In Memoriam: Denis Berger and John D.B. Lewis

BY MIKE FAHEY

The New York City Chapter grieves the loss this February of two of our most dedicated and dearly-loved members: Denis Berger and John Lewis.

Denis Berger died of a heart attack at the age of 61. Denis was our chapter staff person in the 1980’s, and a founder of the NLG national staff union. During his astonishingly full career, he was executive director of the Nation Institute; a founder of the Venceremos Brigade, and member of the first brigade to break the U.S. embargo of Cuba; a staunch Puerto Rico solidarity activist; executive director of the NYC office of the United Electrical Workers Union; an organizational pillar and fund raiser extraordinaire at Brooklyn Legal Services Corporation A; and a longtime mainstay (bass) of his beloved NYC Labor Chorus.

Denis is survived by Alice, his wife of 40 years, and their daughters Jennifer and Sabrina.

John D.B. Lewis, a brilliant attorney with degrees from Harvard and Columbia, dedicated his professional career to social justice. It’s a bitter irony that John, a non-smoker, died at the age of 64 of lung cancer. John started as a “poverty lawyer” on the Lower East Side with MFY Legal Services, moved to the criminal division of the Legal Aid Society, served as law secretary for the late Justice (and chapter stalwart) Elliott Wilk, and then maintained a distinguished private practice for nearly 25 years.

Denis and John devoted their careers to seeking justice and empowerment for low income and marginalized people. They were exceptionally intelligent, hard working, collegial, and modest. Their contributions to the Guild and to other organizations and causes were often behind the scenes. They shared a gift for organizing and an appreciation for the Guild as a vital instrument for achieving political, social, and economic justice. Denis and John are irreplaceable, but their lives and careers, and their deeply-held values, give us inspiration to carry on their work.

Editors’ Note: As this issue of the Newsletter was going to press, we learned with great sadness of the passing of NLG founder Ira Gollobin. We mourn his passing now, and will honor him in our next issue.
Still Busted, Still Fighting

BY M. CHRIS FABRICANT

Right there on the first page of The Bust Book, opposite the photo credits, is an illustration of a ring of riot cops gang raping Lady Liberty, and on the last page is an excerpt from Ho Chi Minh’s prison diary, boldly predicting that the righteous dragon will fly out when the prison doors spring open. This was 1969. This was a Molotov cocktail of a book, devoted to smashing The System. This was a time when young people were presumed to take their politics to the street and into the courtroom.

And the young radical authors – Kathy Boudin, Brian Glick, Eleanor Raskin and Gus Reichbach – were on the street and in the courtroom with their Yippie readers.

My father, an NYCLU old-timer, handed me a battered copy of The Bust Book around the time I was finishing the manuscript for my 2005 book, Busted! I had believed my book, devoted to the mastery of drug war survival skills, was radical, but The Bust Book made me feel like such a sissy.

Whereas The Bust Book advises readers likely to be jackbooted in the mouth at the protest not to wear dentures, (and thereby avoid choking on shattered teeth), Busted! urges readers likely to get caught smoking dope to use wooden pipes (and thereby avoid leaving fingerprints), and to plead their case out at arraignments.

My contribution, published nearly forty years later, seeks merely to survive, to slink away from The System’s awesome brutality without a permanent limp. What kind of a radical am I, over here shaking my fist at the bastards from a safe distance?

But after forty years, the weather has changed. You young NLG radical SDS Takes It (Back) to the Streets

BY JENNIFER E. LAURIN

It is a gray March day in New York City, and the U.S. is engaged abroad in a violent occupation of a country it set out to liberate. In a Manhattan courtroom more than a dozen members of Students for a Democratic Society (“SDS”) face charges of criminal trespass for their occupation of a Chambers Street military recruitment center. The students and their NLG attorneys celebrate a legal and moral victory when the presiding judge grants all defendants adjournments in contemplation of dismissal.

It is a tale that could be pulled from the memoirs of veteran activists, participants in SDS’s national social action organization and radical, youth-led protest movement of the 1960s against the Vietnam War and other forces of imperialism and racism. But the courtroom’s calendar read 2007, the theaters of war and occupation were Iraq and Afghanistan, and the victorious student protestors were the new generation of a re-formed and re-envisioned SDS organization.

RADICAL (RE)INVENTION

SDS’s re-founding has been widely reported and critiqued within the mainstream and alternative media, and SDS’s own telling of its rebirth is found in the 2006 Martin Luther King Day press release that announced the organization’s reemergence. High school students Pat Korte and Jessica Rapchik connected with other activists interested in revitalizing SDS, and veteran radicals who provided advice and assistance in forming a national organization. With help from SDS’s first national president Alan Haber, and veteran radical and independent journalist Tom Good, the students formed local SDS chapters and quickly established a national network – thanks largely to Internet-based networking. More than 110
PRESIDENT’S COLUMN

BY DANIEL MEYERS

This edition of our Chapter’s Newsletter is a celebration of a remarkable forty years. The running theme of the issue is the evaluation of events both historical and present. Thanks to Colin Starger and the entire newsletter committee for this valuable publication. At this year’s Spring Fling, we celebrate the Generations of 1968 and 2008 by honoring Margaret Ratner Kunstler, Mary Kaufman, William Schaap, Sarah Kunstler and Gideon Orion Oliver.

We are in the grips of illegal and murderous war(s) abroad and repression at home. As we did forty years ago, local and national NLG members continue to support movements for justice. We fight on behalf of “organizations of government interest” and grand jury subpoenas. We represent resisters to the Iraq war, environmental and animal-rights activists, public-space and park activists, undocumented workers and even bicyclists. And we still Take It To The Streets. The ’08 Mass Defense Committee, chaired by Bruce Bentley and Adrienne Wheeler, makes us as proud as it did in 1968 when it was led by Mary Kaufman. From “Know Your Rights” forums, to coordinating cadres of Legal Observers (the “Green Hats” present at virtually all major progressive demonstrations), to arranging criminal defense, the MDC remains at the forefront of our work.

Certainly times have changed. Some problems we face today were unknown or less obvious in 1968 (e.g. degradation of the environment by global warming and internet data-mining complete with a vast-array of technological spying). Over the years there have been two competing constants, the institutionalized corruption of democracy by a racist, exploitive ruling class and our support of resistance. We are distinguished by an unwavering commitment and representation of individuals and organizations that are targets of repression.

Today our Chapter is strengthened by the next generation of young Guild lawyers, legal workers and law students who bring renewed energy and dedication to movement support. You can read about some of their work in this Newsletter and hear more at the Fling. With pride, I recall but a few additional examples of our Next Gen members in action: V.P. Kerry McLean’s speaking at City Hall in support of the Jena 6; V.P. John Hirsch’s lawyering for the poor in the criminal injustice system; and the work of many individuals. Those individuals deserve our gratitude.

In the end, our Chapter’s work is as it always has been — a collective effort dependent on the hard work of many individuals. Those individuals deserve our gratitude. Thanks to all mentioned in this column and throughout the issue. Thanks also to Chapter Coordinator Susan Howard. Her extraordinary work is a major reason for the Chapter’s progress, growth and success. Thanks to the Spring Fling Journal Committee, Ursula Levelt, Anne Schneider, Sally Mendola, Aaron Frishberg, Joel Kupferman and Amy Cara Brosnan. Thanks to Emily Compton, our treasured Executive Committee — the heart and present. Thanks to Colin Starger and the entire newsletter committee for this valuable publication. At this year’s Spring Fling, we celebrate the Generations of 1968 and 2008 by honoring Margaret Ratner Kunstler, Mary Kaufman, William Schaap, Sarah Kunstler and Gideon Orion Oliver.

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Adrienne Wheeler’s exposing the brutal nature of Chief Smolka who assaulted her; Beth Baltimore’s organizing opposition to the government’s prosecutions of environmental and animal rights advocates; Lamis Jamal’s representing dispossessed and exploited Palestinian people; Yetta Kurland’s advocacy for tenants’ rights including pet ownership; and Paul Keefe’s coordinating a major forum on torture at Guantanamo.

This and other next generation lawyering often proceeds with intergenerational guidance. My comrades Elizabeth Fink and Martin Stolar are two stalwarts always available to mentor, support and inspire. Robert Boyle, Deborah Hrbek, Margaret Ratner Kunstler and Katherine Lynch provide brilliant leadership and lawyering in defending the Chapter against an onslaught of subpoenas issued by the City to compel our Chapter to disclose privileged information and communications received before, during and after the 2004 RNC.

In the end, our Chapter’s work is as it always has been — a collective effort dependent on the hard work of many individuals. Those individuals deserve our gratitude. Thanks to all mentioned in this column and throughout the issue. Thanks also to Chapter Coordinator Susan Howard. Her extraordinary work is a major reason for the Chapter’s progress, growth and success. Thanks to the Spring Fling Journal Committee, Ursula Levelt, Anne Schneider, Sally Mendola, Aaron Frishberg, Joel Kupferman and Amy Cara Brosnan. Thanks to Emily Compton, our treasured Executive Committee — the heart and present. Thanks to Colin Starger and the entire newsletter committee for this valuable publication. At this year’s Spring Fling, we celebrate the Generations of 1968 and 2008 by honoring Margaret Ratner Kunstler, Mary Kaufman, William Schaap, Sarah Kunstler and Gideon Orion Oliver.

As we face the struggles ahead, we remember with love and appreciation our comrades who have recently died: Denis Berger, Neal Gantcher, Muriel Goldring, Ira Gollobin, John D.B. Lewis, Victor Rabinowitz and William “Jack” Waterman.

We have unfinished business. End the prosecution of the San Francisco 8. Free Mumia Abu Jamal, Dr. Sami Al-Arian and all political prisoners.
SDS Takes It
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SDS chapters exist today, according to the organization’s Wikipedia site, and the organization has two conferences and an organizational structure ratification process under its belt.

The new SDS envisions a mass movement expressly premised on the radical participatory democracy and direct action ideals of the original organization, and shares its namesake’s anti-imperialist critique and sense of deep connection among global and local issues. But it also seeks to retect "old" models of activism. The national organization’s "Who We Are, What We Are Building" statement, passed at its 2007 convention and ratified by the local chapters in March 2008, states, "We can do what has been done before – reinvent the wheel – or we can build something new together, something informed by our past and grounded in a vision of what the future might look like. We envision the new SDS in the light of the second alternative."

SDS’s attempt to straddle the competing values of legacy and revolution has drawn contradictory criticism. Some have deemed it too bound to the past to be a truly radical organization – a critique lodged by former SDS president Todd Gitlin (Christopher Phelps, “The New SDS,” The Nation, April 16, 2007); others think it too new-fangled to lay legitimate claim to the legacy of its namesake – in the words of former SDSer Maurice Isserman, the new SDS is “a fraud.” (Kate Stinchfield, “The Return of SDS,” Time, Aug. 9, 2007).

But at least some current SDSers see these questions of identity as insignificant, or worse, a distraction. As Meaghan Linick-Loughley, a New School sophomore and SDSer, told me, “This is a youth organization. At the same time, it is of the utmost importance to engage in dialog with veterans to develop institutional memory of organization and social justice, and to learn from their failures and build on their successes. But what we need is a mass movement, and in order to mobilize a mass movement we need to be responsive to people’s current, local problems.” And not all veteran SDSers reject the project of the new generation. Former SDSer Mark Rudd, who has networked with the new SDS to occupy the Chambers Street military recruitment station on the fourth anniversary of the Iraq war, protesting outside the headquarters of defense contractor L3 Communications, and organizing against the U.S. government’s militarization of the New York Container Terminal.

SDSers aim to organize students around the local impacts of these larger global issues. As Linick-Loughley explained, discussing a chapter campaign to remove an L3 executive from the New School board of trustees, "We try to show the connections between being disempowered at universities and being disempowered in the world at large. The same people profiting in the war in Iraq are the people who are running our universities." Linick-Loughley and other SDSers at Pace University, from which she transferred last year, felt the intersection of the political and the local when they were detained, questioned, and faced college disciplinary charges for "unauthorized" protest in connection with a campus visit by former President Clinton.

GUILD SOLIDARITY
Linick-Loughley was represented at her Pace disciplinary hearing by NLG attorney David Rankin, who was one of several Guild attorneys defending the Pace students. “The Guild’s number is in my cell phone, and often on my arm,” Linick-Loughley said. New School SDSer Alex Cline, who reports being helped by the Guild “several times,” points to the NLG as an important institution supporting the work and ideology of SDS. “The lawyers aren’t dictating what we do in protest, but they are there in solidarity. It is consistent with our own understanding of how social movement organizers should empower action without directing it from the top,” said Cline.

Rankin, who currently represents Cline and other SDSers arrested for their participation in the March 19, 2008 L3 Communications action, agrees that it is the broader mission of protecting leftist dissent that brings the Guild and the new SDS together, and which gifts all Guild mass defense work. “From the Mass Defense Committee perspective, it’s not ideological. In so many circles of the activist community small differences prevent activists from working together. But our commitment is broader, to leftist dissent generally, and that powers our work.” Indeed, the Guild’s support of new SDS activists creates yet another historical parallel. From the critical role of Guild lawyers in defending the approximately 700 protestors arrested in the 1968 Columbia University student occupation and uprising, to William Kunstler and Leonard Weinglass’s defense of SDSers Tom Hayden and Rennie Davis in the Chicago 8 trial that followed the 1968 Democratic National Convention protests, the Guild’s own critique of legal and political structures and its ardent defense of dissent made it a natural and important ally of the 1960s SDS. Veteran Mark Rudd credits the Guild with his personal freedom – “Without the NLG I would probably be in jail right now” – but also sees the organizations’ connections as historically critical. "NLG attorneys were at every anti-war demo big and small. There would have never been a successful anti-war movement (we did help stop the war, you know) without the NLG." As a new generation of activists steps forward to revitalize and reimagine radical social change, and a new generation of lawyers emerges to defend government suppression of that dissent, at least one piece of history looks to be worth repeating.

For more information on today’s SDS, check out www.studentsforademocratic-society.org as well as Tom Good’s Next Left Notes, a radical publication inspired by the New Left Notes of the 1960s SDS, available at www.antiauthoritarian.net
BY MIKE FAHEY

On February 14, CCR staff attorney Rachel Meeropol argued Ibrahim Turkmen's appeal before the Second Circuit in a civil rights lawsuit filed on behalf of a class of Muslim, South Asian and Arab non-citizens who were swept up by the INS and FBI in a racial profiling dragnet following 9/11. Covington & Burling is co-counsel with CCR. “My clients were singled out for prolonged and arbitrary detention in extremely restrictive confinement simply because they are Muslim and Arab men who violated the civil immigration law,” said Rachel. “After five years of litigation, they and the rest of the 9/11 detainees are still seeking justice. Hopefully, this argument brings us one step closer to holding Ashcroft and his cronies accountable.” Remarkably, less than two months after this historic argument — on March 28 — Rachel gave birth of to her beautiful daughter Josie Hunt Meeropol. Congratulations!

Gideon Orion Oliver continued his groundbreaking First Amendment challenges to City parading laws before the Appellate Term, First Department on April 7. Gideon teamed up with MDC veteran Simone Levine to argue two consolidated appeals of bikers arrested in 2005 Critical Mass rides before a packed courtroom of supporters. “Gideon's work on this case has just been amazing,” said Levine. "You should see the record he has made for his clients. The clerks couldn't believe it. I am so glad the Chapter is honoring him at this year's Fling!!"

Chapter stalwart Michael Steven Smith has been busy indeed. On February 18, he spoke at a Columbia Law School program, The Rise of Racism & the Attack on Democratic Rights. He then helped organize and chair the Left Forum at Cooper Union over March 14-15. At the Left Forum, Michael also appeared on two panels, Torture and the Decline of the American Empire (with CCR President Michael Ratner) and Arrival of the American Police State (featuring Lynne Stewart and chaired by Heidi Boghosian, Executive Director of the NLG national). Both Left Forum panels can be viewed on YouTube. Meanwhile, don’t forget to tune into Law and Disorder on WBAI 99.5FM, Mondays at 10 a.m. Michael Smith, Michael Ratner and Heidi Boghosian co-host this Guild Radio show – past shows are streaming on the web at www.lawanddisorder.org!

Jim Meyerson successfully represented the NAACP in opposing NYC’s attempt to lift a 1974 desegregation order for Brooklyn’s Mark Twain Intermediate School. Meyerson told the New York Law Journal, “We asked [the judge] … not to preclude the school district from administering that school in the manner and fashion that it deemed appropriate, which under New York law we deemed to include an integrated and diverse educational environment...It remains our belief that race remains a permissible factor to be utilized.”

Lew Steel was co-counsel in a class action representing Black and Latino workers at the NYC Department of Parks and Recreation, who won a settlement providing new procedures, back pay and compensatory damages for discriminatory practices. The settlement is subject to judicial approval.

Finally, David Rankin keeps rocking. Twice in the space of a week, New York Times readers learned of Dave’s work – and that of his associate Mark Taylor — first in helping client Melinda Hunt get the names of those buried in Hart Island’s potter’s field released through FOIA requests (4/24/08), and then in defending the privacy right of activist/programmer Tad Hirsh against a subpoena regarding his TXTmob text messaging service and its use during the 2004 RNC (4/30/08).

GUILD IN ACTION

BY MIKE FAHEY

Big Brother rebuffed! On February 20, Chapter President Danny Meyers, ably represented by Bob Boyle, Margie Ratner, and Debbie Hrbek, secured a federal court order rejecting NYC’s bid to subpoena hundreds of emails to the NYC Chapter from people arrested and detained during the 2004 Republican National Convention. The Chapter’s Mass Defense Committee arranged for representation of many of the activists.

The March 24 release of 60 Pakistani judges held in detention for over four and a half months was a tremendous victory for the rule of law, and the NYC chapter played a role. On February 26, Justice Emily Jane Goodman opened her home for a reception for Hamid Khan, former President of the Pakistan Supreme Court. Jeanne Mirer, along with local law school NLG chapters, also organized special presentations by Mr. Khan and Pakistani Supreme Court Bar Association VP Sahibzada Anwar Hamid at NYU and Brooklyn Law Schools on February 27 and 28.

Harshadhu lives! Jed Eisenstein, Franklin Siegel and Marty Stolar were among co-counsel who obtained a ruling that the NYPD cannot disregard the Harshadhu guidelines when investigating political activity. The original plaintiffs in this lawsuit, filed way back in 1971, included Barbara Handschu, now practicing matrimonial law in Buffalo, and the late Abbie Hoffman. Federal Judge Charles Haight initially entered the guidelines (http://www.nyccl.org/node/1662) in 1984. On February 27, Judge Haight granted discovery of police photo surveillance to the plaintiff class — persons who engage in political activity in NYC. Harshadhu is a long-running, 4th Amendment-based attempt to force the NYPD to recognize the difference between criminal conduct and political activity.

Workers’ rights advocates have launched Brandworkers International (Brandworkers.org), a non-profit organization to protect the rights of retail and food chain workers. The NYC-based group links retail and food employees with concerned individuals to make positive change on the job and in the community. Over three hundred employment attorneys have already joined Brandworkers to offer legal assistance to workers in need. Heidi Boghosian, Dean Hubbard, Michael Ratner, Ursula Leveit and Joe Lipofsky were among the chapter members involved in the March 6 launch.
Still Busted

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Gus Reichbach remains a Guildie in good standing, but is now the Honorable Gustin Reichbach, Kings County Supreme Court Justice. And I am a second-generation public defender, still fighting The System. Our books represent the times in which they were written: The Bust Book reflects the halcyon days of civil liberties and Busted! reflects forty years of gnawing away at our right to be left alone.

In 1969 the Warren Court was wrapping up 16 years of generosity, cloaking us in the soft warm blanket of privacy rights. The Rehnquist Court would soon rip this blanket from our bodies, leaving us shivering and cupping our genitals as we confront Bush, Jr., et al.

Reichbach and his co-authors expressed outrage at the prospect of no-knock search warrants being sought by Attorney General John “Mad Man” Mitchell. Stun guns, battering rams and the crew from Cops are the norm in our time. Warantless eavesdropping and email scanning is a grim reality. And while The Bust Book is nearly casual about a drug bust, recommending simply hiding dope in your drawers, Busted! beseeches you to stick it up your ass.

Evolution of Chill: Protest & NYPD Tactics ’68-’08

BY PAUL L. MILLS

Today’s activists don’t simply march in the street and hope a TV news team shows up to put the demo on the evening news. Young radicals now bring their own video cameras and release footage directly to YouTube within hours of arrests or melees. Instant and widespread independent media coverage allows protest crackdowns to linger in the public eye for months or years. But protestors aren’t the only ones whose tactics have evolved. Their First Amendment adversaries have also evolved their public relations sophistication — though not, in many instances, their actual techniques of repression.

Consider first the headline of a John Sibley article from the April 26, 1968 New York Times “Civic BodyScores Tactics of Police”. The civic body was the NYCLU, and it had scored the NYPD’s handling of three days of protests in the previous December. Then Executive Director Aryeh Neier had specifically reported the NYC-NYC News-spring08.qxd 4/14/08 3:33 PM Page 5

Justice Gustin Reichbach in 2007

upon us once again. Now, even more than then, the fight needs to be taken to the streets and into the courtroom. It is time to throw cold water in Lady Liberty’s face.

Wake up!

hard times, these.

During the Rehnquist era, the “war on drugs” was, and continues to be, the chief weapon employed to disenfranchise and incarcerate people of color and eat away our civil liberties. And the drug war is as efficient a class warfare weapon as any generation has endured. (Thus Busted! is about surviving the drug war as it has evolved since the time of The Bust Book.)

Regrettably, The System suffered no smashing at the hands of The Bust Book’s young radicals. The riot cops had their way with Lady Liberty and today she gives it up free and easy. Stupefied in a decades-long Stockholm Syndrome, she no longer resists the erosion of civil liberties at the hands of naked police power. And the latest progeny of this unholy union is the “war on terror” — as chilling a threat to individual freedom as any we have faced.

But what ties the two books together, and ties the NLGers of this generation with those of yesteryear and those that will follow, is the spirit, the spirit to resist. The crisis that pushed NLG lawyers to action in 1969 — an attack on civil liberties by an illegitimate president waging an illegal war with a murky agenda — is
BY AARON FRISHBERG

“This are the times that try men’s souls. The summer soldier and sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now, deserves the love and thanks of man and woman.”

—Thomas Paine, 1776.

Late January—early February, 1971: Vietnam veterans came together in Detroit to give first-hand testimony about the war in Vietnam. Vietnam Veterans Against the War (VVAW) organized panels by the service branch and division lines of the testifying vets. Dressed in battle fatigue, courageous young men described the harsh realities and painful details of the United States’ war of occupation.

In March 2008, Iraq Veterans Against the War (IVAW) brought together a new generation of veterans to testify about their experiences in occupation wars in Iraq and Afghanistan. IVAW described this Winter Soldier as “fighting for the soul of our country” with the purpose of “demonstrating our patriotism by speaking out with honor and integrity instead of blindly following failed policy.”

Nearly forty years ago, Vietnam veterans recounted a grim cycle of violence. The war treated all Vietnamese people, civilian and soldiers, as potential enemies. In the eyes of superior officers, anyone killed was “VC,” Viet Cong, In this context, GIs in 1971 described how just trying to survive often led to wanton destruction of homes and lives. A panel on weapons revealed the destructive use of the chemical defoliant “Agent Orange,” which destroyed crops as efficiently as it destroyed tree cover. Such destruction increasingly turned the civilian population into the hostile force the military perceived it to be. These first Winter Soldiers further testified about pervasive racism within the military, which encouraged the perception of Vietnamese as “gooks,” something less than human.

For most of the Vietnam veterans who spoke, Winter Soldier was the first opportunity they had to speak openly about their experiences in a psychologically safe space. The powerful support and solidarity helped inspire veterans to create self-support groups. These groups discussed “Post-Vietnam Syndrome,” later officially recognized by the psychiatric profession as post-traumatic stress disorder.

Iraq Veterans Against the War drew its inspiration from the 1971 Detroit hearings when it presented the voices of Iraq and Afghanistan veterans—our winter soldiers—at the National Labor College in Silver Springs, MD March 13-16 this year. Winter Soldier was similar in many respects to the 1971 event, though this time the young men and women testified in suits rather than military fatigues. This change represented more than media savvy—legal advisors from the Military Law Task Force of the NLG had actually counseled against fatigues to cut off a possible avenue of prosecution by the military courts.

Sadly, Winter Soldier demonstrated how little has been learned from the tragedies of our past. Panels echoed the fundamental lesson of the 1971 hearings: Military occupation in the face of significant resistance places individual soldiers in circumstances where ordinary civilians are frequently indistinguishable from hostile fighters, and mere survival becomes the principle goal of individual soldiers’ daily encounters. As in Vietnam, these factors drive civilian casualties. Two war profiteers in Iraq, who provide not only equipment and weapons but also private mercenaries. These corporate gunmen are accountable to no one—certainly not to the U.S.-created Iraqi government. The obvious perils of this expansion of the defense industry’s role came to fruition in the Blackwater scandal, when employees of a private contractor providing security to U.S. diplomats in Iraq fired into a crowd of Iraqi civilians, killing several. The Iraqi government was told that Blackwater’s contractor status prevented its prosecution under Iraqi law. But neither has its prosecution occurred under U.S. law.

The 2008 Winter Soldier Investigation also explored broader issues facing today’s soldiers beyond the context of specific fields of battle. One panel, for example, focused on sex and gender in the military, at which women spoke about the unwillingness of the military to take seriously sexual harassment and invasion of privacy or even rape of women service members.

Another panel, on the future of GI resistance described the background of organized resistance to the Iraq war within the military. A glimmer of hope on this front is reportedly presented by the role of new technologies in providing legal avenues for soldiers’ resistance. One panelist, who while serving in Iraq worked with a comrade to set up a blog voicing opposition to the war, stressed that their tactics had been legal, even under the Uniform Code of Military Justice; both soldiers received honorable discharges at the end of their terms of service. The panel ended with an upbeat announcement that applications to join IVAW were being downloaded from the organization’s website faster than their system could accommodate. Technology also helped the 2008 hearings thwart the corporate media blackout imposed in 1971: The event was reported on many independent media websites, and simulcast on the IVAW website.

And so, in response to the rhetorical protest song query, “Oh, when will they ever learn?” Winter Soldier takes the critical and brave step of giving voice to those who must be our teachers.

The author wishes to acknowledge the invaluable assistance of Scott Camille, who testified at the 1971 Winter Soldier Investigation, and of KPFA Radio, which has archived testimony of the 2008 hearings on its “The War Comes Home” site.
BOOK REVIEW

BY RENATE J. LUNN

Remembering Tomorrow: From SDS to Life After Capitalism, a Memoir, Michael Albert; 445 pages, Seven Stories Press 2006

Remembering Tomorrow is not a coming of age story. Rather this memoir starts where most such tales end, with a pivotal turning point. Michael Albert begins by describing his politicization at MIT, where he studied physics until his life took a turn to the Left. For the rest of the book Albert examines how he has kept the revolutionary fires burning for the past forty years. He provides valuable lessons for us as we look back at how far we’ve come since 1968 and strategize on our goals for 2048.

Michael Albert is a writer, publisher, econom-ist and activist. He served as president of MIT SDS and co-founded South End Press, a coop-eratively run book publisher. Currently, Albert edits ZNet, having left another of his projects, Z Magazine, in the hands of his partner, Lydia Sargent. Along the way, he has authored fifteen books, including Parecon, in which he explained and advocated for participatory eco-nomics as an alternative to capitalism.

In Remembering Tomorrow, Albert laments, “It is incredible the extent to which young people in the anticorporate globalization and antiwar and other movements today revisit experiences from the past, replicate mistakes and successes, but don’t start off from a more advantageous point due to having imbibed past lessons. The fault isn’t with contemporary movements, so much as with my generation’s abdication of its communicative responsibility.” Albert corrects this deficit in his memoir. And between anecdotes about the Black Panthers, his friendship with Noam Chomsky and his ruminations on theory, three lessons stand out.

Measure success in terms of movement building, as opposed to whether a particular goal is achieved. During anti-Vietnam war organizing, Albert recalls that his colleagues were frequently frustrated when events they worked hard to coordinate failed to convince the US government to withdraw from Vietnam immediately. Albert takes the view that demonstrations are a success when they draw press from old school brutality at the RNC. “These seemed to occur in the evening and at night, away from most of the people. I know some legal observers who were threatened to boycott the Boston-area anti-war movement. They threatened to boycott the Boston-area anti-war efforts and encourage other women to do the same if their demands weren’t met. Albert cites this as a wake-up call where he realized there would be no successful opposition to the war, much less to sexism, unless women were respected and won their equal place.” After all, “peace” be truly achieved when half the population was still oppressed! Later, when he worked with South End Press, the publishing house was committed to operating democrati-cally, not just publishing high-quality political books.

Emphasize a vision for the future and devise a strategy to get there. Frequently, activists focus on what they’re against without being able to articulate what they’re for. Social movements are more appealing when they can offer people a positive alternative, rather than preach against things people already know are wrong. Thus, Albert spends much of his time advocating for alternatives to capitalism, such as his model, Parecon. Albert emphasizes that visions and strategy should be developed collectively and are not meant to be rigidly adhered to, but rather provide motivation and guidance to activists.

The memoir concludes, “I dredged up memories in this book not to revel in glory days, but to provide some inspiration and insights that might fuel new change in years ahead.” Indeed, Albert has succeeded in demonstrating that the “glory days” of 1968 are still relevant in 2008.

Protest and NYPD

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By 2004, NYPD undercover agents were operating in 14 U.S. states and Europe. NLG Chapter President Danny Meyers suggests that current NYPD methods are virtually the same as they were in 1968. “Once they go into an organization it’s the same approach. It’s intelligence gathering and dirty tricks of all kinds, including forcing people to act out in ways they would never have done if they were not pro-voked.”

On the other hand, the NYPD has gotten wiser about using excessive force in public demonstrations. Affidavits in the Chapter’s archives illustrate cops’ cavalier stance toward brutality in the 1960s. One dated May 22, 1968 tells the story of a student being confronted at gunpoint in Columbia’s Furnald Hall, then chased up the stairs by plainclothes officers. At the fourth floor the student “was grabbed from behind & pulled down to the landing below. At this point several men (all plainclothes, I could not distinguish the number, the badges or any-thing) hit me with clubs, sticks & fists & kicked me in the head, shouting all the time, ‘You’ve been beaten, kid. You’ve been beaten. Tell that to the papers.’”

The NYPD’s hunger for similar coverage seems to have waned over the intervening 40 years. Nowadays NYPD rely on metal cages known as “pens” rather than wooden night-sticks (no longer “billy-clubs,” known now by the friendlier term “batons”) to control demonstrators. Bruce Bentley, Mass Defense RNC Coordinator, explains the police use of metal barriers. “If it’s a larger demonstration, and there has been press about it, and if the group has obtained a permit, you’re going to see a lot of police on foot, motor scooters, and metal barriers to keep people within an area.” But Bentley recalls receiving limited second-hand reports of old school brutality at the RNC. “These seemed to occur in the evening when it was dark, away from most of the people. I know some legal observers who were thrown to the ground and hit with, I think it was a fist. But over the course of 1800 arrests I could not call it a practice of using excessive force on people.”

NLG attorney Rose Weber confirms Bentley’s view of the RNC misconduct. “I don’t recall any claims for excessive force. Given the numbers of police available, the narrow streets, and the use of barriers, they’ll just direct people to go into what we call ‘The Pen.’” Jeff Rothman, plaintiff’s counsel in eleven RNC cases, explains, “They learned from ’68 about the public relations nightmare that can come from there. Blood is very visible. They’re concerned with public perception a great deal.”

NYPD handled things differently, however, according to Ms. Weber, when Critical Resistance held an indoor benefit event on November 16, 2003 in Brooklyn. That night, plainclothes cops came and harassed a gathering of mostly young activists of color. “Police raided the benefit, beat a bunch of people up and arrested them. That was a total police riot. They were beating the crap out of everyone; pepper-gassing them, using their clubs freely.” Violent encounters may be less pronounced than during the heyday of CoIntelPro in the 60s and 70s, but cops still attack activists and they still beat up people of color. NYPD tactics and media savvy may have changed, but old habits die hard.