

NATIONAL LAWYERS GUILD
EMERGENCY RESOLUTION ON PUERTO RICO

WHEREAS due to the colonial relationship between the United States and Puerto Rico, the current economic global crisis has deeply impacted the Puerto Rican people;

WHEREAS Puerto Rico has a chronic unemployment rate between 15% and 17%, close to double the rate in the United States;

WHEREAS the pro-statehood colonial administration of Puerto Rico has implemented draconian economic measures geared towards privatization of the collective assets of the Puerto Rican people and the further impoverishment of the people, as well as a dismantling of local institutions and expressions of the Puerto Rican culture, language and national identity;

WHEREAS, the policies implemented by the current colonial administration of Puerto Rico are also designed to dismantle community organizations, destroy unionization in the public sector, and decimate social movements in favor of the rights of marginalized sectors of society;

WHEREAS, the United States determines all economic, cultural and political policies in Puerto Rico and maintains a consistent, pernicious presence in the implementation of these policies;

WHEREAS, the colonial administration of Puerto Rico has fired some 25,000 workers in the last six months;

WHEREAS, the dismissals of public workers and the privatization efforts have severely diminished the provision of basic services in Puerto Rico;

WHEREAS, hundreds of thousands of Puerto Ricans publicly manifested their repudiation of the neocolonial policies of the colonial administration, including in a national strike on October 15, 2009, which brought virtually all commerce on the island to a halt;

WHEREAS, the Colegio de Abogados, Puerto Rico's Bar Association, in its 160-year history, has consistently defended the interests of marginalized sectors of the society, providing concrete support for those sectors and denouncing government abuse, colonialism, and repression;

WHEREAS, before the October 15th national strike, the Colegio de Abogados denounced the policies of the colonial administration and announced that it would provide legal observers during the strike and related protests and offer legal assistance to persons arrested in connection with denouncing the government policies, or injured by repressive police actions in response to those protests;

WHEREAS, on October 13, 2009, the Legislature of Puerto Rico, hastily and without following standard legislative procedure, passed a bill designed to dismantle the Colegio de Abogados.

WHEREAS, the October 13th legislation was in explicit retaliation for the Colegio's support for social movements on the island, its support of decolonization efforts, and its role in support of the upcoming October 15th national strike;

WHEREAS, the government attack on the Colegio de Abogados is also in retaliation for its decades-long work in favor of decolonization, its anti-military efforts, and its support for the freeing of Puerto Rican political prisoners held for decades in prisons in the United States;

WHEREAS, the mainstream commercial media in the United States has maintained its ongoing virtual blackout about the colonial status of Puerto Rico and news about the repressive economic and political measures on the island and the Puerto Rican people's militant repudiation of these measures.

THEREFORE, BE IT HEREBY RESOLVED:

The National Lawyers Guild:

Reiterates its support for all efforts in support of the decolonization of Puerto Rico;

Demands the immediate release of the Puerto Rican political prisoners held in U.S. prisons;

Calls on its membership to engage in educational forums and activities, to expose the colonial relationship between Puerto Rico and the United States, and to denounce the recent repressive economic and political measures;

Expresses its solidarity with the dismissed public workers and their families and for all Puerto Ricans affected by the repressive economic and political measures instituted by the colonial administration;

Expresses its support for the Colegio de Abogados;

Agrees to send a copy of this Resolution to the Governor of Puerto Rico, the Presidents of Puerto Rico's Senate and House of Representatives; the Colegio de Abogados; and the organizations in Puerto Rico participating in the repudiation of the repressive policies; and the President of the United States.

Annual Convention
October 18, 2009
Seattle, Washington

IMPLEMENTATION: Task Force of the Americas; International Committee
Proponent: Task Force on the Americas of the International Committee

Resolution on Amending the United States Code to Clearly State that U.S. Military Servicemembers are Noncitizen Nationals and Petition the Department of Homeland Security to Stay Their Removal from the United States of America

1. Whereas United States Servicemembers are being and have been deported after serving in the military from the United States;
2. Whereas the current United States Code provides: that the term “national of the United States” means:
 - (A) a citizen of the United States, or
 - (B) a person who, though not a citizen of the United States, owes *permanent allegiance* to the United States. 8 U.S.C. 1101(a) (22)
3. Whereas Federal law requires everyone who enlists or re-enlists in the Armed Forces of the United States to take the enlistment oath. This oath is a *permanent oath of allegiance* to the United States of America. The oath is traditionally performed in front of the United States Flag and other flags, such as the state flag, military branch flag and states:

“I, (NAME), do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God.”
4. Whereas The Oath of Enlistment is quite similar to the Oath of Citizenship which is also a permanent oath of allegiance to the United States of America and states:

“I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God.”
5. Whereas US Military Veterans are currently being deported or have been deported have a long history in the United States:
 - a. They are legal permanent residents “Green Card Veterans” prior to entering the military;
 - b. They have served in all branches of the military for years;
 - c. They have served in Vietnam, Grenada, Kosovo, Somalia, Persian Gulf, Iraq, Afghanistan;
 - d. They have lived from 16 – 48 years legally in the United States;
 - e. Their Parents, Spouses, Children, Siblings, Partners are United States Citizens and Legal Permanent Residents.
 - f. They are Business Owners;
 - g. They are recipients of the GI Bill

6. Whereas they are subject to removal or have been removed due to criminal convictions;
7. Whereas the U.S. has a duty to protect those who protected it, regardless of their personal character. The United States now, and historically, has treated aliens admitted for an indefinite period, whether as lawful permanent residents, refugees, or asylees, as other countries would treat noncitizen “nationals” or subjects.” It requires these individuals to submit to the draft, to have an allegiance of political loyalty to the United States subjecting them to the death penalty for betraying that allegiance, and itself treats the individuals when in uniform as American nationals for a variety of purposes, including American jurisdiction in its Status-of-Forces Agreements.
8. Whereas the removal of veterans, particularly those who served during times of hostility, present a number of problems that the removal of other aliens do not:
 - (1) There is a moral question as to whether the character flaws and, in some instances, the commission of a crime, that would lead to denial of citizenship, are themselves the result of the psychological stress of service in war;
 - (2) There is the possible loss of native citizenship rendering the individual stateless;
 - (3) There is the possibility of criminal charges awaiting the alien in their native land for his service in the war; and
 - (4) There is possible exposure to the jurisdiction of the ICC (even though the US doesn’t partake) or the courts of their native lands for alleged war crimes committed while in an American uniform.

Therefore be it resolved that the National Lawyers Guild calls upon the U.S. House of Representatives and U. S. Senate to amend the United States Code to clearly state

“The following shall be nationals*, but not citizens of the United States: (1) A person who, by conscription or enlistment, entered any branch of the United States armed forces. This shall be retroactive to servicepersons previously removed from the United States.”

Be it further resolved National Lawyers Guild calls upon the Department of Homeland Security to stay their removal from the United States of America;

Be it further resolved that the National Lawyers Guild will establish an NLG Banished Veterans Committee open to all members to coordinate action by the NLG in support of legislation to clearly state that US military servicemembers are noncitizen nationals and petition the Department of Homeland Security to stay their removal from the United States of America, to work with national and grassroots impeachment organizations, and to provide legal assistance for those efforts to strengthen the national campaign; and

Be it further resolved that the NLG Banished Veterans Committee will help organize and coordinate events at the local, state, and national level to build public participation in the campaign to educate the public, to push for enactment of legislation and a stay of removal for these veterans without further delay; and

Be it further resolved that the NLG Banished Veterans Committee will coordinate and assist all willing NLG members in contacting their respective members of Congress to urge support of the legislation to ask their respective member of Congress to support upcoming legislation, (bill numbers to be announced) and request the Department of Homeland Security to stay the removal of the US military veterans; and

Be it further resolved that the National Lawyers Guild calls on all other state and national bar associations, state and local government bodies, community organizations, labor unions to adopt similar resolutions and to use all their resources to build the campaign to clearly state that US military servicemembers are noncitizen nationals and petition the Department of Homeland Security to stay their removal from the United States of America; and

Be it further resolved that the NLG Banished Veterans Committee will forward a copy of this resolution to the Speaker and the Clerk of the US House of Representatives, to Representative John Conyers, Chair of the House Judiciary Committee, to Representative Bob Filner, Chair of the House Veteran Affairs Committee, to the various state and federal bar associations, to other peace and justice organizations, other military organizations, and to the news media.

Implementation: By the NLG Banished Veterans Committee established by this resolution, by the National Immigration Project, by the Military Law Task Force, by the San Diego NLG Chapter and by interested local chapters.

Submitted by: Heather M. Boxeth, hmbxeth@gmail.com

Resolution on Law Schools and Legal Education

1.WHEREAS – Law school curriculums often discourage critical political and legal thought, presenting the law in a reified form, as a thing existing independently of the social reality of its application. Law students are trained to work under the assumption that ‘the law’ governing any given dispute is potentially discernible simply through statutory and case history analysis, implicitly denying the role of political and material constraints on judicial behavior.

2.WHEREAS – Legal perspectives such as critical legal theory, critical race theory, feminist legal theory, analytical jurisprudence, and others that question the dominant ideological understanding of the law’s role in society, are frequently not available to students. When these perspectives are taught in law schools, they are almost always limited to seminars, partition from the standard classes in substantive topics in law. The effect is to relegate them to sub-disciplines onto themselves, excluded from the analysis of major subjects in law. When asked to analyze a fact pattern, students are credited almost exclusively when they draw from a limited set of traditional legal arguments that can be reconfigured to suit the needs of any prospective client, further reinforcing the assumption that cases are decided on the logical strength of their arguments. This is an assumption widely questioned in academia and practice.

3. WHEREAS – Most law schools enforce grade curves, where the number of students permitted to receive desirable grades is capped, and professors are required to assign a quotient of stigmatizingly low grades. This effectively causes all students to be in direct competition with each other in their classes. This experience of a forced zero-sum game where one’s success entails another’s failure, and one’s failure contributes to another’s success, institutionalizes competitive behavior among students and creates systematically estranging working conditions in law schools. Rather than encouraging cooperation, solidarity, and community building which might make law school a more tolerable or even enriching experience, grade curves incentivize aggressive self-centeredness making the experience more isolating than necessary. This problem is further exacerbated by the perception among law students that their grades will have a controlling affect on their career options and lives.

Grade curves that force the assignment of low grades betray a lack of confidence in the quality of the students that they’ve admitted and pressure students to stay ahead of their colleagues or risk personal disaster. Grade curves that limit the number of high grades compel arbitrary hierarchies among excellent students that only serve to aid employers in rapidly distinguishing between students. This practice treats students as if products for employers’ use, labeling them by grade accordingly, instead of considering students work on its own academic and educational merit for the student.

4.WHEREAS – First year law students are overworked by design. In a three year course of study, work is disproportionately heavily allocated to the first year, rather than distributed evenly in a fashion that would make it more manageable. This results in unnecessary stress and reduced quality of life. Law school culture encourages obsessive work habits and treats busyness as if a virtue in and of itself. Coupled with the artificial levels of competition for grades, the work load creates a pressure-cooker environment that makes law school an unnecessary ordeal. This minimizes the room for error in a way that further punishes students who have dependent children, elderly parents, and other relationships that require attention and other responsibilities outside of school that cannot simply be ignored for a year or three. Many students resort to stimulants as study aids, unambiguous cheating, and withdrawal from their loved ones, as while struggling to keep up, creating a false impression that the work could be manageable.

There is no inherent reason why law must be studied at a grueling pace and this can be detrimental to a thorough understanding of the subject. Students assigned more work than they can reasonably do will inevitably cut corners, rely on law summaries, on course outlines and on study groups that divide work among members so that no one has themselves completed most of the assignments. The result is that students simply study towards the exam superficially rather than understanding the material in a substantial way. They lack the opportunity to form original, insightful positions that come only with slow and careful reading with time for consideration, and have reason to think that even if they did, such an effort would be unrecognized in their exam grades. Finally, without adequate time to reflect on the material, the law is simply less academically interesting and stimulating,

reducing students' appreciation of what could be an intellectually fascinating, living discipline into a static set of doctrines and rules.

5. WHEREAS – Law school is a profoundly alienating experience for many progressive law students. When someone's political commitments play a significant motivating role in their lives, having to devote the clear majority of their time, energy, thought and opportunity for daily human interaction in an environment hostile to them, can be very isolating. Progressive law school students are constantly pressured to sanitize their politics to avoid worsening the existing alienation from their classmates, professors, school administrators and potential employers. The cognitive dissonance resulting from having passionate reactions to issues and discussions in and out of class, while also feeling compelled to present more conformist views, makes progressive law school students especially alienated from themselves and others.

Student organizing can provide progressive students an opportunity to engage with work and communities they find meaningful, thereby alleviating some of the alienation of law school. However the conformist atmosphere and sheer volume of time and energy consumed by law school, often proves a real obstacle to student's self-motivated organizing . What would otherwise feel as if only a minimal amount of effort to get involved can be experienced as too much of a commitment of time or energy to many students while in school. Even where a student's natural affinity is closest to the National Lawyers Guild, the Guild is often seen as only one of numerous progressive students associations to join, and the decision to invest ones limited time and effort into one student group over another is often based not on their history or literature but simply the level of activity on campus and organizational support they receive. This support cannot come from students alone given the high turnover rate in student chapters and the relatively short time students spend in law school, if it is to be successful in making National Lawyers Guild student chapters an attractive option for progressive law students.

6. WHEREAS – The renewal of the National Lawyers Guild's membership depends on ensuring young lawyers are committed to it as an organization.

THEREFORE BE IT RESOLVED –

1. That the National Lawyers Guild calls on law schools to eliminate forced grade curve policies, class rankings, grades as factors in law review/journal membership selection, and other policies that create zero-sum competitions among students.
2. That the National Lawyers Guild calls on the ABA, AALS, and law school curriculum committees to reexamine first year law school required curriculums with an aim towards **a.** reducing work load so as allow students to maintain reasonable hours without compromising their performance **b.** rewarding original legal analysis rather than rote learning **c.** Including the contributions of critical legal studies, critical race theory, feminist legal theory and other critical perspectives on the law in the main portions of the curriculum including the first year curriculum.
3. That the National Lawyers Guild attempt to intervene in the upcoming Association of American Law Schools Annual Meeting in New Orleans in order to voice these concerns, publicize its position, and open a dialogue among law school faculty and administrators, as far as is practicable. That the National Lawyers Guild reports back its effort in this regard in Guild Notes, issue a press release on its website, and otherwise draw attention to the issue as appropriate.
4. That the National Lawyers Guild send a revised open letter modified into a more suitable style that captures the substance of the 'whereas' clauses 2, 3, and 4, to the deans, and when available, deans students and academics, and curriculum committee chairs, of all ABA accredited law schools.
5. That the National Lawyers Guild, recognizing that more support is needed to cultivate strong, active, growing student chapters, conduct a survey of law schools for student chapter activity and attempt to provide additional support for existing student chapters, including more support for student chapter building, NLG sponsored social events, working with faculty, distributing guild literature, travel funding, on-campus political events, and educational events presenting socially progressive views of the law consistent with the National Lawyers Guild's mission. Where law school chapters do not exist, that the National Lawyers Guild request that local chapters publicize the National Lawyers Guild on

- campuses to the best of their abilities, preferably through in person outreach when possible.
6. That the National Lawyers Guild calls on its committees and projects seek opportunities to involve law students in their work where possible and, when it would not pose an unreasonable administrative burden, publicize their work on law student campuses.
 7. That the National Lawyers Guild send copies of this resolution to all NLG chapters
 8. That the National Lawyers Guild establish a student chapter voluntary alumni network and call on members to assist in the continuation of their chapters and support for NLG law student chapters when possible and not overly burdensome, encouraging the alumni network to make contacts available to student chapters when available.

IMPLEMENTATION CLAUSE: This resolution will be implemented by a working group on legal education, formed for the purpose of implementing the resolution, concerned individual chapters and members acting in support of the resolution as applicable, with assistance as needed by the National Office and NEC, in consultation with law student chapters.

Submitted by:

Samantha Godwin – Georgetown University Law Center – **Email:** sg429@law.georgetown.edu

Endorsed by:

Georgetown Law NLG Chapter, Michigan Law NLG Chapter
University of New Mexico Law School NLG Chapter
Alison McCrary – Loyola University College of Law New Orleans
Rafael R. Pichardo – University of Connecticut Law NLG Chapter
Paul T.S. Fusco-Gessick – SUNY Buffalo Law School
John C Hoelle – University of Colorado School of Law
Derek Garcia – University of New Mexico School of Law

Resolution of NLG International Committee
To Spearhead Grassroots Campaign to Ratify International Covenant on Economic, Social and Cultural Rights

WHEREAS Millions of working class Americans are losing their homes and jobs as a result of the current global economic crisis as well as the on-going volatility of the US capitalist system, and whatever minimal state and local safety nets that once existed are being eliminated by government budget cuts, and

WHEREAS at least 47 million Americans have no health insurance at all because they cannot afford the exorbitant price of decent health coverage, and those with insurance are subject to loss of their coverage if they lose their jobs, and

WHEREAS Debate on the need for universal affordable health care is being framed as a privilege or moral obligation or a benefit to the economy, rather than as a internationally-recognized HUMAN RIGHT; and

WHEREAS Health care, housing, education, and food security are internationally recognized HUMAN RIGHTS, as declared in the Universal Declaration of Human Rights and as guaranteed by the International Covenant on Economic, Social and Cultural Rights (ICESCR), approved by the UN in 1966 and ratified by 160 nations, including all EU and major industrial states, except the United States;

WHEREAS Jimmy Carter signed the ICESCR in 1977 but the Senate never ratified it, and a House Resolution , introduced by Rep John Lewis, calling for its ratification is pending in the House of Representatives (HR 416); and

WHEREAS the International Committee of the NLG has prepared a Toolkit for local activists to introduce Resolutions for their city, county and state governments to call on President Obama and the Senate to ratify the ICESCR and join the vast majority of nations who recognize economic, social and cultural rights as core human rights subject to state protection:

THEREFORE, be it RESOLVED that the NLG calls on its members to make use of the ICESCR Ratification Toolkit (provided in the CD in the Convention materials and available from the International Committee website) in their local jurisdictions to further a national Grassroots Campaign to Call for Ratification of the International Covenant on Economic, Social and Cultural Rights, and

Be It Further Resolved that the NLG calls on its members to help frame the debate on health care, housing, education and food security in terms of internationally-recognized HUMAN RIGHTS.

RESOLUTION CALLING FOR AN END TO THE WAR ON DRUGS

Since its inception in 1969, 40 years ago, at the hands of then-President Richard M. Nixon, the “War on Drugs” has been a dismal failure. Responsible for approximately half of the 2 million people incarcerated each year in the United States, the “War on Drugs” has unnecessarily destroyed countless lives and families.

In fact, the “War on Drugs” is largely responsible for this country’s dramatic increase in incarceration over the past four decades. In the 1980s, as the general arrest rate rose by 28 percent, arrests for drug offenses rose by 128 percent. If not for the “War on Drugs,” the number of people annually incarcerated in the United States between 1980 and 2000 would not have increased more than fourfold, from less than 400,000 to more than 2 million people.

This so-called war has been primarily focused on marijuana, which accounts for nearly a quarter of drug arrests, and is the fourth most common cause of arrest, in the United States. By all appearances, the “War on Drugs” has been applied in a highly disproportionate way with people of color experiencing the brunt of arrests and incarcerations. Of those arrested for drug offenses in 2005, nearly forty-five percent were Black, more than 20 percent were Latino and 28.5 percent were White, compared to the racial breakdown, generally, in the United States of 12.1 percent, 12.5 percent, and 69.1 percent respectively.

The institutionalized nature of how the “War on Drugs” has disproportionately affected people of color can also be seen in the disparity in sentencing. For example, although showing signs of changing, for many years Black Americans were sentenced more harshly for crack cocaine offenses than Whites were for powdered cocaine. Also, in 2006, eighty-two percent of those sentenced under federal crack cocaine laws were Black, yet more than two-thirds of people who use crack cocaine are White.

Over the years, the “War on Drugs” has siphoned untold amounts of money from important social programs. The federal government's annual "Drug Control" budget increased from \$1 billion in 1980 to more than \$20 billion today. Spending by local, state and federal governments exceeds \$40 billion a year and continues to increase unabated. The U.S. also uses the "War on Drugs" to further its political and economic influence in other countries. For example, between 2000 and 2006, the U.S. spent \$4.7 billion on "Plan Colombia," an unsuccessful effort to eradicate coca production in Colombia. Other similar imperialist efforts involving the federal Drug Enforcement Administration and the U.S. military have been used in Peru, Mexico, and Afghanistan, among other countries. Despite the incredible social and economic costs of the "War on Drugs," illicit drugs have become cheaper, more pure, and continue to be readily available.

For these and other reasons, the National Lawyers Guild strongly opposes the “War on Drugs,” calling instead for an end to drug prohibition. It is prohibition that has caused such a dramatic increase to our incarceration rates, the destruction of countless lives and families, and the unfair application of laws against people of color in this country. Examples in other countries of drug decriminalization and legalization, under strict taxation and regulation schemes, have shown that such policies will not increase drug abuse and have sharply reduced crime and the need for incarceration. By avoiding incarceration as a means of punishment or rehabilitation for drug use, a methodology that has failed at the societal level, we can and should establish a more humane approach that utilizes harm reduction and drug treatment methods when necessary.

The Drug Policy Committee of the National Lawyers Guild demands that the federal government end its unnecessary, harmful and imperialistic war against people who use drugs, mainly people of color and low income. Instead of criminalizing drug use, the federal government should implement the means to regulate and tax drug use by adults.

Therefore be it resolved that this resolution be implemented by the Drug Policy Committee in the following ways:

Organizing events (panels, debates, and presentations) in law schools; writing amicus briefs in relevant cases; and reaching out to the media in reaction to articles about current events related to the harms of the War on Drugs, including border wars and prison overcrowding.

NLG Resolution Calling for Legal, Peaceful, Public Actions to End the Blockade of Gaza

Whereas despite the withdrawal of its illegal settlers and troops in 2005, the Israeli government maintains its illegal occupation of Gaza; and

Whereas in furtherance of its illegal occupation the Israeli government blockades and militarily attacks Gaza; and

Whereas in furtherance of its illegal occupation the Israeli government attacked, killing 6 Hamas members in Gaza on November 4, 2008 in violation of a successful ceasefire that had virtually ended rocket fire from Gaza; and

Whereas in furtherance of its illegal occupation the Israeli government blatantly targeted civilians, including women, children, and emergency workers, during its massive escalation of attacks on Gaza from December 27, 2008 to January 18, 2009; and

Whereas in furtherance of its illegal occupation of Gaza the Israeli government prevents the importation of building materials to prevent rebuilding and recovery from the massive destruction and killing the Israeli government initiated from its November 4, 2008 attack through the beginning of a new cease fire on January 18, 2009; and

Whereas in furtherance of its illegal occupation of Gaza the Israeli government prevents the importation of a wide range of products, including books and other educational materials; and

Whereas in furtherance of its illegal occupation the Israeli government prevented human rights workers on the boats Dignity and Spirit of Humanity from sailing to Gaza, and Israeli government forces illegally rammed the Dignity in December 2008 and unlawfully seized the Spirit of Humanity and arrested its passengers in June 2009; and

Whereas in furtherance of its illegal occupation of Gaza the Israeli government is holding thousands of Palestinians from Gaza in prison, many without charges, without due process, holding Atrials@ using coerced confessions, without equal protection of the law, and without the ability to confront their accusers; and

Whereas in furtherance of its illegal occupation of Gaza the Israeli government has engaged in a consistent pattern of destroying housing, public buildings, factories, and farms; and

Whereas the Israeli government's actions in Gaza are in violation of numerous provisions of international law; and

Whereas the National Lawyers Guild has adopted resolutions calling for supporting boycott, divestment, and sanctions against the Israeli government until it ends its occupation of territories seized by force, provides equal rights for all living within its borders, and allows refugees to return to their homes and villages; and

Whereas the National Lawyers Guild has called upon the US government to end all aid to the Israeli government until these demands are realized;

Therefore be it resolved that the National Lawyers Guild supports legal, peaceful, public actions to

end the illegal blockade of Gaza, by sea, land, and air; and

Be it further resolved that the National Lawyers Guild calls on its members to support and join in the legal, peaceful, public actions to end the blockade.

Implementation: The Free Gaza Working Group subcommittee of the International Committee of the NLG calls on NLG members to support and participate in actions to enforce international law and to stop the Israeli Government from continuing to violate the law with its illegal blockade of Gaza.

Actions include:

- o Free Gaza Movement sea voyages to Gaza <http://freegaza.org/>
- o The Viva Palestina land caravans, the next one scheduled to leave London on December 5, 2009 and arrive in Gaza on December 27 <http://www.vivapalestina.org/>
- o The Gaza Freedom March scheduled to meet in Cairo December 27, 2009, enter Gaza on December 29, and march for freedom in Gaza on January 1, 2010, sponsored by Code Pink, and endorsed by Abdeen Jabara, Media Benjamin, Norman Finkelstein, Alice Walker, George Gallaway, Gore Vidal, Noam Chomsky, Howard Zinn, Naomi Klein, Ralph Nader, Mustafa Barghouti, Jeff Halper, John Dugard, Jonathan Kuttub, Sara Roy, Kathy Kelly, Mairead Maguire, and Diana Buttu <http://www.codepink4peace.org/form.php?modin=116>
- o bringing legal cases
- o participating in international tribunals
- o participating in boycott, divestment, and sanctions campaigns consistent with the resolution, "Israel: boycott and divest," that was adopted by the NLG at the 2007 NLG Convention
- o lobbying Congressional representatives and Administration officials
- o participating in future NLG delegations to Gaza

Consultation: The Free Gaza Working Group, whose members organized an NLG delegation to Gaza in February 2009 and lobbying US Congressional and State Department officials in May 2009, will inform the International Committee and those chapters doing free Gaza work of opportunities to participate in these and other campaigns to enforce international law and end the blockade.

Submitted by: James Marc Leas

Resolution cosponsors:

Free Gaza Working Group, a subcommittee of the International Committee

James Marc Leas jolly39@gmail.com 802 864-1575

Audrey Bomse audreybomse@hotmail.com

Thomas Nelson zigzagtom@gmail.com

Carol Smith tania1212@aol.com

Linda Mansour Lindamansour@aol.com

Huwaida Arraf huwaida.araaf@gmail.com

Susan Scott syscott@prodigy.net

John Wheat Gibson jwg@jwgpc.com

Reem Salahi reemos@gmail.com

Radhika Sainath radhika.sainath@gmail.com

Noura Erakat noo194@yahoo.com

Jim Lafferty jlafferty@nlg-la.org

Zaha Hassan zahahassan@comcast.net

Larry Redmond lredmond3@hotmail.com

RESOLUTION BY THE NATIONAL LAWYERS GUILD CONDEMNING THE TAKE-OVER BY THE MEXICAN GOVERNMENT OF THE FACILITIES OF THE COMPANIA DE LUZ Y FUERZA DEL CENTRO AND THE ATTACKS ON THE MEXICAN ELECTRICAL WORKERS (SME), ITS MEMBERS AND THEIR FAMILIES

WHEREAS, the Mexican Electrical Workers (SME) has represented workers in Mexico for some thirty-five years and has a proud history as a democratic union, active in defense of the rights of its members;

WHEREAS, last week the Mexican labor authorities refused to recognize Martin Esparza, the legally elected president of the Mexican Electrical Workers (SME), refusing what under Mexican law should be a routine matter to “take note (toma de nota)” of his election;

WHEREAS, this illegal intervention into the internal affairs of the union violates not only Mexican law, but also the commitments assumed by Mexico before the international community, specifically convention 87 of the International Labor Organization. Moreover, this action by the government had the consequence of seriously limiting the legal capacity of the union to defend its members, including by freezing the unions assets;

WHEREAS, on October 10TH the government of Mexico, using the police and armed forces, took physical control of the work places of the Compania de Luz y Fuerza del Centro, firing more than 50,000 members. Subsequently, some workers were forced to return to their workplaces, some kidnapped or dragged by the police, due to the absence of workers with sufficient knowledge to operate the equipment;

WHEREAS, this takeover occurred in the absence of any legal authority or even prior written notice, and the discharge of workers from their workplaces by force and with no previous notice violates their human rights in that Mexican labor law requires a legal procedure prior to any closure of a place of work and that in the case of a change of employer that the labor rights of the workers must be respected;

WHEREAS, the National Lawyers Guild is gravely concerned both about the illegality of the actions taken by the Mexican government and that the discharge of these workers and termination of their wages have left more than 50,000 families without any means of subsistence, and may force them to relinquish their legal rights to challenge the government's actions because of economic necessity.

THEREFOR BE IT RESOLVED that the National Lawyers Guild strongly condemns the takeover by the Mexican government of the facilities of the Compania de Luz y Fuerza del Centro and its attacks on the Mexican Electrical Workers (SME), its members and their families.

IMPLEMENTATION: the International Committee of the National Lawyers Guild will send this resolution to President Felipe Calderon and other relevant Mexican political and labor

authorities, circulate this resolution as widely as possible, encourage Guild members and our sister legal organizations to contact the Mexican government and labor authorities to express their condemnation, and work with our union and legal colleagues in Mexico to explore the possibility of legal or other appropriate actions.

This emergency resolution is sponsored by the International Committee.