

NSA

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program.’ The reason that he and many others have these doubts is that the executive branch’s claims about this program’s effectiveness are now crumbling under public scrutiny. Protecting the country from terrorism is obviously vitally important but the government can do this without collecting the phone records of massive numbers of law-abiding men, women and children.”

Judges Disagree on Privacy

Stephen Vladeck, a national security law expert at the American University law school said the ruling challenges the prevailing view in intelligence circles.

“This is the opening salvo in a very long story, but it’s important symbolically in dispelling the invincibility of the metadata pro-

gram,” he said. Vladeck said 15 judges on the Foreign Intelligence Surveillance Court have examined Section 215 of the USA Patriot Act, the provision of law under which the data collection takes place, without finding constitutional problems. “There’s a disconnect

between the 15 judges on the FISA court who seem to think it’s a no-brainer that Section 215 is constitutional, and Judge Leon, who seems to think otherwise.” Vladeck said there is a long road of court tests ahead for both sides in this dispute and said a higher court ultimately could avoid ruling on the big constitutional issue identified by Leon. “There are five or six different issues in these cases,” Vladeck said.

Will Decision be Overturned?

Robert F. Turner, a professor at the University of Virginia’s Center for National Security Law, predicted Leon’s decision was highly likely to be reversed on appeal.

He said the collection of telephone metadata — the issue in Monday’s ruling — already has been addressed and resolved by the Supreme Court.

In his ruling, Leon granted a preliminary injunction against the collecting of the phone records of two men who had challenged the program, and said any such records for the men should be destroyed. The plaintiffs are Larry Klayman, a conservative lawyer, and Charles

Strange, the father of a cryptologist technician who was killed in Afghanistan when his helicopter was shot down in 2011. The son worked for the NSA and support personnel for Navy SEAL Team VI.

Leon, an appointee of President George W. Bush, ruled that the two men “have a

Wyden: Bulk phone records collection is intrusive digital surveillance and not simply inoffensive data collection

Music

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want Thara here for five years – and I’d rather have 10 or 15 years.

“These kids really deserve to have music here all the time,” Berg says. “Our student body is 90 percent eligible for free and reduced school lunches. Parents don’t have the money to spend on private lessons.”

Memory says he is on a mission to bring back musical education to children in Northeast Portland.

“They’ve had no musical education for 30 years,” he says. “They don’t get the chance to work for success. I want to wake people up so we can change this.”

A trumpeter, composer, conductor and teacher, Memory grew up in Florida. He arrived in Portland in 1970, before gentrification and when Northeast Portland was a thriving musical neighborhood.

“I was on tour with the Joe Tex band, skinny legs and all,” he says. “Portland was really beautiful and the Black community here was exceptionally beautiful in those days.” Memory was impressed that African Americans were living in old three-storey mansions with columns and gracious porches.

“I’d just come out of Watts, which looked

GED Graduation



PHOTO BY SUSAN FRIED

Tony Simmons cuddled up with Rojo the Therapy Llama Dec. 11, at a celebration for 20 students who graduated with their GED this month. Rojo visited the Londer Learning Center, which has coordinated a push to help people earn their GED this year. The GED course has been privatized and will change, starting Jan 1 2014, meaning that students who need to earn a GED will face a new set of hurdles.

substantial likelihood of showing” that their privacy interests outweigh the government’s interest in collecting the data “and therefore the NSA’s bulk collection program is indeed an unreasonable search under the Constitution’s Fourth Amendment.”

“I have little doubt that the author of our Constitution, James Madison, who cau-

tioned us to beware ‘the abridgment of freedom of the people by gradual and silent encroachments by those in power,’ would be aghast,” he declared.

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Mandela

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ate professor of history at the University of California, Santa Cruz. Anthony was a history professor at the University of Oregon in the mid-1980s, where he served as faculty advisor for the students’ Free South Africa Movement.

We spoke with him about Mandela’s life, South Africa today, and the Pacific Northwest’s role in ending Apartheid.

The Skanner News: Why is Nelson Mandela’s legacy so important? And is there something we’re missing in all these retrospectives on his life?

David Anthony: I think right now there is a high level of amnesia on how Mandela was regarded, especially in political circles in this country, in Britain, and in a number of other Western countries.

That is to say that many of the people who now embrace him at the end of his life as a great champion of democracy, saw him as a threat, saw him as anti-democratic, saw him as a terrorist, saw him as a communist, and tried to block him. They blocked Mandela and the African National Congress and all

the people who were part of the mass democratic movement from making progressive change, from bringing democracy to South Africa for decades.

That’s one thing that I think is very, very important.

Another thing that I think is really important is that while it’s understandable that we focus on Mandela as an individual — because he was a great person — it’s also important to keep in mind that he was part of a movement just like Dr. King. He became one of its most public faces, but he was always part of something greater than himself as an individual.

Mandela would say this, he said it at a number of public gatherings, he said it in the runup to elections in South Africa when he was released in 1990 and preparing for elections in 1994. He always described himself as a disciplined member of the African National Congress — which is not to diminish his stature and his tremendous influence within and beyond South Africa.

In fact he and all the people that he worked with — including the people he was incarcerated with on Robben Island, people

like Walter Sisulu — all saw themselves as part of a movement. This is more than just hero worship, this is more than just individuals. It is a matter of people coming together as a collective to bring about democratic change for the benefit of the social majority. Does that make sense?

TSN: Yes it does. That brings us to the current political reality in South Africa. I am surprised that so many people are outraged by Paris Hilton’s tweet confusing Nelson Mandela with Martin Luther King — she may have been joking, spoofing her own reputation, people are debating that right now — but I was surprised that so few people seem aware of South Africa’s current political situation. Can you share your take on that?

Anthony: Well it’s hard to talk about succinctly. And I think one of the reasons for that is that it’s a varied and complicated place.

I think that people sometimes expect someone like Mandela to “fix” South Africa. And no one person, no matter who,

could “fix” South Africa. There’s a lot that had to be dealt with, and in a process of democratization in a society where mass democracy had never existed until 1994 because the social majority was kept out of the political process. You can’t really expect that those kind of changes you seek could be made easily and certainly not overnight.

When the ANC transitioned from a liberation movement to a political party it contained all kinds of people who had different kinds of expertise and some people who didn’t necessarily have a lot of expertise but who were very loyal party members.

All of those people have some role to play — but they don’t necessarily all bring the same kind of foresight, the same ability to whatever they are asked to do. Just like in this country, people who have been political leaders — you have outstanding people and you have mediocre people. In the same way you’ve got that in South Africa.

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