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A Public Defenders Union Debated A Pro-Palestinian Resolution. Then Came The Backlash.

The union representing thousands of legal and social service workers in New York City is fighting to hold a vote on a resolution condemning Israeli "apartheid."

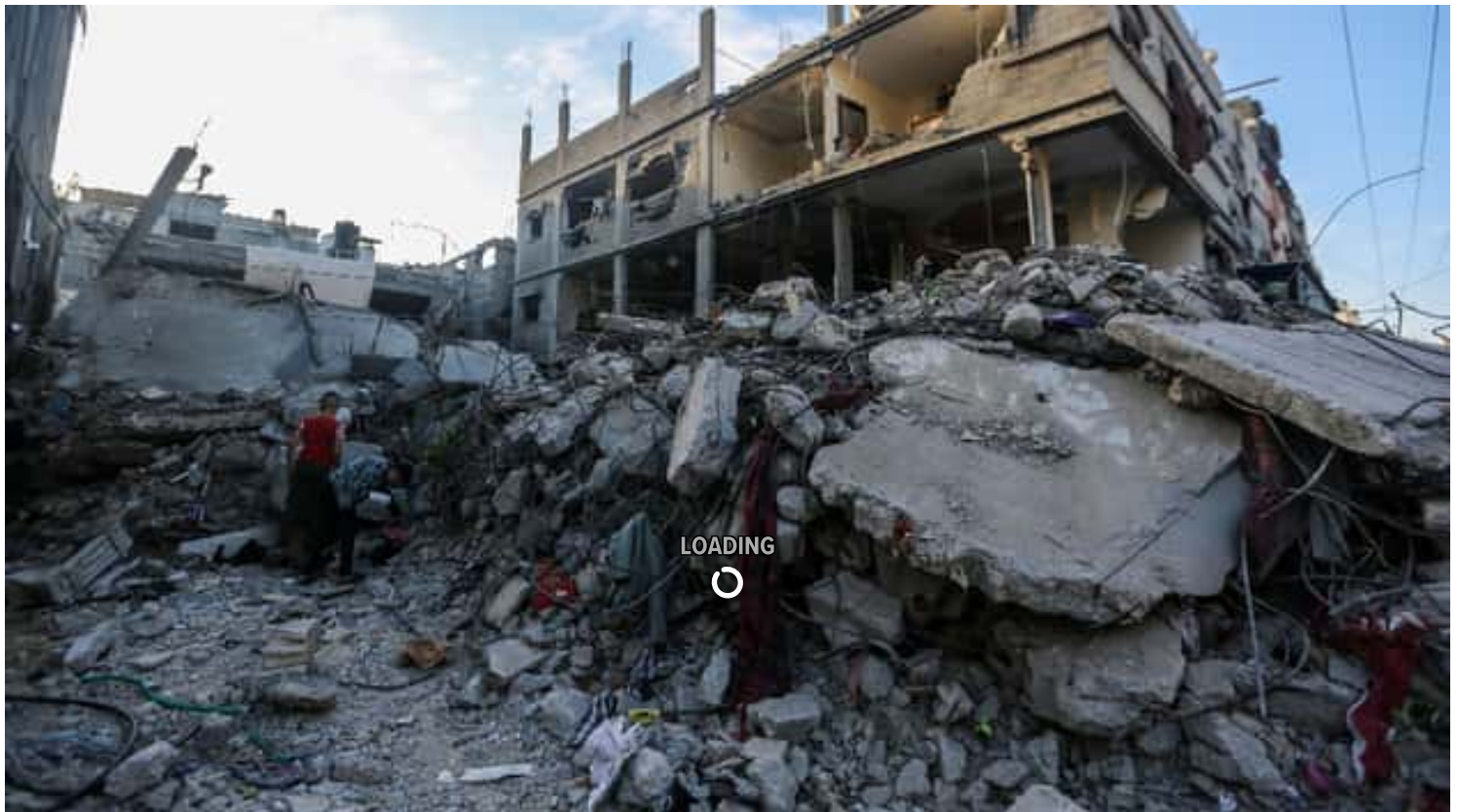
By Matt Shuham

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legal aid service provider, did not mince words. The organization's funding was under threat, she claimed, by the fact that the union representing staff attorneys was considering a pro-Palestinian [resolution](#).

The Legal Aid Society's civil practice is supported by millions of dollars in donations from law firms, Twyla Carter, the CEO, said in a staff call last week, and four firms were "reevaluating — their words, not mine — their commitment."

The firms' cause for concern was a pending resolution before the Association of Legal Aid Attorneys, the United Auto Workers Local 2325 that represents about 2,700 legal and social service workers in the greater New York City area. Among other things, the [resolution](#) calls for an immediate cease-fire in Israel and "an end to Israeli apartheid and the occupation and blockade of Palestinian land, sea, and air by Israeli military forces," and it announces that the ALAA stands "for human rights and against apartheid, ethnic cleansing, and genocide." (An [agreement was announced](#) late Tuesday that Hamas would release some hostages in exchange for a temporary cease-fire.)

Ever since the proposed resolution's contents leaked online a few days ago, the union has been under fire for even considering voting on it.

As the death toll in the Gaza Strip [passes 13,000](#), according to Palestinian authorities, the struggle over the union resolution is indicative of a broader conflict in the United States over tolerance for dissent against the Israeli government, as well as the line between criticisms of Zionism and accusations of antisemitism, particularly within institutions dependent on government funding and private donations.

On the staff call, Carter fretted over the law firms reevaluating their financial support and over the possibility that citywide [budget cuts](#) aimed at nonprofits would affect the Legal Aid Society.



“If we lose any funding, we’re going to have really hard conversations here in the future,” Carter said.

HuffPost obtained a partial recording of the call, which was previously reported by journalist [Talia Jane](#) and [The Intercept](#). In it, Carter referred to the union resolution as “selfish and privileged” and vented at one point: “Nobody gives a shit about the nine wars that are happening in Africa.”

Although Carter said she was not pressuring union members one way or the other on their resolution votes, she defended the Legal Aid Society’s decision to release a preemptive [statement](#) accusing the resolution of containing “coded anti-semitic language and thinly veiled calls for the destruction of the state of Israel.” (Asked for comment on the content of the call, a spokesperson for the Legal Aid Society referred HuffPost to the organization’s previous statement and declined to comment further.)

The ALAA resolution is “one-sided,” Carter said on the call, “which is why our response was one-sided.”

She’s not alone in feeling that way: On Thursday, four union members from the Nassau County Legal Aid Society filed suit, [arguing in a complaint](#) that the vote should be prevented altogether because even being associated with the “rank antisemitism” of the resolution would forever harm the attorneys’ ability to fairly represent Jewish clients.

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The next day, Nassau County Supreme Court Judge Felice J. Muraca issued a [temporary restraining order](#) stopping the vote — forcing the union to pause the voting process with about 20 minutes left for



the vote at a hearing on Tuesday, but Muraca continued the order and said he intended to make a decision in the next month.

Although it's not clear how union members may have voted in favor of the resolution, there could potentially be substantial support for it. Last year, the ALAA urged UAW International to divest from Israeli bonds via a resolution that was [approved](#) in a 555-182 vote. And the ALAA Joint Council, a decision-making body made of union officers and delegates from each ALAA chapter, voted 108-13 last week to hold a membership-wide vote on the measure, according to a legal [filing](#) from the union.

Michael Letwin, a retiree member of the union who had been its president for 13 years, until 2002, worked for decades as a staff attorney at the Legal Aid Society and identifies as an anti-Zionist Jew. He's part of a coalition within the union, ALAA Labor for Palestine, that supports the resolution, which Letwin described as a response to a [call for solidarity](#) from Palestinian trade unionists.

"The idea that we would, or should, sell our conscience because of threats to funding is really abhorrent," he told HuffPost. "There's a genocide going on, and we're not going to just ignore that, anymore than we would ignore what was happening in the Warsaw Ghetto in 1943. We will not be silent, and we will not be silenced."

“We will not be silent, and we will not be silenced.”

- Michael Letwin, former president, Association of Legal Aid Attorneys

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Some union members who spoke to HuffPost said executives' focus on funding and budgetary concerns was a way of weakening support for the resolution before the final vote.

"I do think there is an attempt to really scare people," said one staff attorney at the Legal Aid Society who asked not to be named out of fear of retaliation, referring to Carter's remarks to the staff.



are extremely passionate about, and obviously our salaries bring people out to be vocal in the union who wouldn't necessarily be vocal about political issues," the attorney said. "It's kind of a way of ensuring that everyone's listening, and if anyone was on the fence, I think this chills a lot of people, and it directly links our vote on this resolution to the funding that Legal Aid is going to get and the salaries we're going to have."

Within the ALAA, some members are fuming at the lawsuit, characterizing it as an effort to suppress support of the resolution, particularly among Jewish attorneys.

The complaint refers to the resolution as "antisemitic" numerous times but does not explain its reasoning, aside from referencing potential jurists and fellow attorneys who are Jewish and "who may take great offense to the said Resolution." It also compares the resolution to others that have "created great controversy and division across the United States and the entire world, and have fomented hate and derision towards the nation of Israel, and most significantly as it relates to the relief requested herein, people of Jewish descent as a general matter (often referred to pejoratively as 'Zionists' in the public sphere)," including clients of the plaintiffs. An attorney for the plaintiffs, David Smith, did not return HuffPost's request for comment. In court Tuesday, he referred to the resolution as a "hate screed," [Jane reported](#).

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Numerous union members objected to what they argued was the suit's failure to distinguish between criticisms of Israel and Zionism and hatred of Jewish people.

"There's a strong contingent of Jewish people involved in the planning and organizing around this resolution and what's happened in the aftermath, and we're all extremely outraged by both management and by the specific members who brought this suit who are conflating antisemitism and anti-Zionism specifically to silence us and our peers," said Dany Greene, an appellate attorney and ALAA member who is Jewish.



chapter of the same union last month.

Unionized attorneys at Bronx Defenders, one of more than 20 chapters represented by ALAA, independently released their own pro-Palestinian [statement](#) on Oct. 20, which the chapter said had the support of an “overwhelming majority” of members.

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“Let this public statement reflect: we do not consent to Israel’s genocidal rhetoric and actions against the Palestinian people and we do not consent to U.S. political support for this genocide,” the statement read. “We urge all people of good conscience who claim to be committed to the abolition of the prison industrial complex, to migrant rights, to housing justice for all, to ending the family-regulation system, to join us in publicly condemning the atrocities of Israel and defending the Palestinian people from ethnic cleansing and genocide.”

The statement came out despite management’s apparent best efforts to stop it. Before the union members voted, Bronx Defenders’ interim general counsel wrote to them and advised that the name “The Bronx Defenders Union” contained the trademarked name of the organization itself and made it clear that “use of BxD’s name in the proposed statement about Israel and Palestine is unauthorized and BxD will enforce its trademark rights.”

One employee at the firm, Yosi Badie, [criticized](#) management for using [the same intimidation tactic as Starbucks](#).

“We put the statement out anyway because we believe it’s our duty to speak out for Palestinian people against occupation,” Badie told HuffPost. “Especially as public defenders, it’s our whole job to be standing against oppression and for liberation of people, here and across the world.”

Babatunde Aremu, the Bronx chapter chair, released a follow-up [statement](#) to the New York Post last month defending the union’s stance. “We stand by that statement, and we reject the premise that supporting Palestinians is antisemitic,” he said. “We vehemently



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The reaction was swift: Fueled by [coverage](#) in the [Post](#), a [petition](#) to defund the public defender group racked up nearly 2,000 signatures and referred to the union as an “openly antisemitic organization.” It separately referred, incorrectly, to the nonprofit organization itself: “We will not stand by silently while the Bronx Defenders rationalizes the murder of innocent Jews.” Alan Dershowitz, the prominent conservative lawyer and supporter of Israel, castigated the organization in an [open letter](#) in the New York Law Journal, writing, “If a lawyer belongs to the National Lawyers Guild, The Bronx Defenders, or other legal organizations that support Hamas, clients should be entitled to ask them whether they support the barbaric acts committed by that terror group on Oct. 7.”

Management responded with a [press release](#) five days after Dershowitz’s letter, clarifying that it did not approve the union’s statement and saying it wasn’t consistent with the organization’s values or mission. “We condemn antisemitism, anti-Palestinian racism, Islamophobia and all forms of discrimination and bigotry,” the release said.

An internal message to staff from Bronx Defenders Executive Director Justine Olderman, obtained by HuffPost, shed some light on the situation behind the scenes: Since Dershowitz’s letter, she wrote, the organization had fielded numerous complaints from supporters “offended” by the union’s statement, and law firm partners were “in conversation with each other” about a potential response, “including whether to sever ties with us.”

“At least one firm has already decided they will no longer support us, and we are no longer in consideration for a renewal of the \$25k we get annually from another firm for our Employee Hardship Fund,” Olderman wrote. (Bronx Defenders did not respond to HuffPost’s request for comment. Several people told HuffPost that \$25,000 was a relatively small sum for Bronx Defenders, which operates on a multimillion-dollar [budget](#).) Carter, in her call with Legal Aid Society staff, referenced Bronx Defenders, saying the group was “losing funding.”



weigh in on the merits of the resolution but argued that suppressing any vote at all was an infringement of union members' free speech rights. "The Vote itself represents an act of expression by ALAA members," they wrote, arguing that stopping the vote wasn't necessary to ensure indigent defendants in the state receive unbiased defense attorneys, as plaintiffs argued.

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"Plaintiffs appear to be grasping at a rationale to justify suppressing speech they find offensive," the defense added. They compared the accusation that the union was discriminating against plaintiffs to political discrimination: Unions are prohibited from political discrimination, but they frequently endorse political candidates.

Nonetheless, on Tuesday, Judge Muraca had continued his temporary restraining order, continuing to block the vote. As the future of the resolution hung in the balance, union attorneys kept the focus on Gaza.

Assembled on the courthouse steps, they took turns [reading their resolution](#) aloud — it was now a public court record.

"Today, the court continued its attack on the First Amendment, on union democracy, and on solidarity with a free Palestine," Letwin said in an additional statement, flanked by fellow union members. "But amid the Israeli genocide throughout Palestine, rank-and-file UAW 2325 members will not remain silent."

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