons the problem is getting worse. Politicians and the media would like to make homelessness a partisan issue, but the fact is neither political party has been able to stem the rising tide of people with nowhere to go because the leaders of both parties don’t understand the problem.

California’s new plan to clear homeless camps is yet another example of failure to recognize the hard realities of homelessness. Ostensibly a good idea with plenty of voter support, people on the ground have long recognized that sweeping homeless camps is like trying to eat watery soup with a fork.

Like homelessness itself, the reasons for failure to address it successfully are complicated but can be at least partially illustrated by the examples of San Francisco and Modesto, two cities with different political dynamics but similar failures to halt rising homeless numbers. Modesto is located in Stanislaus County, some 90 miles east of San Francisco.

In San Francisco, Gavin Newsom’s much-heralded “Room Key” plan to get homeless people off the streets foundered for any number of reasons, but especially because so many homeless people are mentally ill or desocialized and their presence on the streets is diminished but not eliminated by a hotel room. Costs for hotel rooms in San Francisco can average $260 per day, and transitions from hotel rooms to permanent housing are often as low as 16%.

San Franciscans have been accused of nimbyism for opposing relocation sites for homeless people who continue to populate sidewalks, parks, and spaces under freeway ramps, but it’s perfectly reasonable to resist the presence of a problem that leads to the depreciation of property values, lost business, and health and hygiene hazards. The simple fact is lack of open space means San Francisco has no place to put people who, due to myriad reasons, but especially because of mental illness, are unable to adjust to traditional housing options.

Liberal San Francisco has long been an easy scapegoat for the manifold ills of rising homelessness, but homelessness is not a partisan problem and shouldn’t be a partisan issue. The simple fact is that both political parties abandoned poor and working people decades ago, and neither has been able to accept fundamental facts about poverty in general and homelessness in particular.

While there’s widespread agreement that closing mental institutions has been an ongoing factor in homelessness and difficulties dealing with it, that fact gets ignored when people are surprised that putting homeless people into expensive hotel rooms or emergency shelters doesn’t get them off the streets.

People on the ground know better. “It’s not enough to get people housed,” said Meggan Clifford recently, “you’ve got to teach them how to stay housed. The longer people are homeless, the less able they are to become self-sufficient, even when inside.” She was speaking not of the mentally ill, but of people whose brains and bodies have become debilitated from the punishing effects of extreme poverty.

Clifford is Project Manager for Modesto’s Downtown Streets Team, a remarkable program that has had unusual success helping people transition from homeless into housing and employment. Like anyone truly familiar with the complicated realities of homelessness, Clifford understands that homelessness is far more damaging to people’s minds and bodies than most casual observers could ever guess. The damage grows exponentially for the homeless and mentally ill.

Modesto made news shortly after the Ninth Circuit Court ruled homeless people could not be prohibited from camping on public property if there were no other options for shelter. Shortly after the ruling in September of 2018, the City of Modesto opened a local park for camping.

Beard Brook Park soon became known as “Beard Brook Village.” Within a few months, the park was overcrowded with an ongoing rush of people eager to pitch a tent wherever they could on the sloping hillside of the small gully that shaped park boundaries.

Even while Beard Brook Village was burgeoning with a daily influx of campers, Modesto and Stanislaus County authorities — most of them politically conservative — were scrambling to find alternatives to a site that was rapidly running out of room. Rumors grew that executives from Gallo Winery, located across the creek from the park, had demanded the camp be moved because of the eyesore it presented to visiting businesspeople and dignitaries.

Whether or not the move was prompted by demands from Gallo, Beard Brook Village was moved about a quarter mile west to an encampment under Modesto’s Ninth Street Bridge. Named the Modesto Outdoor Emergency Shelter (MOES), campers began moving in from Beard Brook Village early in 2019.

Early on, MOES appeared to offer an answer to the problem of getting homeless people off the streets. Local streets and parks were no longer refuges for people with nowhere else to go, quality of life crimes dropped significantly, and volunteers and service providers found it much easier to deliver help to a designated site than to chase people around town. Visitors began showing up from Sacramento and other cities to study the site as a rare success story in the battle against homelessness.

Though they seldom voiced their concerns publicly, critics of MOES lobbied city and county officials with a laundry list of complaints. Chief among them were drug use and trash onsite.

Because it was considered a “low barrier” encampment, drug use at MOES was treated the way it is in any community. If it was out of sight and caused no problems to others, there was no attempt to search it out.

Trash was a problem in large part because city-maintained dumpsters and bins overflowed between infrequent visits from garbage collectors. Onsite Porta-Potties were filthy for the same reason; maintenance didn’t keep up with use. Water was available only in bottles or from a couple of faucets at the northwest corner of the camp. They were accessible only to a very few people at a time.

Despite these problems, residents of MOES benefitted from the simple comforts of having a place to lay their heads, store their belongings, and develop relationships with volunteers and service providers. Within a few weeks, the number of campers grew to almost 500, with more coming every day.

Free from the enveloping fear that makes homelessness a special trauma, newcomers to MOES often spent their first days asleep, with short breaks for food and water. With expenses estimated at $13 per day per person and available...
onsite services, MOES appeared to offer a humane and cost-effective approach to homelessness. Many of its supporters were stunned and demoralized when it shut down. Homeless people were especially devastated.

MOES shut down less than a year after it opened when Stanislaus County officials announced the opening of a new, 182-bed low-barrier shelter in a building only a few hundred yards away. Claims from city and county authorities that “other options” were available to the 300 people left outside when the shelter reached capacity proved false.

Closing MOES proved to be both costly and cruel. It forced hundreds of people back to Modesto’s streets, parks, alleyways, and riversides.

When MOES closed, tactics for addressing homelessness reverted to two traditional and obsolete options — shelters and sweeps. Both are costly and ineffective.

In its first year of operation, the Stanislaus County low-barrier shelter placed 71 people into housing. That’s an impressive number in a county with severe housing shortages, but it’s not even half of the shelter’s capacity. Observers couldn’t help wondering why those same people couldn’t have been moved from MOES at far less expense.

At a cost of $2.4 million to retrofit half the Salvation Army’s Berberian building, and ongoing expenses of just under $2.8 million to maintain and manage it, the low-barrier shelter had its two-year anniversary in November of this year. For various reasons, including the advent of Covid-19, occupancy at the shelter has sometimes been as low as 80 residents. Some have been there since it opened.

According to Major Harold Laubach, who directs management of the shelter under the county’s contract with the Salvation Army, 40 percent of the residents are mentally ill.

While no one today questions the well-documented history of the closing of mental institutions during the 1980s, people still think that, somehow, mentally ill people will receive the care they need after a short stay in an emergency shelter. Such care is seldom available and very costly in any case.

Many shelter residents are disabled and in wheelchairs. Most receive disability benefits of around $1,000 a month, well below the income needed to afford rent, even if an apartment were available. Almost all need at least a minimum of medical care and services.

Originally meant to serve short-term needs, today’s emergency shelters have become long-term residences by default. For many people, there’s nowhere else to go other than the streets. This is especially true for people experiencing mental and physical illness, desocialization, malnutrition, sleep deprivation and the many other afflictions associated with extreme poverty.

Any population of 182 members would be difficult to manage over the long term, but the homeless population brings with it a host of special problems. Especially since the Ninth Circuit ruling permitting camping when other alternatives aren’t available, local authorities tend to argue that available beds mean available services for the homeless. In fact, appropriate services are seldom to never available.

The difficulty of managing people with special needs in a warehouse-type facility featuring bunk beds, communal showers and bathrooms means establishing rules and punishments that often result in evictions. A great many of the county’s shelter residents have been kicked out for various reasons, often for as long as a month at a time.

Once such person is Kenneth “Pops” Yarber, a wheelchair-bound man in his sixties. Pops says he was kicked out of the low-barrier shelter for smoking marijuana on grounds outside the shelter. Authorities at the shelter say he was evicted for other reasons. Whatever the case, Pops now chooses to live in a local park. He is one of many for whom long-term shelter living doesn’t work. He was far better served at MOES, where he had the privacy of a tent and a support group of peers, volunteers, and service providers, all at a cost to taxpayers of $13 per day.

Many homeless people refuse to go in shelters because they’ve endured too many broken promises about services and housing. In the early days of Stanislaus County’s low-barrier shelter, residents were told they would have housing within six months. Two years later, there’s still not enough housing. The cost of building apartments in the San Joaquin Valley is over $400,000 per unit and it will be years before there’s enough to meet the region’s needs. Meanwhile, homeless numbers continue to rise.

If shelters are a costly and ineffective tactic for addressing homelessness, sweeps are even worse.

In Stanislaus County, sweeps can cost tens of thousands of dollars and seldom move homeless people more than half a mile away. Sometimes, people begin trickling back to a recently cleared area within a day or two.

“‘They’ll be back in a couple of weeks,’” said one observer at a recent sweep near Modesto’s Briggsmore Avenue.

“Couple of weeks?” said another. “More like a couple of days.”

Ultimately, the inability of state and local governments to address homelessness is the result of several factors, not least among them failures to comprehend the consequences of broken systems of care, rising housing costs coupled with stagnant incomes, and the punishing effects of extreme poverty on people’s brains and bodies.

Too often, instead of treating homelessness like an emergency, politicians would rather argue about causes. Stanislaus County’s “Focus on Prevention” program, for example, was never intended to get people off the streets; rather, it was seen as a way to reduce costs associated with extreme poverty.

“Homelessness won’t end until we get at the root causes,” said Stanislaus County Supervisor Terry Withrow recently, in what amounted to an admission of defeat in dealing with the rising tide of people on the streets. Stanislaus County’s 2021 homeless count of almost 3,000 people was 40% more than in 2020.

Withrow’s position isn’t unusual, but it’s a futile approach to an ever-growing problem. Debating the “root causes” of homelessness is like bailing rising floodwaters into a sieve while arguing about whether they were caused by heavy rain or melting snow.

Homelessness is an emergency. Emergency room doctors don’t waste time asking why someone is bleeding out. Their first priority is to stop the bleeding.

Like the budget for the state of California, Stanislaus County’s budget features a healthy reserve. This year’s General Fund registered $411.8 million with a reserve of over $254 million. Funding for the construction and maintenance of the low-barrier shelter came through federal and state money. Stanislaus County didn’t contribute.

My New Year’s Wish List

By FRANK PLOOF

My wish list is pretty big but achievable when our communities of Love Modesto, Great Neighbors, and No Others decide to take up a challenge.

The challenge for 2022 and beyond is to ensure that none of our fellow neighbors ever have to live without the basics of shelter and health care.

But don’t we have services?

Yes, we have mental health programs, but they aren’t adequate when we have a current unfulfilled need to house and support 300 unsheltered SMI clients.

Yes, we have drug treatment programs but they aren’t adequate when a maximum stay is 90 days and many need 2 years to change their lives. Always keep in mind that for many, after the 90 day stay comes a return to homelessness.

Yes, we have housing but are thousands of units short, including for families, and new inventory happens at a snail’s pace.

Yes, we have jobs but many folks don’t have the skills to obtain them nor ability to learn many of the new high-tech skills required.

Yes, we have support services but all are short-staffed, especially clinicians, technicians, and psychiatrists.

With all these deficits, how can the community help?

• Work with your church and explore options such as using excess land for transitional shelter and housing. Maybe establish or expand homeless ministries.

• Know who your elected representatives are at all levels and discuss the above resource issues with them. Encourage them to take the lead in securing resources.

• Volunteer. There are many areas to become involved where you can make a difference.

• Donate your extra stuff to homeless folks who are fortunate enough to get housing but that is usually lacking all the things that make it a livable home such as a refrigerator, bed, table, and chairs, etc.

• At a minimum, address homeless folks with a “Hello” wherever you encounter them. Treat all people with respect.

• Invite homeless folks to community events. Make them feel welcome.

Let’s make 2022 the year our community came together in unity to ensure the least of us was lifted up to be one of us. There are no others.

Getting into Good Trouble together!
California Arts Council Seeks Recommendations for State Poet Laureate

SACRAMENTO, CA – The California Arts Council (CAC) announced today that the nomination and application process for the next California Poet Laureate is now open.

Poets may self-nominate or be nominated by experts in the field of literature. For detailed instructions on how to apply, visit capoetlaureate.org. The submission deadline is January 28, 2022.

“The role of the California Poet Laureate is to spread the art of poetry across the state, to inspire an emerging generation of literary artists, and to educate all Californians about the many poets and authors who have influenced California creative literary expression,” said Anne Bown-Crawford, executive director of the California Arts Council.

Aileen Jaffa Memorial Youth Poetry Contest is Open for Submissions

By LYNN M. HANSEN, Contest Chair: National League of American Pen Women & MoSt Poetry Center

In October of 1982 the Poets’ Corner Chapter of the California Federation of Chaparral Poets received its charter and became known as the “poetry center” of the San Joaquin region, later renamed as The Poets of the San Joaquin. Among the charter members was Aileen Jaffa, poet, artist, sculptor and retired agricultural reference librarian at UC Berkeley for 34 years. Author of over 3,000 poems, in 1984 she was the President of the Poets of the San Joaquin, past President of the Piedmont/Oakland Branch of the National League of American Pen Women and prolific writer.

Aileen Jaffa is said to have composed her first poem at age 2 years, nine months, and her mother wrote it down. It is in this spirit of encouraging young writers and to remember poet Aileen Jaffa, the Modesto/Stanislaus Poetry Center in collaboration with the National Association of American Pen Women (NLAPW), Modesto Chapter, sponsors a youth poetry Contest, The Aileen Jaffa Young Poets Contest, each spring.

Guidelines

To participate, youth must be enrolled in a Stanislaus County school Grades K through 12. There is a $1 entry fee for each poem, up to three submissions, submitted.

Poems will be judged by adult poets who are knowledgeable about young people’s work. Any poem that shows evidence of plagiarism will be disqualified. Poems may be in any style, but no longer than 24 lines. No simultaneous submissions of poems to Poets’ Corner or other contests. Two copies of each poem must be submitted: one copy should contain the title and poem, but no identification of the author; the other copy should contain the student’s name and a copy of the entry form below, and the $1 entry fee.

Poems submitted will be placed in categories according to the student’s year in school: 1. Grades K-3; 2. Grades 4-6; 3. Grades 7-9; 4. Grades 10-12.

First, Second and Third place winners in each category will receive cash awards from the contest sponsors. Prizes are First place $25, Second Place $15, Third Place $10. In addition, the Modesto Chapter of NLAPW will award a $60 Aileen Jaffa Outstanding Poem award in each of two combined categories: Categories 1 and 2, and categories 3 and 4.

The deadline for submissions is April 4, 2022. Winners of the contest are invited to present their work at the Carnegie Arts Center, 250 N Broadway, Turlock at 2 p.m. Sunday, May 22, 2022.

Complete the form below and attach to each poem. Submit entries by mail to MoSt Poetry, P.O. Box 578940, Modesto, California 95357 For more information, contact info@mostpoetry.org

Homeless

Given the abundance of open space and available funding for “safe ground” encampments, Stanislaus County’s failures to stem the rising tide of homelessness are less defensible than San Francisco’s, where almost every square foot is occupied and astronomically expensive. Nonetheless, both places suffer from failures of state and local government to address problems that have been shuffled off onto residents and businesses in what amounts to a form of regressive taxation.

Homelessness isn’t a partisan issue, nor will it go away as the result of debates about “root causes” or arguments about politics and politicians. Things will change for the better only when homeless people are recognized as fellow members of our communities who need care, compassion, and a place to rest. That recognition won’t come from political leaders who long ago abandoned the poor and working people in order to serve wealth and power.

Meanwhile, the burdens of deprecating property values, lost business, and declining quality of life will be borne by citizens who are already becoming inured to bodies on our sidewalks, tents in our parks and along our freeways, and a rising crescendo of agony from fellow Americans with nowhere to go.
Southside Modesto, Age 8
(Slightly modeled after a poem by Luis Omar Salinas, “Mexico, Age Four.”)

I’m at my tia’s house
where the roads are dirt
and the pickup trucks
are parked at
aimless
angles

we used to be my tia’s neighbors
but my cousins got into gangs
and as soon as my brothers
graffitied a house
our dad moved us out

II.
we’re just visiting
me, my cousins
and my siblings
melt into the couch
in the 90s
there wasn’t much to do
besides talk
but
there are silences
punctuated by
metal fan blades
carving the hot air
and my cousins using
Spanish words
my parents
didn’t say

Antonio Aguilar con la banda, on tape
plays on the boombox
out in the yard
where our parents
are talking
loudly

III.
my cousins want to go
to the liquor store
on the corner
but I am afraid of dogs
I am afraid of most everything
at this age

I would often pray
before leaving my house
and cross myself for protection
because if Jesus was there for anything,
it was to save me from
the stray, wayward
dogs
of the Southside

IV.
we make it halfway down
the street when
three rottweilers
start to chase us

we scream
and begin to run
when the booming voice
of an adult and the reckoning
snap of a shotgun warning
comes from a house nearby
as the dogs scatter

V.
I learn
from my prayers
that there are always
men
adorned by long robes
and prismatic sunlight
with shotguns
in the ghetto
to protect us

Practice in F Major
I’ve been playing scales
&
learning to hold the bow
with o u t
dropping the song, or
losing the beat.

“How can I keep the rhythm
without escaping it
through my body?
I am funneled
to music
(if music were the long in my want)
I memorize each measure,
one at a time.
Play, replay, replay,
cry covered in sweat.

“You’ve been in that practice room
H O W long??”
I’ll come out, and play my
s o l o,
No, I mean
our duet, no
I mean,
life is an ensemble
I’ve built callouses for.

The Wrong Cave
I’ve traveled into the wrong darkened cave.
Thought I had the grit to grind
through the sediments. Found my fist was
full of stars and I was without night sky.

I really dove in. I really thought I could
make the trek, thought I could maneuver
the corridors, eroded by someone else’s
footsteps.

I really denied the stars battling inside me.
Fighting to crawl out of my throat.
Swallowed them like so much vomit.
Anything but that outburst. Couldn’t
have stardust on my shirt, couldn’t feel
the heat, couldn’t taste the longitude,
couldn’t stand the silence.

A hurried thing inside me, a frightened yelp.
I belonged to the sky when I was so
desperately
trying to grow fins.
Selected Programs on KCBP 95.5 FM, The Voice of the Valley or streaming on www.kcbpradio.org

PSAs in English and Spanish broadcast multiple times a day about Covid-19 vaccination, produced by the West Modesto Community Collaborative.

NEW PROGRAMS:
- The Not Old – Better Show - fascinating, high-energy program of big-name guests, inspiring role models, interesting topics, with entertaining host, Paul Vogelzang – Fridays, 2:00pm
- Mars Radio – Hip-Hop Show - Music, interviews from local & regional artists - Fridays, 8:00pm
- Bucks Stallion's Radio Transmission Emporium - Cyber Music - Sundays, 1am
- I'll Take You There - A musical journey with Modesto’s El Comandante - Saturday, 5:00pm; Sundays, 9:00pm. October program focused on Hispanic Heritage Month
- Down on the Farm - topics important for our San Joaquin agriculture with Madera organic farmer, Tom Willey - Saturdays, 6am & 8pm

LOCALLY PRODUCED PROGRAMS: AREA 5150 UFO RADIO – Saturday night at Midnight.
- KeeHive - LaKiesha McDonald talks with men and women who have overcome great odds. Mondays & Wednesdays, 7:00am
- I-On-Modeso - John Griffin interviews local people who reveal their inspiring stories. Mondays & Fridays, 10 am and Wednesdays at 9 pm.

Donate Your Vehicle to KCBP Radio: It’s a Win-Win Solution

Have you considered donating a vehicle to KCBP Radio? Not only will you cruise past the hassles altogether, but you’ll make a lasting impact.
1. It’s easy and the pick-up is free!
2. The proceeds from the sale of your vehicle will help us continue to provide community programs to you!
3. Donating saves time and money on repairs and maintenance.
4. Donating beats the hassles and worries of selling.
5. Our Vehicle Donation Support Team is here to guide you every step of the way.
6. We help you take care of the paperwork and provide you with any necessary tax documents. Vehicle donations are tax-deductible.
To donate, call (855) 500-7433, or submit the secure online form at https://careasy.org/KCBP. We accept all types of vehicles that meet the following basic requirements: Vehicle has a clear title, is in one piece, is accessible for safe towing, does not need to be running.

Arts of the San Joaquin Valley with Linda Scheller - Mondays, 8:00pm; Tuesdays 9:00 am & Wednesdays 8:00 pm. Listen here: https://anchor.fm/kcbp and on Spotify
- Women of the Valley with Linda Scheller and Leah Hassett - 8:00pm Tuesdays & Thursdays & Wednesdays, 9:00am. Listen here: https://anchor.fm/kcbpwot and on Spotify.
- The Peril and the Promise with Pegasus - Wednesdays, 9:30 pm; Saturdays, 2:30 pm; Listen here also: https://anchor.fm/kcbp-peril.
- Where We Were - Fascinating local history with Felton Daniels. Monday & Thursdays 9am. Friday 8:30 pm; Sunday at 11:00am & 4:30 pm.

Local Music Programs
- Modesto Area Music Awards (MAMA) with Middagh Goodwin – Mondays 5:00pm; Fridays 9:00pm & Saturdays 6:00pm.
- Freak Radio with Christian E. Boyett, 6pm Thursdays. Replays Saturdays, 9pm & Tuesdays 11pm.
- This is SKA with Middagh Goodwin - Tuesdays, 9 pm; Fridays, 11pm; Sundays, 6 am.

What Can Congress Do

Jefferson, who was then the US envoy to France and living in Paris, assuring him he was taking “lengthy notes” but couldn’t fill his mentor in on the details because he was still under the mortification of being restrained from disclosing any part of their proceedings.”

In fact, those notes taken during the Convention wouldn’t see publication for another roughly 50 years, after all the men in the Hall were dead, a concession to numerous delegates who’d essentially sold out their wealthy acquaintances by ensuring a republican democracy or allowing slavery to continue (there were compromises on both sides, some of which, like the electoral college and setup of the 2-votes-only-regardless-of-population Senate, cripple us to this day).

Before them for debate that day was proposed constitutional language: “That a republican constitution and its existing laws ought to be guarantied to each state by the United States.”

An immediate objection came up from both New York’s Gouverneur Morris and New Jersey’s William Houston, because that language would allow the new states to keep laws that some delegates thought weren’t “republican” in nature.

Morris, in particular, was an outspoken abolitionist and (from the left) wanted slavery phased out, and also opposed (from the right) laws like the one Rhode Island’s legislature was then debating that would have equalized all wealth in that state every 13 years. That “Jubilee” idea was a prescription for debt peonage.

The judgement of history weighed on Morris. Madison later recounted that, “He came here as a representative of the whole human race; for the whole human race will be affected by the proceedings of this Convention.”

Thus it was no surprise when Morris rose to object that the proposed language could keep terrible state laws in place. “Mr. GOVERNEUR MORRIS thought the resolution very objectionable,” Madison wrote. “He should be very unwilling that such laws as exist in Rhode Island should be guarantied.”

New Jersey’s William Houston, a mathematics professor and abolitionist who served as a Captain in Washington’s army, concurred — although he was more concerned with not wanting to encourage laws that maintained slavery and debt peonage.

“Mr. HOUSTON,” Madison noted, “was afraid of perpetuating the existing constitutions of the states. That of Georgia was a very bad one, and he hoped would be revised and amended.”

At which point several men rose to point out they were debating the power of the federal government to “guarantee a Republican Form of Government” to all the states — but what if power-hungry people in a particular state were to rise up in rebellion and seize control of that state’s government, thus ending statewide republicanism and creating a minor dictatorship or cult?

And then, what if that state then threatened other states’ ability to have a government reflecting the will of the people? Or tried to take them over either by corrupting them from within or invasion? (This was not an idle fear: both happened just 74 years later in 1861.)

Massachusetts’ Nathaniel Gorham was particularly outspoken about this, given how there had been attempts by
What Can Congress Do from page 10

both rich landowners and Pilgrim clergy in his state over the past century to turn the state into a dictatorial theocracy (leading Roger Williams to flee and split off Rhode Island in the 1670s).

If such a thing were to happen again and succeed, Gorham wondered, shouldn’t the federal government have the power to intervene so it could guarantee the states around Massachusetts and its residents a republican form of government where those with political power had to answer to “the people” rather than just the clergy or the rich? What if a wealthy oligarch declared himself a monarch?

“Mr. GORHAM thought it strange that a rebellion should be known to exist in the empire,” Madison wrote, “and the general government should be restrained from interposing to subdue it. At this rate, an enterprising citizen might erect the standard of monarchy in a particular state; might gather together partisans from all quarters; might extend his views from state to state, and threaten to establish a tyranny over the whole,—and the general government be compelled to remain an inactive witness of its own destruction.” [emphasis added]

In response, Pennsylvania’s James Wilson, a scholar of Greek democracy and an abolitionist, suggested different language for the Fourth Section of the Constitution’s Fourth Article:

“[T]hat a republican form of government shall be guaranteed to each state; and that each state shall be protected against foreign and domestic violence.”

That did the trick.

“This seeming to be well received,” Madison noted, “Mr. MADISON and Mr. RANDOLPH withdrew their propositions, and, on the question for agreeing to Mr. Wilson’s motion, it passed, nem. con.” The convention then adjourned for the day and Madison went home to write his letter to Jefferson.

That day’s debate is what gave us Section 4 of Article IV of the Constitution:

“The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.”

It’s an amazing sentence, that could be as sweeping in its power as the Commerce Clause (which JFK and LBJ used to force integration of the South) but has never really been used in any meaningful way since it was written on that hot summer day in 1787.

The first time this “Guarantee Clause” came before the Supreme Court, slavery was the law of the land and Chief Justice Roger Taney, a former slaveholder, was determined to keep it that way by bottling up that Clause’s power.

Seven years before he tried to cement slavery into the law with his Dred Scott decision, Taney ruled in Luther v Borden (1849) that his Supreme Court would never be allowed to interfere with state’s rights on the basis of the Guarantee Clause.

“Under this article of the Constitution,” Taney wrote, “it rests with Congress to decide what government is the established one in a state.”

In other words, Taney said: The definition of what a ‘Republican Form of Government’ actually means isn’t yet laid out in the law or previous interpretations of the Constitution: therefore, it’s politics. And politics is the prov-

ince of Congress, not the Supreme Court, which must limit itself to law.

On that foundation, later Supreme Courts repeated Taney’s assertion that the question was political and not one to be decided by the courts: instead it was up to the politicians in Congress if they were going to “guarantee a Republican Form of Government” to — or within — any particular state at any point in the future.

Taney was quoted “lucidly and cogently” in (1912) and Chief Justice John Roberts noted in 2019 that, “This Court has several times concluded that the Guarantee Clause does not provide the basis for a justiciable claim.”

Thus, to this day, it’s up to Congress, not the Court, to decide what a “Republican Form of Government” is and how Congress will guarantee it to and/or within every state.

Which brings us to today, and how Congress can end partisan gerrymanders, dial back the power of money in politics, and guarantee the right of every American citizen to vote without undue difficulty.

The opening of the Freedom To Vote Act lays it out clearly: “Congress also finds that it has both the authority and responsibility, as the legislative body for the United States, to fulfill the promise of article IV, section 4, of the Constitution, which states: ‘The United States shall guarantee to every State in this Union a “Republican Form of Government.”’” [emphasis added]

The proposed law even notes as justification for its existence how the Supreme Court has dropped — or laid down — the ball and therefore Congress must pick it up:

“Congress finds that its authority and responsibility to enforce the Guarantee Clause is clear given that Federal courts have not enforced this clause because they understood that its enforcement is committed to Congress by the Constitution.”

The Freedom To Vote Act ensures a “Republican Form of Government” in America by providing:

• Automatic voter registration and online registration for 16 year olds who will be 18 and thus eligible to vote in the next election
• Same day voter registration nationwide
• Ends partisan gerrymandering
• Limits campaign contributions to a maximum of $10,000
• Criminalizes “pass through” groups to get around campaign finance laws
• Requires companies to fully and rapidly disclose all election spending over $10,000
• Requires all websites (like Facebook) with more than 50 million users to create a publicly available and publicly searchable archive of political ads
• Brings web-based election expenditures under the same disclosure rules as TV
• Makes it a federal crime to prevent a person from registering to vote
• Requires 14 consecutive days for early voting, at least 10 hours each day
• Requires easy access to polling places for rural and college campus voters, and easy access to voting for all voters by public transportation
• Guarantees that all voters, nationwide, can vote by mail with no excuses necessary
• Guarantees that all voters can put themselves on a permanent vote-by-mail list and automatically receive a ballot in the mail
• Requires states to give voters the ability to track their mail-in ballots to be sure they’re counted or contest any challenge to their ballot
• Forbids states from forcing mail-in voters to have their ballots witnessed, notarized or jump through other onerous hoops
• Requires secured and clearly labeled ballot drop boxes in all jurisdictions
• Requires the Post Office to process all ballots on the day they’re dropped off and without postage
• Requires states to keep voting lines shorter than 30 minutes in all cases and places
• Allows people waiting in line to vote to receive food or water from others
• Gives the right to vote to all felons who have served their sentences, in all states
• Prohibits voter “caging” where failure to return a postcard gets you purged
• Prohibits states from deleting voters from the rolls because they haven’t recently voted
• Empowers voters to sue in federal court any state or local officials who interfere with their right to vote
• Criminalizes intimidating, threatening or coercing any election official or election worker
• Requires federal prosecution of anybody who tries to harm or undermine public officials by doxxing the personal information of an election worker or their immediate family
• Makes it a federal crime to publish or distribute false information about elections (when, where, etc.)
• Increases federal penalties for voter intimidation or otherwise interfering with your absolute right to vote
• Keeps partisan “poll watchers” at least 8 feet from voters in all circumstances, including while voting
• Requires paper ballots in all cases and all elections (there are exceptions for disabled voters)
• Requires post-election audits
• Provides criminal penalties for any candidate or campaign that fails to fully and immediately report any interactions with foreign governments
• Gives lower income individuals $25 they can use to give to candidates in $5 or more increments

The Freedom To Vote Act is more urgently needed with every passing day, as multiple Republican-controlled states openly (and ironically) tear down actual “republican principles” of representative government by continuing to pass laws that pre-rig election outcomes.

Some have even gone so far as to introduce laws that authorize their legislatures to ignore or reject votes they don’t like, in anticipation of the 2024 election.

Passing this law must now be the Senate’s first priority because, “It’s a republic, ma’am, if you can keep it.”

This article was produced by Economy for All, a project of the Independent Media Institute.
MODESTO LIFE CENTER ACTIVITIES

MODESTO Peace Life Center VIGILS: SUSPENDED, held THE FIRST WEDNESDAY of the month at McHenry Ave. and J. St. (Five points), 4:00-5:00 pm. Call the Center for info: 529-5750.

MEDIA: Listen to KCBP 95.5 FM Community Radio, the “Voice of the Valley” also streaming at http://www.KCBPradio.org

PEACE LIFE CENTER BOARD MEETING, FIRST Thursdays, 829 13th St., Modesto, 6:30 pm, 529-5750. Meetings on Zoom. Email Jim Costello for login information, jcostello@igc.org

PEACE/LIFE CENTER MODESTO, 829 13th St. Call 529-5750. We’ll get back to you with current info on activities. NOTE THE CENTER’S NEW ADDRESS.

Pagan Community Meeting, 1st Thursdays, Cafe’ Amore, 3025 McHenry Ave, Suite S, Modesto, 8 pm. Info: 569-0816. All newcomers, pagan-curious and pagan-friendly welcome.

FRIDAYS

OUT on a Friday Night, a social and discussion group designed for individuals who identify as transgender, Non-Binary, or any identity on the trans gender spectrum. Every Friday at 6:00pm at the Central California LGBTQ+ Collaborative 1202 H St., Suite D, Modesto CA. (Ages +18). Contact Katrina Zambrano: 209-412-5436.

Overcoming Depression: small group for men & women. Every Friday, 7:15 pm. Contact Central Pride Community Church, 17900 Comconex Rd, Manteca, CA 95336, (209) 825-1220.

Friday Morning Funstrummers Band Rehearsal. Donation 9:15 am to Noon. College Avenue United Church of Christ, 1341 College Ave., Modesto. 7 – 9 pm. Safe, friendly, confidential. This is a secular, non-religious group. Info: call 524-0983.

Transgender Support Group. 2nd & 4th Wed., 7:30 to 9 pm. Info: (209) 338-0855. Email info@stapanpride.org, or tgsupport@stapanpride.org

Mindful Meditation: Modesto Almond Blossom Sangha, 7 – 9 pm. Info: Anne, 521-6977.

THURSDAYS

Can We Talk... LGBTQ+ Senior (age +55) Coffee Meet up! Every Thursday @ 1pm at Queen Bean, 1126 14th St., Modesto. weekly social group to provide connectedness and community inclusion for LGBTQ+ Senior Citizens. Refreshments, snacks provided. Contact Steven Cullen, 559-799-0646.

CA10 Progressive Coalition Monthly Meeting, third Thursdays. Inclusive group of progressive activists to share resources, ideas, and information in order to support all the great organizing work happening in the Valley? Feel free to invite trusted allies. Meetings are 5:30 pm-6:30 pm. Meeting: 6:30 pm-8:00 pm. Follow up group on Facebook. Info: Tim Robinson, tim@nivf.org

Laughter Yoga. Every other Thursday at The Bird’s Nest, 322 10th St., Modesto. The dates are February 27 & 21st, 4th & 8th, May 2nd & 16th. 5:30pm-6:30pm. $15.00 per class. To register, call or text Nicole, 209-765-8006 or visit www.nicolecotton.com

Attention Veterans: Join us for Free Coffee & Donuts Meet & Greet at the Stanislaus Veterans Center, 3500 Coffee Rd., Modesto, Suite 15, 7 am – 11 am

Saturn, 2nd & 4th Fridays at noon, 1314 G St. Contact board@gaycentralvalley.org – 1744 G St. Suite H, Merced, 559-273-4027.

Volunteers, on site activities, and the information and resources available in our Center. Resumes in the fall. Join us in a safe and judgment free environment where you can give and receive support for the many issues that we all face every day. We discuss what is happening in our lives and support one another and the Divine among us and within us. 3rd Thursday of each month at McHenry Ave. and J. St. (Five points), 4:00-5:00 pm. Call the Center for info: 529-5750.

12-Step Buddhist Meeting starts with a 30-minute meditation and then open discussion. Held monthly every second Saturday, 4:30 to 6:00 pm, 2171 Kieran Ave., Modesto at the UUCF in Sarana (small building, rear of the east parking lot). Freely-offered donations welcome. Information: 209 606 7214.

Free Community Drum Circle every third Saturday, 3 pm, Deva Café, 120 J St., Modesto. No experience necessary to participate. All levels welcome. https://drum-love.com/

Refuge Recovery - A Buddhist Approach to Recovery from Addiction. @Friends Coming of Age, 1203 Tully Rd., Ste. B., Modesto. Saturdays 8-9 am. FREE (donations accepted). Info: refugeandrecovery@gmail.com

Divine Feminine Gathering. Join us for a time of ritual, song and conversation as women come together to celebrate one another and the Divine among us and within us. 3rd Saturday of each month, 2:30 to 5:00 pm. Contact Christine Vincent, 209.505.2863.

So Easy – So Good: Vegetarian/Vegan/Wannabe Group. Potluck, guest speakers, field trips, activist activities, movie nights, etc. Third Saturday of every month. Info: Kathy Haynes (209) 250-9961 or email kathyhaynesSESIG@gmail.com

SATURDAY

New HIV support group: NEP Peer Support Group meets at the LGBTQ+ Advocacy Center, every 1st and 3rd Saturday of the month from 12-1pm. Focuses on supporting individuals with their struggles regarding HIV and AIDS. Providing information about community resources promoting wellness with an emphasis on LIVING! Central California LGBTQ+ Collaborative, 1202 H St., Suite D, Modesto.

12-Step/Buddhist Meeting starts with a 30-minute meditation and then open discussion. Held monthly every second Saturday, 4:30 to 6:00 pm, 2171 Kieran Ave., Modesto at the UUCF in Sarana (small building, rear of the east parking lot). Freely-offered donations welcome. Information: 209 606 7214.

Free Community Drum Circle every third Saturday, 3 pm, Deva Café, 120 J St., Modesto. No experience necessary to participate. All levels welcome. https://drum-love.com/

Refuge Recovery - A Buddhist Approach to Recovery from Addiction. @Friends Coming of Age, 1203 Tully Rd., Ste. B., Modesto. Saturdays 8-9 am. FREE (donations accepted). Info: refugeandrecovery@gmail.com

Divine Feminine Gathering. Join us for a time of ritual, song and conversation as women come together to celebrate one another and the Divine among us and within us. 3rd Saturday of each month, 2:30 to 5:00 pm. Contact Christine Vincent, 209.505.2863.

So Easy – So Good: Vegetarian/Vegan/Wannabe Group. Potluck, guest speakers, field trips, activist activities, movie nights, etc. Third Saturday of every month. Info: Kathy Haynes (209) 250-9961 or email kathyhaynesSESIG@gmail.com

DEADLINE to submit articles to CONNECTIONS: Tenth of each month.

Submit peace, justice, environmental event notices to Jim Costello, jcostello@igc.org

Free Calendar listings subject to space and editing.