

Statement of Support for Proposed Legal Worker Amendment

by the NLG Mass Defense Committee

The NLG's Mass Defense Committee (MDC) enthusiastically supports the adoption of the Legal Worker Amendment to the Guild Constitution. The role of legal workers in mass defense is mission critical to our goals of supporting liberation movements and diversifying legal support infrastructure. Defining members of our community by their paid labor is antithetical to every Guild value we espouse, and in particular, it represents a dangerous capitalistic approach to our shared work. Any philosophy that supports a narrow instead of an inclusive definition of legal work, and legal worker, must be called for what it is—a liberal and narrow-minded interpretation of our collective efforts, a posture that lies in direct opposition to our founding principles and our continued efforts to deepen them. Without this Amendment, a loud contradiction will remain in our spaces and work.

A few members have raised procedural arguments in opposition to this Amendment. They are wrong, for reasons articulated elsewhere. But we still want to note that the common tactic of using procedural arguments to dismiss and override legitimate and substantive arguments, in courts and elsewhere, smacks of privilege and is a clear misuse of power. We forthrightly reject these arguments and will not address them further.

A more substantive—and misguided—argument suggests this Amendment's passage would increase the risk of infiltration in NLG spaces. This is only true if a Guild space has not taken appropriate safety precautions already—there is nothing specific about legal workers that increases the risk. The national [Disassociation with Law Enforcement policy](#) passed by the MDC explicitly bans law enforcement and law enforcement-adjacent individuals from participating in Mass Defense work.

Of course, the Guild is today, as it has been historically, a target of infiltration by law enforcement and other far-right actors. There are many strategies activists and Guildies can take to reduce this risk. The MDC's Steering Committee can be a resource for support around risk mitigation, and we encourage members to think deeply and critically about all manner of increased security, with especial attention to increased technological security. Further, much of the harm that currently exists within Guild spaces is perpetuated by liberals and others in direct opposition to radical or revolutionary members, as the opposition of this Amendment clearly demonstrates. Legal workers are often best positioned and most informed about how to counter these harms and provide guidance on increasing our security culture.

Currently, the vast majority of Guild chapters use a broad and inclusive definition of legal worker, and are able to run their Legal Observer and Mass Defense programs while mitigating against the harm that infiltration poses. These chapters will continue to build and strengthen their programs and practices over time. We encourage Guildies to share their experiences and strategies so other chapters have guidance when they are uncertain about steps for moving forward with an inclusive and non-exclusionary approach to their mass defense programs. Together we can make the Guild a safer and less exclusionary space.

In a handful of chapters in recent years, an exclusive definition of "legal worker" has been weaponized for the purpose of voter suppression against non-attorney members in order to influence the outcome of local chapter board elections. This weaponization is often used to maintain the power of long-term Guildies who do not wish to give up or share power at the

board or committee level. This is a major factor in the introduction of this Amendment, and our support of it, so we can prevent that kind of disingenuous stunt from disenfranchising legal worker comrades in the future.

The Guild was founded because of the exclusionary practices of other bar associations, namely the ABA. The use of an exclusionary practice to limit membership today misunderstands the historical role of the Guild and is misaligned with our longstanding values.

Volunteer legal workers, particularly those supporting the Guild through legal observation, are often the frontline of our legal support efforts in the streets. By voting Yes on this Amendment, Guildies will send a message of support to these volunteers, helping to ensure a better functioning and politically aligned NLG for the long term. At the core of the debate around adoption of this Amendment lies the question: what sort of institution should the Guild be? One that limits volunteer support on the basis of paid labor? Or one that evolves into a more liberatory institution that seeks to shift power relationships by looking inward as well as at the broader world? We think the answer is clear. We must fight for a better world, and that means we have work to do to get our own house in order, while we continue to eradicate harm in the world writ large. Please vote YES on this Amendment.

In solidarity,

MDC