

Mass Dissent

Massachusetts Chapter

National Lawyers Guild

14 Beacon St., Boston, MA 02108

November 2013

www.nlgmass.org

Vol. 36, No. 7

In This Edition

Guild News

page 3

NLG Student Party

page 4

A Siren Song for Lebanon

page 5

Law Professors Oppose Military Intervention in Syria

page 6

Punishing SJP at Northeastern

page 7

The New McCarthyism on U.S. Campuses

page 8

NLG Series on "Lockdown: April 19, 2013 & Beyond"

page 9

Letter from a Prisoner

page 11

BOARD MEETING

November 19, 6:00 pm

14 Beacon St., 1st Fl.
Boston

Middle East

This issue of *Mass Dissent* focuses on the Middle East, including problems faced in this country by student activists supporting Palestinian rights. **Maya Mikdashi**, a co-founder of *Jadaliyya Ezine*, writes a sobering article about Sunni/Shi'i sectarian violence in Lebanon, mirroring the violence in Syria and throughout much of the region, from Egypt to Yemen, Bahrain, and Iraq, where our invasion helped get it started. It is important for us to remember our country's role, through its own war machine and Israel's, and Saudi Arabia's responsibility as well.

We also present the **Law Professors' Letter Opposing Military Intervention in Syria**, addressed in early September of this year to President Obama and emphasizing that the core principles of international law precluded the military action contemplated by the administration in Syria. As the letter makes clear, military intervention, even when it may be motivated by humanitarian ideas, usually creates and does not ameliorate civilian suffering. Three of the letter's 56 signers are NLG members.

Next, we present two articles on student activism on Palestine, and the repression it faces in our colleges and universities. **Liz Jackson**, NLG member and Coordinator of the Palestine Solidarity Legal Support Initiative, describes incidents around the country where students speaking out on Palestine face intimidation, claims of anti-Semitism, and administrative sanctions. Clearly, while under attack, the right to speak out on and debate Palestinian rights remains alive at most universities, and we at the NLG are strongly committed to protecting that right.

Max Geller, a law student and activist at Northeastern Law School, writes about Students for Justice in Palestine at Northeastern, and what we see as the blatantly discriminatory treatment the undergraduate SJP has experienced at the hands of an administration that purports to respect and encourage vigorous debate and free speech throughout the university. This discriminatory treatment is unacceptable and we at the NLG are committed to stopping it.

- David Kelston -

**NATIONAL LAWYERS GUILD
Massachusetts Chapter, Inc.**

14 Beacon St., Suite 407
Boston, MA 02108
tel.: 617-227-7335 • fax: 617-227-5495
nlgmass@igc.org • nlgmass-director@igc.org
www.nlgmass.org

BOARD OF DIRECTORS

CHAIRPERSON

David Kelston, Adkins Kelston & Zavez

TREASURERS

Patricia Cantor

Jeff Petrucelly, Petrucelly, Nadler & Norris

MEMBERS

Makis Antzoulatos, CPCS

Beverly Chorbajian, Solo Practitioner

Hillary Farber, UMass Dartmouth

Jeff Feuer, Goldstein & Feuer

Jonathan Messinger, LoveYourLawyer.com

Halim Moris, Moris & O'Shea

Josh Raisler Cohn, CPCS

Elaine Sharp, Solo Practitioner

Carl Williams, CPCS

Stephanie Young, Glickman Turley LLP

LAW STUDENT REPRESENTATIVES

Ray Burke, Boston College

Alexandra Conlon, Boston University

Tasha Kates, Northeastern

Megan MacGillivray, New England

K-Sue Park, Harvard

Amy Willis, Suffolk

STAFF

EXECUTIVE DIRECTOR

Urszula Masny-Latos

LRS COORDINATOR/ADMIN. ASSIST.

Ariel Oshinsky

STREET LAW CLINIC COORDINATOR

KT Crossman

LITIGATION COMMITTEE INTERN

Negar Mortazavi

Mass Dissent (ISSN 0887-8536) is published monthly except January, May, July and August by the National Lawyers Guild, Mass. Chapter, 14 Beacon St., Suite 407, Boston, MA 02108. Second-class postage paid at Boston, MA. POSTMASTER: Send address changes to *Mass Dissent*, NLG, 14 Beacon St., Suite 407, Boston, MA 02108.

Join a Guild Committee

Street Law Clinic Project: The Street Law Clinic project provides workshops for Massachusetts organizations that address legal needs of various communities. Legal education workshops on 4th Amendment Rights (Stop & Search), Landlord/Tenant Disputes, Workers' Rights, Civil Disobedience Defense, Bankruptcy Law, Foreclosure Prevention Law, and Immigration Law are held at community organizations, youth centers, labor unions, shelters, and pre-release centers. If you are a Guild attorney, law student, or legal worker interested in leading a workshop, please contact the project at 617-723-4330 or nlgmass-slc@igc.org.

Lawyer Referral Service Panel (LRS): Members of the panel provide legal services at reasonable rates. Referral Service Committee members: Makis Antzoulatos, Benjamin Dowling, Sebastian Korth, Douglas Lovenberg, and Jonathan Messinger. For more information, contact the LRS Coordinator at 617-227-7008 or nlgmass@igc.org.

Foreclosure Prevention Task Force: Created in June 2008, the Task Force's goal is threefold: (1) advocate for policies that address issues that homeowners and tenants of foreclosed houses face, (2) to provide legal assistance to these homeowners and tenants, *and* (3) to conduct legal clinics for them. If you are interested in working with the Task Force, please call the office at 617-227-7335.

Mass Defense Committee: Consists of two sub-committees: (1) "Legal Observers" (students, lawyers, activists) who are trained to serve as legal observers at political demonstrations *and* (2) "Mass Defense Team" (criminal defense attorneys) who represent activists arrested for political activism. To get involved, please contact the office at 617-227-7335.

Litigation Committee: Established in 2010, the Committee brings civil lawsuits against large institutions (such as government agencies, law enforcement, banks, financial institutions, and/or large corporations) that engage in repressive or predatory actions that affect large numbers of people and that serve to perpetuate social, racial and/or economic injustice or inequality. To get involved, please contact the Guild office.

NLG National Immigration Project: Works to defend and extend the human and civil rights of all immigrants, both documented and undocumented. The Committee works in coalitions with community groups to organize support for immigrant rights in the face of right-wing political attacks. For more information contact the NLG National Immigration Project at 617-227-9727.

NLG Military Law Task Force: Provides legal advice and assistance to those in the military and to others, especially members of the GIRights Hotline, who are counseling military personnel on their rights. It also provides legal support and helps to find local legal referrals when needed. For advice and information, GI's can call 877-447-4487. To get involved, please contact Neil Berman (njberman2@juno.com) or Marguerite Helen (mugsm@mindspring.com).

GUILD NEWS

NLG HAPPY HOUR

You are invited to the “*NLG Presents...*” Happy Hour - an event held quarterly on the **2nd Wednesday of January, April, September, and November**. See below information about the next event and read a report from the last one on page 4. If you have ideas for a presentation or would like to be a speaker, please call the NLG office at 617-227-7335.

APRIL CITY LOCKDOWN

In November, the NLG will begin a **discussion series to analyze and reflect on the last April lockdown of the city** and house searches in Watertown. **See page 9 for more details.**

CODE OF THE WEST

The NLG chapter at New England School of Law will show “**The House I Live In**,” a movie about medical marijuana. The showing will be on **Tuesday, November 5, 4:00-6:00pm**, and it will be followed by a panel discussion with **Barb Dougan** and **Josh Raisler Cohn**.

NLG HOLIDAY PARTY

All NLG members are invited to the NLG Massachusetts Chapter annual Holiday Party. This year’s party will be on **Friday, December 6, from 5:30pm to 9pm**. Once again, we’ll be hosted by our good friends at **Stern Shapiro Weissberg & Garin** (90 Canal St. 5th Floor, Boston). Among the party attractions, we will offer great food, a lot of refreshing beverages, and many wonderful raffle prizes. Raffle tickets (\$10) are for sale now.

Street Law Clinic Report

The following clinics and trainings were conducted for members of Boston area community organizations and agencies:

August 13: *Legal Observing* at an eviction blockade in Roslindale, organized by City Life, by **Makis Anzoulatos, Jeff Feuer, and Lee Goldstein**.

September 12: *Legal Observing* at a protest at the Boston Housing Court, organized by City Life against foreclosures and evictions, by **Jeff Feuer, Stefanie Grindle, and Jonathan Messinger**.

September 19: *Legal Observing* at a protest at the Boston Housing Court, organized by City Life against foreclosures and evictions, by **Jeff Feuer and Lee Goldstein**.

September 29: *Civil Disobedience and Legal Observer* trainings for “Stop Keystone Pipeline” activists in Worcester, by **Beverly Chorbajian and Jeff Feuer**.

NLG Happy Hour

Reporting Back from the NLG National Convention in Puerto Rico

an evening with

MASS. CHAPTER DELEGATION

Wednesday, November 13, 2013

6:00 - 8:00 pm

Red Hat Cafe (9 Bowdoin St., Boston)

Several NLG Massachusetts Chapter members will share their stories and impressions from this year’s NLG National Convention in San Juan, Puerto Rico.

October 5: *Legal Observing* at a protest against Lynn Police department for killing of Denis Reynoso, by Northeastern students **Hannah Adams and Mark McMahon**.

ARTICLES FOR MASS DISSENT

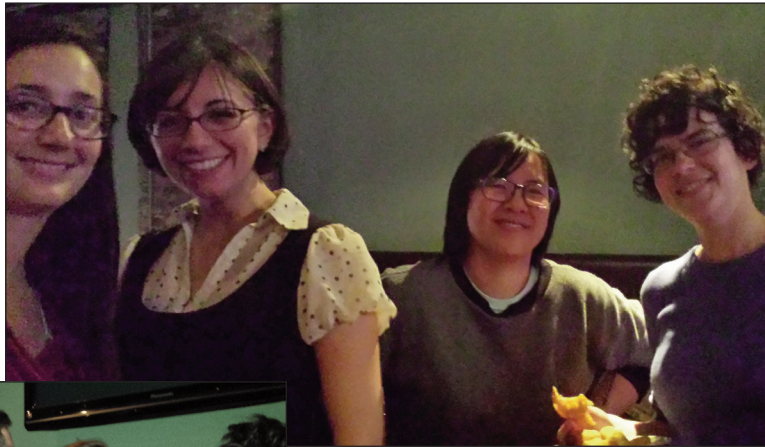
The December issue of *Mass Dissent* will review NLG Massachusetts Chapter in 2013.

If you are interested in submitting an article, essay, analysis, or art work (cartoons, pictures) related to the topic, please e-mail your work to nlgmass-director@igc.org.

The deadline for articles is November 15.

NLG Student Party

In September, we held a Student Party to welcome returning and new NLG students. We gathered at Globe Cafe in Boston, and, over a cocktail and very filling fried potato waffles, students from Northeastern, Suffolk, and Boston University mingled, told summer and law school stories, and shared a laugh.



(Top, l.-r.) Anne Sheldon (Northeastern University School of Law), Jaime Margolis (Boston University School of Law), Amy Willis (Suffolk Law School), and Hannah Adams (Northeastern).



(Left, l.-r.) Northeastern law students Andrew Cohen, Amanda Bradley, and Margaret Laffan.

(Photos by Ariel Oshinsky)

Welcome new Intern and Fellow

We are privileged to welcome in our office two new colleagues. In September, **Negar Mortazavi** started her fellowship with the NLG Litigation Committee and **kt crossman** took over coordination of the NLG Street Law Clinic project.

kt is a student at Northeastern University School of Law and Tufts University, in the process of a JD/MPH program. They are active in queer politics, the Palestinian solidarity movement, restorative justice, and critical legal studies. They self-identify as a queer feminist nerd with a serious caffeine addiction and an equally serious commitment to community organizing.

Negar graduated from Boston University School of Law in May 2013. She completed her undergraduate studies at University of Virginia double majoring in Foreign Affairs and Middle Eastern Studies and minoring in Women and Gender Studies; she aims to pursue a career in the areas of domestic civil rights and/or international human rights.

At some point, you might receive a call or email from Negar or kt to help either with one of the cases the NLG Litigation Committee is working on or to get involved with the Street Law Clinic project. Hope we can count on you and your help.



(l.-r.) Negar Mortazavi & kt crossman

(Photo by Ariel Oshinsky)

A Siren Song For Lebanon

by Maya Mikdashi

This article was originally published on Jadaliyya.com

On Thursday, in mid-August, my friend invited us over for a home cooked meal and a card game (tarnib), combining two of our favorite recreational activities. In preparation, she had gone to one of our favorite dessert stores known for their almond ice cream. Two hours later, a car laden with over sixty kilograms of TNT exploded on the street that she drove home on.

This attack was the first large scale bombing that explicitly targeted civilians since the civil war of 1975-1980. The logic behind the attack was that these residents, shopkeepers, and passersby were not really civilians because they were living, working, walking and driving on a road in a neighborhood that is considered Hizballah "territory." The fact that this is the same logic the Israeli war machine and U.S. war machine relies on under the guise of the War on Terror is not surprising. A similar logic is at play in Egypt today, as it is in Syria and in Iraq.

Lebanon currently has no legitimate government, as the current parliament illegally voted to extend elections until a "better time" that has yet to materialize. The president's term is set to expire and there is no legitimate parliament to either vote in a new president or extend this one's ineffectual term. But, the fact that Lebanon has no government does not mean that there is no Lebanese state. State bureaucracy seems to miraculously sputter along, the judiciary continues to

function, and illegally appointed cabinet members and parliamentarians continue to meet, argue, and issue statements. The security apparatus is firmly in place. The Lebanese state was in action on Thursday night. Fire fighters, civil defense teams, forensic experts and army units quickly arrived on the scene. Across Beirut the Lebanese army deployed in "strategic" areas where Lebanese Sunnis and Lebanese Shi'ites live shoulder to shoulder, street to street, intersection to intersection.

Car bombs have a logic: to kill indiscriminately. But Thursday's killing had a slightly altered logic, to kill those who are supposedly on Hizballah's "side" in the radiating furnace that is today's Syria and also perhaps, on Hizballah's "side" when it comes to the defense of Lebanese civilians and territories from seemingly endless Israeli raids, incursions, occupations, kidnapping and killings.

The video that was released after the attack claimed it spoke the language of heathens and heaven. This is a recently circulating (publicly, at least) lexicon in Lebanon, where Sunni-Shi'i sectarianism has always been less about religion and more about structural, socio-economic and political factors. To put it crudely, the Sunni leadership historically viewed themselves as entitled to the Muslim "share" of power under Lebanon's system of political sectarianism. The post civil war era saw the rise of Shi'i political and economic power, and Sunni leadership has reacted to this change in fortune with an air of entitled defensiveness.

Beginning with the invasion and occupation of Iraq and the

Salafi and Takfiri anti-Shi'i propaganda and funding oozing out of Saudi Arabia and (more recently) Qatar, Sunni sectarianism towards Shi'a in Lebanon took on more prominent religious registers. Start up Salafis and start up Takfiris, funded and protected by Saudi Arabia, became commonplace in Lebanon. After Hizballah wholeheartedly, and publicly began to fight alongside the Asad regime in Syria—a conflict that has itself become colored red by Sunni-Shiite sectarianism and Takfiri groups—inter-Muslim sectarianism took on even more religious overtones in Lebanon.

It has become a cliché to say that Lebanon is standing at the precipice of war. Without a government or hope of one, with a security state that has decided it is the government, with sectarian hatred at its highest since the civil war, growing inflation and unemployment, rampant corruption and cronyism, economic, and sectarian segregation (or attempts at it) cripple a country that is already overrun with guns and drugs and anxiety, grating with xenophobia and sexism and riddled with chronic electricity and water cuts, groaning infrastructure, a criminal and parasitic political class, and a seemingly endless tolerance for stasis. Refugees fleeing violence and displacement and death in Palestine, Syria, Iraq, and Sudan have tried to find peace here, but there is no peace to be found in Lebanon.

Maya Mikdashi is a PhD candidate at Columbia University's Department of Anthropology and a Co-Founder of Jadaliyya Ezine.

Law Professors' Letter Opposing Military Intervention in Syria

September 6, 2013

Dear President Obama, Secretary Kerry and Ambassador Power:

We are a group of immigration and international law professors deeply opposed to military intervention in Syria. Our opposition stems from our conviction that such action would violate international law, complicate the war in Syria, and further endanger the Syrian civilians whose plight is at the center of our collective concerns as teachers, scholars and citizens of the United States and other countries. As international law professors we insist that the laws governing the use of force and the law of armed conflict prohibit the US military campaign proposed by the President and debated in Congress. As immigration professors who represent asylum seekers we sadly anticipate the catastrophic number of new refugees and internally displaced persons who will likely join the millions of their fellow Syrians already displaced in and outside of Syria.

We ask you to change course: to pull back from the proposed military strikes in Syria. The red line drawn by the President is an important one. The use of chemical weapons by the Syrian government and any other actors in Syria is a war crime and a crime against humanity, which demands a response. That response must be through multilateral diplomacy, life-saving humanitarian assistance, non-military sanctions and criminal prosecutions, and not through the use of force.

As you well appreciate, the 1949 Geneva Conventions do not justify U.S. missile strikes in Syria in response to chemical weapons attacks on the civilian population. The humanitarian principle of distinction prohibits the targeting of civilians, but does not sanction the decision to launch a military campaign responding to such attacks. International humanitarian law thus governs the conduct of a military campaign but not its initia-

tion. We know as academics and policy makers alike that the rules governing the initiation of war occur against a backdrop of international law favoring the peaceful resolution of conflict and the provision of life-saving forms of assistance to civilian victims of war. We ask you to honor the UN Charter and the blueprint it provides for the lawful use of force and the protection of human rights and fundamental freedoms.

Whether the contemplated US military intervention is unilateral or multilateral, short-term or sustained, surgical or full court press, sea, air or land-based, the UN Charter must remain our framework and our guide. We know that Article 2(4), the general prohibition against the use of force, is subject to two Charter-based exceptions, the first when the Security Council authorizes force under Chapter VII, and the second when a state or states act in legitimate self-defense under Article 51. But because the US has not been attacked and the use of force has not been authorized by the Security Council, the Charter prohibits US strikes or other military campaigns in Syria.

It has been suggested further that the contemplated US military campaign in Syria is justified by the protection of innocents. We reject this argument as well, on legal, moral and practical grounds. It is indeed claimed that there is a customary exception to the general prohibition against military force, a so-called humanitarian intervention or military campaign calculated to stop widespread attacks on a civilian population, including acts of genocide, other crimes against humanity, and war crimes. While not defined in the UN Charter or codified in treaty form, some scholars maintain that certain interventions are supported by the Charter's central objective to defend human rights and fundamental freedoms. We simply declare that even military interventions motivated to protect civilians require Security Council backing and a realistic assess-

Continued on page 10

Students for Justice in Palestine at Northeastern

by Max Geller

It is false to claim that those who formulate a criticism of the State of Israel are anti-Semitic or, if Jewish, self-hating. Such charges demonize the person who is articulating a critical point of view to disqualify the viewpoint in advance. The NLG has long understood this self-evident tenet, and our recognition has drawn opprobrium of groups like the Anti-Defamation League. The dishonest charge of anti-Semitism, which has gained traction at Northeastern University, refuses to debate the issue, consider the evidence, and derive a sound conclusion on the basis of listening to reason. It is an attack on academic freedom, the lifeblood of the American Academy. It is an attack every NLG member and everyone affiliated with Northeastern should take seriously.

Outside political forces are bullying Northeastern University into taking an increasingly punitive and aggressive stance towards student organizing around Palestine. In July 2013, the Zionist Organization of America (ZOA) wrote a letter to President Aoun, with the intent of highlighting "problems that Jewish students have been facing on your campus." More recently, the ADL has written a similar letter echoing the same outrageous charges. These letters represent a concerted effort by wealthy outsiders to silence speech critical of Israeli policies by demonizing the students and professors who champion Palestinian Human Rights.

What is evident from these letters is that the ZOA and the ADL are intentionally and recklessly conflating legitimate pro-Palestinian speech with anti-

Semitism. The letters weave accounts of actual anti-Semitism, such as the desecration of a Menorah, with legitimate political protest, such the posting of flyers on a public student bulletin board that read "Israel is an Apartheid State." Comparisons between current Israeli policy and policies under South African Apartheid are legitimate political discourse, and have been made by prominent scholars including the South African Archbishop Desmond Tutu and President Jimmy Carter.

It's worth mentioning that ZOA cc-ed on its letter Dr. Robert Shillman, a substantial donor to Northeastern—who is depicted in the life-size bronze statue I pass on campus every day—who, coincidentally, has a fellowship named after him at the ZOA. We worry about what happens when student speech collides with the political interests of wealthy donors.

In 2013, Northeastern Students for Justice in Palestine (SJP) chapter peacefully walked out of a lecture by Israeli soldiers. The students wore signs on their t-shirts reflecting the names and ages of children killed in Israel's assault on Gaza in 2012. The protest lasted no longer than a minute and the event then went on as planned without interruption. For engaging in this walk-out, the SJP chapter has been sanctioned with administrative probation, and required to write a "civility statement", with threats of more severe punishment in the future for similar incidents. The University administration claims, is for "failing to register the protest 7 days in advance" per school policy. The fact that no other student group has ever been sanctioned for violating the demonstration policy, coupled with the threats of future sanc-

tions and the stricter scrutiny the group has subsequently received from administrators, amounts to a deeply troubling chilling of Pro-Palestine speech on campus.

In 2009, two NUSL students founded a chapter of SJP to encourage free and open debate and to educate the NUSL community on important social, cultural, and political issues in Palestine. In April of 2010, the SJP chapter posted materials related to Israeli Apartheid Week, and the bulletin board became a target of vandalism. On two successive nights, it was slashed with a knife and its postings scattered on the floor and in wastebaskets; the group eventually ran out of materials to repost.

Last year, NUSL's SJP chapter made a dozen displays on their duly assigned bulletin board and each time the displays were vandalized. After each incident, law school administrators were notified. The only actions NUSL took was to move all of the student bulletin boards to the darkest corner of the school. Rather than confront members of the community who sought to silence SJP, the school stripped SJP of its ability to communicate at the school.

To combat these bullying efforts, and the school's acquiescence to them, SJP has retained the counsel of the NLG, as well as Mass ACLU. The suppressing of our speech rights serves as a stark reminder as to why the Guild helped launch the Palestine Solidarity Legal Defense Initiative and why the issue of student speech on Palestine needs NLG support.

Max Geller is a second year student at Northeastern School of Law and a member of the NLG.

The New McCarthyism on U.S. Campuses: Repression of Pro-Palestinian Speech Nationwide

by Liz Jackson

Palestine solidarity activists on campus are fighting a steep rise in attempts to silence their activism through legal bullying and intimidation. The Palestine Solidarity Legal Support (www.PalestineLegalSupport.org) initiative has documented and responded to over fifty cases of repression on campus since the beginning of 2013.

As the student movement for Palestinian rights gains momentum, it faces aggressive and heavily funded campaigns to shield Israel from public scrutiny. The repression campaigns are driven by organizations like the Anti-Defamation League, the Zionist Organization of America, StandWithUs, the Amcha Initiative, Americans for Peace and Tolerance, and the Brandeis Center, among others. They demand that universities penalize students and faculty for expressing a view supportive of Palestinian rights or critical of Israeli policies.

The central theme of repression mislabels criticism of Israel as anti-Semitic. In reality, Students for Justice for Palestine (SJP) chapters and the individuals who lead them are deeply committed to ending racism in all forms, including Islamophobia, anti-Arab racism and anti-Semitism. SJP chapters are often multi-racial and multi-religious organizations, including many Jewish members, and engaged in solidarity campaigns with other student groups who share commitments to resisting the legacies of settler-colonialism and state

violence against communities of color.

A major repression tactic to silence Palestinian advocacy has been the filing of complaints with the Department of Education, Office of Civil Rights (OCR). The complaints allege that universities are violating Title VI of the Civil Rights Act of 1964 by sponsoring speaker panels and tolerating theatrical demonstrations featuring speech critical of Israel. They argue that pro-Palestinian activism creates a hostile environment for Jewish students.

None of these complaints have been successful and recently three complaints against the University of California at Berkeley, Santa Cruz, and Irvine were dismissed. OCR wrote that pro-Palestinian activities on campus “constitute[] expression on matters of public concern directed to the University community.” OCR went on to explain that, “[i]n the university environment, exposure to robust and discordant expressions, even when personally offensive and hurtful, is a circumstance that a reasonable student may experience.” Despite the repeated failure of this legal bullying strategy, Israel-aligned advocates continue to encourage students to file Title VI complaints because they pressure universities to chill speech and intimidate Palestine advocates on campus. Israel-aligned legal organizations also continue to threaten universities with Title VI complaints, despite the fact that they have no legal and often no factual merit. (For example, the Zionist Organization of America recently threatened Northeastern).

Another common tactic is to

target universities with pressure campaigns when events take place that highlight Palestinian rights. For example, at Brooklyn College in February 2013, university officials were pressured heavily to remove the political science department’s co-sponsorship of a student-organized event discussing Boycott, Divestment and Sanctions. City officials threatened the college’s funding, and the speakers were smeared as anti-Semitic. College officials stood by free speech and academic freedom, allowing the event to go on. But those who opposed the event threatened Brooklyn College with a Title VI action and the College investigated student organizers in response to allegations of discrimination. The students were found not responsible for wrongdoing but the chilling effect is lasting.

Universities have responded to the intense external pressure to restrict Palestinian advocacy by punishing SJP protestors with draconian and discriminatory measures. There is the case of Northeastern who put SJP on probation and required them to write a “civility statement” as punishment for an organized walkout of an Israeli-soldier speaking event (see companion piece in this issue of *Mass Dissent* on page 7 by Max Geller).

There is a similar case at Florida Atlantic University where students were charged with violating the student code of conduct also for walking out of an event featuring an Israeli soldier’s discussion of his role in the assault on Gaza, Operation Cast Lead. As punishment, the students

Continued on page 9

The Lockdown: April 2013 and Beyond

A Panel and Discussion Series

Organized by the National Lawyers Guild, Massachusetts Chapter

Thursday, November 7, 2013, 12:00-2:00 p.m.

**Harvard Law School, Wasserstein Hall,
1585 Mass. Ave., Room 3019, Cambridge**

Thursday, November 14, 2013, 6:30-9:00 p.m.

**Watertown Public Library, East Room
123 Main St., Watertown**



Panelists:

Michael Avery, a Law Professor at Suffolk Law School, former president of the NLG.

Susan Church, a criminal defense attorney with Demissie & Church in Cambridge.

Benjamin Falkner, a criminal defense attorney at Krasnoo | Klehm LLP in Andover.

Mara Verheyden-Hilliard, Executive Director of the Partnership for Civil Justice Fund in Washington, DC; former co-chair of the NLG Mass Defense Committee.

The New McCarthyism on U.S. Campuses

Continued from page 8

were forced to sign agreements accepting indefinite probation, prohibition from leadership positions in student organizations, and a mandatory “diversity training” designed by the ADL – one of the primary drivers behind the repression of pro-Palestinian speech on campus.

Universities are also responding to the pressure by increasing scrutiny of Palestine-related events. For example, students are reporting that they are told their events will not be funded if they use the word “apartheid”, or that they are required to pay high security fees, and required to go through excessive bureaucratic screening processes to hold events for

Palestinian rights. The universities’ treatment of SJP violates the First Amendment in many cases. In every case, such treatment violates principles of free speech and a university’s pedagogical responsibility to protect the campus as a marketplace of ideas.

This discriminatory treatment threatens to shut down robust debate on one of the most urgent foreign policy, moral and political questions of our time. Increased scrutiny of Palestinian human rights discussion especially affects Arab and Muslim campus members who are already vulnerable in an Islamophobic political climate. Needless to say, students, faculty and university programs that openly advocate for Israel do not face the same obstacles.

Palestine Solidarity Legal Support is seeking attorneys interested in joining our network. We work as a collaboration between NLG, the Center for Constitutional Rights, and other partners. Please be in touch at www.PalestineLegalSupport.org, or by email at info@palestinelegalsupport.org, and follow us on twitter @Pal_Legal.

Liz Jackson is Coordinator of the Palestine Solidarity Legal Support initiative, Cooperating Counsel with the Center for Constitutional Rights, and member of NLG's Free Palestine Subcommittee.

Law Professors' Letter Opposing Intervention in Syria

Continued from page 6

ment of their likely positive impact on the civilian population.

We also recognize that a more contemporary humanitarian standard, the Responsibility to Protect (R2P), was championed by UN member states at the 2005 World Summit. However, as said plainly in the Outcome Document of that summit (paragraph 39), military interventions in response to attacks on civilian populations require Security Council action under Chapter VII. Thus R2P fails to justify military attacks on Syria by the United States as contemplated by the US administration.

The UN humanitarian appeal for Syria is facing a daunting shortfall in efforts to meet the current survival needs of over four million Syrians who are internally displaced and two million Syrian refugees in Lebanon, Jordan, Turkey, Iraq and Egypt. Of the 5 billion USD targeted, pledges of support only cover 30% of present need. UNICEF reports that in Zaatari camp in Jordan, 120,000 Syrians are subsisting in extremely marginal circumstances, 60,000 of them children, of whom only 15,000 are in school. Of those Syrians displaced in-country, 95% live in camps, where half of their youth have no access to education. According to the UN Refugee Agency, since May on average 6000 Syrians flee violence into a neighboring country per day. US resources can go far in meeting the unmet humanitarian needs of the growing numbers of displaced Syrians rather than exacerbating their humanitarian crisis through military intervention.

Our fundamental rejection of humanitarian ideals and R2P as purported rationales for U.S. military strikes on Syria starts with our appreciation of the pronounced historical tendency for military interventions motivated by the protection of civilians to nevertheless result in further and protracted suffering by those very civilians. R2P is a very thin reed on which to base a short-term military campaign by the US in response to the killing of Syrian civilians by chemical gas attack.

This is so for one important reason. A militarized humanitarian intervention must be calculated to protect the civilian population that is being victimized. It can only be justified if it is both motivated to stop attacks on the civilian population and likely in practical terms to have that effect. A military intervention that raises the level of civilian risk violates R2P.

International law does not sanction military strikes without regard for the UN Charter. It does not bless missile strikes as a form of punishment or a rhetorical device. The law does not sanction military retaliation against a state for attacking its own civilians, nor does it justify violence as a symbolic gesture for expressing solidarity with that oppressed population. If the US launches "limited", "targeted", or "punitive" military strikes in Syria and we stop while the civilian population remains at risk, our responsibility to protect will be unmet. But if a US military campaign results in greater suffering by the civilian population we will have engaged in an inhumane intervention. In fidelity to international law, and out of concern for the welfare of the Syrian people, we ask that the US recommit itself to non-lethal and life-saving forms of humanitarian assistance for the Syrian people.

Sincerely and respectfully yours, we sign this letter in our individual capacities,

Signed by 56 American Professors of Law, among them the following NLG members:

Susan Akram

Clinical Professor and Supervising Attorney,
International Human Rights Program, Boston
University School of Law

Marjorie Cohn

Professor of Law, Thomas Jefferson School of
Law, San Diego

Hope Lewis

Professor of Law, Northeastern University School
of Law

NLG Massachusetts Chapter Sustainers

In the spring of 2003, the Massachusetts Chapter of the NLG initiated the Chapter Sustainer Program. Since its inception, the Program has been very successful and has been enthusiastically joined by the following Guild members:

2 Anonymous • Michael Avery • Steven Buckley • Howard Cooper • Barb Dougan • Robert Doyle • Melinda Drew & Jeff Feuer • Carolyn Federoff • Roger Geller & Marjorie Suisman • Lee Goldstein & Shelley Kroll • Lisa Gordon • Benjie Hiller • Andrei Joseph • Myong Joun • Martin Kantrovitz • Nancy Kelly & John Willshire-Carrera • David Kelston • Jonathan Messinger • Petrucelly, Nadler & Norris • Hank Phillippi Ryan & Jonathan Shapiro • Allan Rodgers • Martin Rosenthal • Sharryn Ross & Mark Stern • Anne Sills & Howard Silverman • Judy Somberg • Stern, Shapiro, Weissberg & Garin

The Sustainer Program is one of the most important Chapter initiatives to secure its future existence. Please consider joining the Program.

YES, INCLUDE MY NAME AMONG NLG MASSACHUSETTS CHAPTER SUSTAINERS!

I, _____, am making a commitment to support the Massachusetts Chapter of the Guild with an annual contribution of:
_____ \$500 (not including my membership dues)
\$ _____ (other above \$500)

As a sustainer I will receive:

- special listing in the Dinner Program;
- 1/8 page ad in the Dinner Program;
- acknowledgement in every issue of *Mass Dissent*;
- two (2) free raffle tickets for a Holiday Party raffle;
- invitation to special events.

Three ways to become a sustainer:

- contribute \$500 or more a year (in addition to dues)
- pair up with another person and pay \$250 each, or
- join the "Guild Circle" and pay \$50/month minimum.

Please mail to: NLG, Massachusetts Chapter
14 Beacon St., Suite 407, Boston, MA 02108

Letter From a Prisoner

Dear Ms. Masny Latos,

I just received my *Mass Dissent* for October 2013. After reading "Letter from a Prisoner," I felt it necessary to send you this missive.

While I certainly understand Mr. John Diaz' frustration with the Department of Correction, its lack of services, and its continuing legal violations, I am unable to reconcile his dissatisfaction with you, your organization, or any of your affiliates. In fact, I am baffled by it. Why is he mad at you?

As I see it, organization's like the one from which you hail are our last lines of defense. Although Mr. Diaz is probably not privy to it, it is a verifiable fact that certain fundamental protections afforded by the U.S. and Massachusetts Constitution are very rarely infringed upon by the D.O.C. because of the very possibility - however small - that organizations like the NLG

will, in response, engage themselves in a protracted litigation in the defense thereof the same.

Personally, I thank you for all you do. Your compassion and advocacy played a tremendous part in my life- it was only after reading your publication and talking to folks like yourself that I decided to study the law myself, advocate for others similarly situated and find my true passion. In 2010, I received my certification as a practicing paralegal out of the Blackstone Career Institute, and continue to seek further education and, ultimately, employment.

In short, you and yours are the defenders of the defenseless and for that, you should be embraced by my peers. For that, I thank you and your people.

Your Fellow Freedom Fighter
Eric Bargoot, W-95098
S.B.C.C. Shirley

Mass Dissent

USPS 0760-110 PERIODICAL

Periodical
Postage & Fees
PAID
USPS Permit
0760-110

The National Lawyers Guild is...



" ... an association dedicated to the need for basic change in the structure of our political and economic system. We seek to unite the lawyers, law students, legal workers and jailhouse lawyers of America in an organization which shall function as an effective political and social force in the service of people, to the end that human rights shall be regarded as more sacred than property interests."

Preamble to the Constitution of the National Lawyers Guild

Donate to Support the Guild!

The Massachusetts Chapter of the National Lawyers Guild's **Mass Defense Committee** provides legal representation and assistance to activists from all progressive political movements.

We need your support.

Please help us by donating to the Mass Chapter. Mail this form and your check to **14 Beacon St., Suite 407, Boston, MA 02108** or visiting www.nlgmass.org/donate.

I, _____ (name), am donating \$ _____ to the NLG
Mass Chapter to help support the Mass Defense Committee and its work,

Fill out and send to:

National Lawyers Guild, Massachusetts Chapter
14 Beacon St., Suite 407, Boston, MA 02108

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: (w) _____ (h) _____

E-MAIL: _____

FAX: _____

Circle one:

☐ Lawyer ☐ Legal Worker ☐ Law Student ☐ Jailhouse Lawyer

Alumna/Alumnus of _____ Year _____

Dues (from schedule): _____

I am interested in working on the following projects:

- ☐ Lawyer Referral Service
- ☐ Street Law Clinic
- ☐ Mass Defense Committee
- ☐ Litigation Committee
- ☐ *Mass Dissent* (monthly publication)
- ☐ National Immigration Project

Please Join Us!

Dues are calculated on a calendar year basis
(Jan.1-Dec.31) according to your income*:

Jailhouse Lawyers.	Free
Law Students	\$25
up to \$15,000	\$40
over \$15,000 to \$20,000	\$50
over \$20,000 to \$25,000	\$75
over \$25,000 to \$30,000	\$100
over \$30,000 to \$40,000	\$150
over \$40,000 to \$50,000	\$200
over \$50,000 to \$60,000	\$250
over \$60,000 to \$70,000	\$300
over \$70,000 to \$80,000	\$350
over \$80,000 to \$90,000	\$400
over \$100,000	\$500

* Any **new** member who joins after September 1 will be carried over to the following year. Dues may be paid in full or in quarterly installments. Dues of \$80 cover the basic membership costs, which include publication and mailing of *Mass Dissent* (the Chapter's monthly newsletter), national and regional dues, and the office and staff.