

Defending Dissent



centerforconstitutionalrights
on the front lines for social justice

Center for Constitutional Rights

The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change.

CCR uses litigation proactively to empower poor communities and communities of color; to guarantee the rights of those with the fewest protections and least access to legal resources; and to train the next generation of civil and human rights attorneys.

Formed in order to work hand in hand with people's movements, CCR has lent its expertise and support to a wide range of movements for social justice. We strive to complete the unfinished civil rights movement through targeting racial profiling and other modern-day manifestations of racial and economic oppression and through combating discrimination that is based on gender or sexuality and struggling against government abuse of power.

For decades, CCR has pushed U.S. courts to recognize international human rights and humanitarian protections – and we have had groundbreaking victories that established the principle of universal jurisdiction in this country and extended human rights standards to abuses committed by corporations and other non-government groups.

The Center for Constitutional Rights was the first organization to fight for the rights of the men held at Guantánamo Bay and has been at the forefront of the battles to end the use of offshore prisons; to end the practice of “extraordinary rendition” and torture; and to restore the fundamental right of *habeas corpus* and due process under the law.

Selma to Montgomery march across the
Edmond Pettus Bridge, Alabama 1965



Defending the Right to Dissent

Beginning with the historic 1965 march from Selma to Montgomery, CCR has worked tirelessly to defend activists and organize legal support for political movements. Over the years, CCR has represented anti-war protestors; Black Panther Party members; church activists of the Sanctuary Movement protecting Central American asylum seekers; and the American Indian Movement after a standoff with the FBI at Wounded Knee. Twice, CCR went all the way to the Supreme Court to successfully defend our right to political expression in cases where protestors were arrested for burning American flags. In these cases and many others, CCR employed innovative legal tactics that have served as

the foundation for defense strategies in subsequent prosecutions of activists.



CCR founder Arthur Kinoy, dragged from a HUAC hearing by federal marshals, 1966

From its beginning, CCR has also been involved in affirmative challenges to the targeting of political activists. In 1969, we obtained a ruling allowing a witness subpoenaed by the House Un-American Activities Committee (HUAC) to challenge the constitutionality of the subpoena. Later, our grand jury cases defended against

the use of the grand jury process to persecute those speaking out against government policies and protected the confidentiality of attorney-client conversations. CCR's innovative work in this area developed techniques that are still used to combat grand jury abuse.

Government Spying on Activists

CCR has a long history of fighting illegal domestic surveillance of unpopular groups. In *U.S. v. U.S. District Court* the Nixon administration wanted to bypass the courts to wiretap domestic activists in the name of national security. In 1972 CCR won this unanimous Supreme Court decision invalidating such wiretapping and declaring that domestic electronic surveillance without a warrant is unconstitutional. This landmark decision rejected the government's attempt to legitimize its use of the power of the executive branch to invade people's privacy and monitor their political activity.



In several subsequent cases, CCR has successfully sued the FBI for illegal surveillance and break-ins including uncovering a massive campaign of illegal warrantless wiretapping involving our representation of “controversial” causes. Building directly upon the work of our Movement Support Network campaigns and Freedom of Information Act requests, CCR helped to expose the massive spying and disruption of political activities directed at activists in the El Salvador solidarity movement during the 1980s.

The Center is again fighting this type of over-reaching by the executive branch with our ongoing work to end warrantless surveillance and the targeting of organizations based on political affiliation.

Movement Support

In 1984, CCR founded its Movement Support Network to document and combat the Reagan Administration’s campaign against opponents of its policies in Central America. The Center continues to provide support to progressive political movements, projects and initiatives by facilitating networking and communication between organizations, agencies and constituencies; undertaking strategic organizing campaigns and initiatives; and providing legal assistance for groups experiencing harassment by the Federal Bureau of Investigation and other government law enforcement agencies.



Landmark Cases

National Student Association v. Hershey (1969)

Protected rights of anti-war protesters and successfully challenged the punitive induction of anti-war students into the armed services.

Stamler v. Willis (1970)

Challenged the constitutionality of the House Un-American Activities Committee and allowed those served with HUAC subpoenas to challenge them.

Grand Jury Cases (1971)

Defended the rights of witnesses against grand jury abuse; protected the confidentiality of attorney-client conversations (In re: Kinoy) and defended a congressional aide from being jailed for contempt in the "Pentagon Papers Grand Jury" case (In re: Rodberg).

Wright v. Montgomery (1971)

CCR attorneys defended numerous participants and organized legal support for marchers who were arrested and harassed in connection with the historic Selma-to-Montgomery March in 1965.

U.S. v. U.S. District Court (Keith) (1972)

Won a unanimous U.S. Supreme Court decision invalidating warrantless "national security" wiretapping against domestic activists.

U.S. v. Banks and Means (1974)

Represented leaders in the American Indian Movement charged with conspiracy and assault in a standoff with the FBI at Wounded Knee.

U.S. v. Dellinger (1972)

Defended members of the "Chicago 8" and won reversal of the conviction on appeal.

Clavir v. U.S. (1979)

Filed suit on behalf of political activists against the FBI for illegal surveillance and surreptitious break-ins of their home.

CISPES v. FBI (1985)

Revealed massive spying on the El Salvador solidarity movement.

U.S. v. Maria del Scorro Pardo de Aguilar (1985)

Defended Sanctuary Movement workers who protected El Salvadoran and Guatemalan refugees from government prosecution.

Kinoy v. Mitchell (1986)

Uncovered a huge campaign of warrantless wiretapping involving Arthur Kinoy's and CCR's representation of "controversial" causes.

Texas v. Johnson (1989)

Won Supreme Court decision defending freedom of expression in flag burning case.

Reno v. American-Arab Anti-Discrimination Committee (1999)

Challenged selective enforcement of immigration laws in defense of Palestinian activists singled out for deportation because of their political beliefs.

In the Matters of Hamide and Shehadeh (2007)

Ended 20-year-long deportation proceedings against members of the "LA8", political activists who were lawfully engaged in protected First Amendment advocacy on behalf of Palestinians.

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