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Abstract

In 2016, Marcia Lieberman, a local group coordinator for Amnesty International, USA, was expelled by the board of directors for speaking out publicly against the new Policy on the Decriminalization of Sex Work. Amnesty used a little-known rule that prohibits a member from publicly opposing a position that Amnesty has taken. Lieberman writes about her experience and her view that Amnesty violated its fundamental principle of protecting free speech to silence her dissent.

Keywords

Amnesty International, prostitution, policy, decriminalization, punishment, dissent, gag order, Policy on the Decriminalization of Sex Work, sex work

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DECriminalIZATION OF PROSTITUTION POLICY: AMNESTY INTERNATIONAL PUNISHES A DISSENTING MEMBER

Marcia R. Lieberman

Former Coordinator for Group 49, Amnesty International, USA

ABSTRACT

In 2016, Marcia Lieberman, a local group coordinator for Amnesty International, USA, was expelled by the board of directors for speaking out publicly against the new Policy on the Decriminalization of Sex Work. Amnesty used a little-known rule that prohibits a member from publicly opposing a position that Amnesty has taken. Lieberman writes about her experience and her view that Amnesty violated its fundamental principle of protecting free speech to silence her dissent.

KEYWORDS

Amnesty International, prostitution, policy, decriminalization, punishment, dissent, gag order, Policy on the Decriminalization of Sex Work, sex work

...as a member of Amnesty International you are obligated to not convey a different message in the public arena.

A gag order prohibiting Amnesty International (Amnesty) members from opposing or openly disagreeing with Amnesty policy is buried deep within Amnesty material. It is unknown to nearly all Amnesty members and the general public, to which Amnesty looks for donations. It is a little-known rule hidden in plain sight from the world. I had been an active member of Amnesty International for almost 40 years before I learned of this rule.

I became a target of this rule after speaking out against Amnesty's new policy on decriminalization of all aspects of the sex trade. I was expelled from Amnesty for violating this rule. This is my account of how an organization supporting the right of free speech and dissent has lost its way, curbing dissent within the organization with a heavy hand.

My History with Amnesty International

I joined Amnesty International (AIUSA) in the summer of 1978 when my family and I moved to Providence, Rhode Island. That summer, I had read a news magazine article about torture. Until then, I had thought that torture, like the Black Death, mainly had something to do with the Middle Ages. On tours of old castles in Europe, I had seen the rack and the screw -- gruesome relics from past centuries. From that article, I learned to my horror, that torture had never disappeared, but was still in use, if not by these medieval devices, then by other ingenious means of

inflicting cruelty and arousing terror. I had no idea that torture is still used, and is widespread. Reading that magazine article, I first learned about Amnesty International. This organization was working to make the world aware of torture and stood for everything I believed in – freedom of conscience, and freedom of expression.

After my first few years in Group 49, we needed a new group coordinator, and I agreed to volunteer. As before, we met once a month, at first in someone's home, and then later at a local church. We worked on cases in nearly every continent in the world, sometimes advocating for several years on a particular case. I was deeply absorbed in our work, and in contact with other AIUSA group members across the country and with activists in other national sections, such as Amnesty-France and Amnesty-Germany. I was proud of our work and proud to be part of this organization. Even when I had other things that I needed or wanted to do, Amnesty came first.

A Policy on Prostitution Emerges

In the summer of 2015, I received a short email from a member of Amnesty International who I knew to be very active. X had served on the Board of AIUSA, was closely connected with the AIUSA leadership and AI-UK, the British section of Amnesty International. The leadership of AIUSA consisted of the elected Chair of our section, our section's appointed Executive Director, our elected Board of Directors, and its executive committee. X was seeking help from us as members. I had never met X, but we had been in frequent communication. We did this through a private "discussion" (communication) channel, used as a forum for announcements and strictly confidential discussion. On this channel, members and staff could make announcements, write to each other, and post thoughts for other members to read and discuss. Since we communicated by email and had each other's email addresses, we called this channel "the listserv." A drawback of this system was that not all members used it, and some members were not even aware of it unless a group leader or coordinator told them about it. But many of us used it, posting ideas and opinions.

X was concerned about a "media explosion" about a new policy on the sex trade sent to AIUSA members via the listserv for "consultation." There would be a short, limited period for discussion. The new policy had created a stir: it was controversial, and many found it objectionable. One member wrote that if such a policy were adopted, she would quit Amnesty. After the consultation period was closed, the discussion ended. I still did not quite understand the nature of the controversy and the position of X on the new policy.

Not long afterward, X sent a message to say that *The New York Times* was set to run a story "not expected to be favorable which will hurt us with donors." The new policy was now out in the open. This led to the "media explosion" that X and our leadership had feared would cause donors to close their checkbooks. A new message from X mentioned that another publication, the *Hollywood Reporter*, had just run a story "which hurts us in the entertainment community." In light of this, she said it would be "handy" to have a one-pager with talking points for member leaders. The controversial new position had aroused a public outcry of opposition, and the leadership feared a negative effect on donations. The part that shocked so many people was not the position to decriminalize prostitution, but rather Amnesty's call to decriminalize pimps and brothel-owners as well.

Because of publicity about Amnesty taking a controversial position, our Chair wanted help in preparing a short paper to assist us when meeting the public, as we might face questions too difficult for us to answer. At first, when X had asked for help, I had thought she meant help in opposing this new policy, which called for the full decriminalization of the sex industry. In fact, what she meant was just the opposite. Although Amnesty knew that the proposed new policy would be highly controversial, she and the leadership clearly supported it.

Headlines were made when a letter (July 2, 2015) opposing Amnesty's proposed policy to decriminalize all aspects of the sex trade signed by former President Jimmy Carter, former Supreme Court Justice Sandra Day O'Connor, Meryl Streep, Kate Winslet, and other celebrities, along with people in prominent positions, was made public. The signers declared themselves to be "deeply troubled by Amnesty's proposal to adopt a policy that calls for the decriminalization of pimps, brothel owners and buyers of sex — the pillars of a \$99 billion global sex industry." They wrote: what Amnesty's new 'Draft Policy on Sex Work' is incomprehensibly proposing is the whole sale decriminalization of the sex industry, which "in effect legalizes pimping, brothel-owning, and sex buying."

The Guardian, an influential British newspaper, ran a story highly critical of Amnesty and its new proposed policy. Denunciations appeared on the websites of various groups. Amnesty was plunged into controversy. No wonder the leadership was concerned about the effect on donors.

I found out that this new proposal was also much more than a "draft policy," as Amnesty had called it, and more like a non-binding consultation when it was sent it to the membership for our review. We had barely finished the "consultation" when we learned that this "Draft Policy on Sex Work" was already approved by the Board of AIUSA, and would be the policy of AIUSA at the forthcoming 2015 International Council Meeting (ICM). The ICM was then a biennial meeting of all Amnesty's national sections, at which new policy could be adopted, and changes to existing policy debated and submitted to the delegates at the ICM, representing their sections, for their vote. The International Board (IB/IEC) [International Board/ International Executive Committee] had the new policy ready for the ICM. On the agenda was Resolution 2.3. International Board - Policy calling for the decriminalization of sex work.

"Sex work" was the term used by some women in prostitution, ostensibly for voluntary, consensual sex. Their advocacy organization, Sex Workers Outreach Project (SWOP), lobbied Amnesty to adopt this policy. Amnesty's research or consultation was hastily done in preparation for the upcoming ICM. The research was mainly limited to SWOP, groups with similar views, and to interviews with "sex workers." However, the far larger number of "sex workers," mainly but not exclusively female, for whom sex "work" is neither voluntary or freely chosen, nor necessarily consensual, call themselves "survivors." But neither survivors nor their representatives were consulted or included in Amnesty's research, which was brief, slanted, and wholly inadequate. In the short period leading up to the ICM, Amnesty staff bypassed survivor's groups and organizations opposed to wholesale, blanket decriminalization. Representatives of an organization working for victims of sex trafficking received no reply to its request for a meeting and no response to its letter to the top leadership of Amnesty International. On such a controversial and divisive an issue, Amnesty did not even do further investigation and in-depth research: rather, Amnesty hastily took the side of the exploiters.

The chair of an AIUSA subcommittee on this issue, not staff but a member himself whom I will call Y, forwarded to us the final AIUSA Statement on the Proposed Sex Work Policy, with a short explanation just before the ICM convened in Dublin in August 2015.

AIUSA POSITION: Full decriminalization of consensual sex work is clearly emerging as the accepted human rights norm among leading international human rights organizations and UN bodies. It is AIUSA's position that AI should not adopt a policy that falls short of this norm. Should partial decriminalization garner significant support within the movement, it is AIUSA's position that it would be preferable for AI not to take a position.

The elements of this policy shocked not only the public but also many Amnesty members when it was fully revealed in 2015. There was more to learn, as we gradually found out that it was not a new policy at all, but had been discussed and accepted at higher levels in 2014 – or earlier. The leadership expected that members would close ranks and support this policy, whether it was new, as many had thought or been led to believe, or had a longer history. There was something murky about the origin of this policy, which was so contrary to everything expected of a human rights organization.

Amnesty is highly respected for our human rights work, our appeals on behalf of prisoners of conscience and our work against the death penalty and torture, yet now it emerged that Amnesty was arguing that prostitution was simply work or a job like any other and that this was a basic human right. Amnesty had adopted the position of those who voluntarily sold their bodies and claimed that those who bought and paid for them needed and deserved protection from state interference. Amnesty had merged the two very different aspects of the sex trade, seller and buyer, making no distinction between them, but claiming that both should be decriminalized: the individual in prostitution and the buyer, whether a solitary “john,” pimp or brothel-keeper (“business manager”). Their claim that this should be adopted as Amnesty International policy and joined to other human rights work protected by Amnesty International seemed incomprehensible --- the term used in the letter by Jimmy Carter and its co-signers. Amnesty did not acknowledge that sexual conduct, even when consensual, could involve coercion, deception, threats, or violence. And Amnesty, which had always taken the side of the abused, did not understand that on this issue, a distinction needed to be recognized between the exploiter and the exploited -- the abused and the abuser -- and moreover that the two aspects were mutually contradictory.

In response to vigorous opposition from members to the new policy, Y, chair of the subcommittee charged with presenting and advocating for the policy, wrote that *"AI needs to educate its members to build more effective consensus for the proposed policy."*

This instruction was too much. I wrote to Y that *"AI needs to understand that by joining AI, we as members were not joining a political party with a party line, but as free individuals."* I told him that AI, which had become less and less of a grass-roots, democratically-run organization, could not “educate” me to join a “consensus” on something I, and others, deeply opposed.

The member I have called X had also expected me to agree with the leadership, which stood solidly behind the proposed new policy. I wrote to her that in joining

AI, we were not joining a political party with a party line, or a body or institution like the Catholic Church, with a doctrine we were expected to follow.

She replied that I was

at least partly wrong: in some respects....AI is like a political party or a church in that when you join AI AND represent AI to the public (as a group leader or another role/title), you DO have to follow the party line. As a spokesperson you cannot advocate in favor of the death penalty, torture, racial discrimination, etc. Within the confines of AI, on internal discussion or internal meetings, you may speak your mind freely. If you don't like a policy, the way to change it is through the resolutions process. That is how our "democracy" (however imperfect) works.

In simple terms, she was saying that we could express and advocate for what we believed in, but only within the organization – not openly, not in public.

After the Dublin ICM, members in the US brought resolutions to our respective regional conferences, seeking to repeal, amend, or replace the new sex work policy. If we could get it passed at one regional conference, we could bring the changed policy to the next ICM. But as described above, this was a struggle every step of the way, with clear interference from the leadership, who brought or invited “sex workers” to our regional conferences and supported them in every way possible.

Origin of the Prostitution Decriminalization Policy

How did all this happen? Where did this idea and this proposal come from? Ironically, the source may have been a member of AI-UK, the British section of Amnesty International. Douglas Fox was a British pimp and brothel-owner (“business manager”) who ran an “escort service” and large prostitution ring in northeastern England. Wealthy from his escort service, Fox pushed for this policy change as early as 2008 or even before, and stood to profit further if it went into effect. The policy has also been attributed to the billionaire George Soros, who through his Open Society Foundation (OSF) lobbied for the total decriminalization of the sex trade. Soros has spent millions to support both Amnesty International and Human Rights Watch, which have both adopted the policy Soros promoted.

Whatever its origin or source, “sex work” suddenly emerged as an important, even urgent issue, demanding the immediate attention of Amnesty International. Moreover, the suggested policy itself had already been drafted and was already in place. It was contentious, controversial, and inherently divisive. Members, discussing this on the confidential AIUSA listserv, asked why it was needed? What world emergency, or special human rights crisis, called for Amnesty to take immediate action? Could this not wait, allowing time for better research, and further consultation? Who had pushed this forward in such urgency? In a world convulsed with wars out of control, millions of people displaced or fleeing for their lives -- a human rights crisis on a scale not seen since the Second World War -- why did this one issue have to be pushed to the fore, and a policy cooked up as soon as possible?

The “Leaked” Message

The decriminalization policy was an extraordinary departure for Amnesty, far afield from the kinds of rights and human activities that Peter Benenson and his colleagues had in mind when they founded Amnesty back in 1961. Members of

other national sections of Amnesty who opposed the new policy tried to trace its inception. They uncovered a “leaked” message from a person named Widney Brown, which presented to Amnesty a draft for a new policy on “sex work.” It seems that at one time, Widney Brown had served on the Board of the Open Society Foundation, and had other connections with George Soros.

These members shared their findings with members of other sections. What they found points to this “sex work” policy having been urged on Amnesty at a slightly earlier time, with Amnesty’s top leadership divided, unwilling and anxious about the policy’s possibly harmful effect regarding membership, publicity, and donors. At that point, this draft of a new policy was intended to be seen only by Directors of national sections, but not by the staff at large or the membership. The leadership was evidently not yet ready to submit this policy to a vote at an ICM or to release it to the membership for open discussion.

The messages below (which are from different persons) are dated 2013. I would prefer not to draw attention to my correspondent in Amnesty-France. These are excerpts from email messages, some of which were sent to me, or that were quoted or referred to in other messages I received. Some were from members of Amnesty-France, and others from members of AIUSA.

....the consultation to start on sex work. It seems that the project has only been published on SecDir - the directors - and that the IS and IEC don't wish to submit it on an ICM vote but want to push it without the movement. And as the deadline for the feedback is september 26, the sections will not have the time to consult their members.

Personnally [sic] I disagree with defending prostitution by "the right to a freely chosen gainful job". Prostitution is in my eyes an attack on human dignity and should not be sugarcoated in any way by a HR movement. Shouldn't we better work on human trafficking and forced prostitution?

On the last page of the draft paper there are links to the Open Society Foundation, where one can see that the whole Amnesty draft policy paper is copied from.

Below the letter from Widney Brown, and attached the project, which refers to the draft policy. (I removed the names of another person or persons whom I was not sure could be openly named.)

Dear all,

With this email, we are officially commencing the consultation with the movement on the draft policy on decriminalization of sex work. The policy has been reviewed by the IEC and approved for consultation with the movement.

We believe that this policy is coherent with Amnesty International's long history of calling on restraint of the state's policing powers while reinforcing the call on the state to use that policing power to prevent or redress harm.

We recognize that for some of you, this policy will raise questions both among your staff and members and with partner organizations. We hope the attached documents will facilitate those conversations. What became clear to us in the policy program was that this draft policy is well within existing human rights standards and, at Amnesty International, we are rather late in addressing this issue.

However, particularly as we learn from our work in the context of the Demand Dignity Campaign, we have become acutely aware of how people living in poverty or who are otherwise marginalized, suffer at the hands of the police. In fact, our understanding of the criminalization of people living in poverty has grown exponentially through our work on the Demand Dignity Campaign. This draft policy is part of incorporating what we have learned into our human rights work.

To facilitate this consultation I have attached four documents:

1. AI's draft policy on decriminalization of sex work;
2. A short Q&A on the draft policy;
3. A longer Q&A on the draft policy;
4. A document with extensive legal references related to the draft policy

Please ensure that you circulate these documents to the relevant members of your staff.

Please send your feedback to me (widney.brown@amnesty.org) by 26 September,

I will be available to discuss the draft policy at the ICM. I am also glad to set up calls with any of you who wish to discuss the draft policy.

Widney

Some members noticed that the policy being urged on us was very similar to a policy of the Open Society Foundation, if not identical to that “leaked document” we had heard of and connected to Widney Brown. In the summer of 2015, as the Dublin ICM approached, we learned that one of the three speakers invited to address its opening was Chris Stone, President of the Open Society Foundation.

In the discussion going on within Amnesty, staff and leadership (the Chair of the Board of AIUSA, etc.) told members that “sex workers” are one of the most marginalized groups in the world. In their messages to us, they repeated the word “marginalized” several times, emphasizing it and insisting that we are called on “to defend the human rights of the most marginalised in society.” They provided no context to their allegation as to which group is “the most marginalized.” There are other populations or groups, marginalized for reasons of religion or type of religious practice, caste, race, ethnicity, sexual orientation, trade or occupation, parentage, family group, marital status, disability, deformity, and sometimes for reasons as strange as the persecution of albinos in Uganda. What was so pressing about “sex workers?” Is what they suffer significantly worse than the persecution (and often murder) of peasants in India alleged to have eaten cow meat?

Responding to Amnesty's New Policy

The process by which members can propose a new policy, or seek to change existing policy, is through a resolution. Within AIUSA and the other national sections of Amnesty, members may submit and propose resolutions that can ultimately reach the ICM, after which, if successful, are adopted as Amnesty policy. Because the US is so large, AIUSA is divided into several regions: Northeast, South, etc. In AIUSA, if a resolution passes at least one regional conference, it is brought to the AIUSA AGM or Annual General Meeting. (Smaller sections may not have the intermediate regional conferences, but go directly to an AGM.) If a resolution passes the AGM of its section, it moves up to the international ICM for a vote of all the national sections.

At the AIUSA regional conferences, individuals can walk into their local conference, sign up to join Amnesty on the spot, pay \$20 or whatever it costs to become a member (with special reductions for students and certain others) and vote that same day. High school students, led by a teacher or possibly an Amnesty volunteer, are often bussed in for the day of the conference for an educational experience. Students from nearby colleges or universities also attend. At a resolutions session, long-time members who participate throughout the year are often only a minority of those voting. A member new to Amnesty may have heard little or even nothing about issues that have been discussed by a local Amnesty group for months. Hand-outs distributed at the start of the resolutions session can summarize the position of a local group that brought the resolution, while other handouts represent the position advocated by the leadership.

Our Providence local group (Group 49) presented our resolution objecting to the decriminalization policy at the Northeast regional conference in Boston in October 2015. It sought to repeal, replace, or amend the new sex work policy. We coordinated with Amnesty groups in the other AIUSA regions, so we could each submit a very similar, if not identical resolution. A fairly large audience attended the resolutions session, with many high school and college students in the audience. Everyone was allowed to speak. Eight members of Group 49, who were able to come to Boston, argued for our resolution, with some of the audience joining in to speak in support of our position. One of those arguing against us was a member of the Board of AIUSA, whom the moderator did not identify as a Board member. During the debate, she argued strongly against our resolution. When the vote was taken, she voted to uphold the Amnesty policy.

Also arguing against us were several women who did not appear like ordinary Amnesty members, or like the students. These women argued intensely, and even fiercely, for the new "sex work" policy. They spoke overtime and did not stop even when the moderator told them their time was up and they should give others a chance to speak. We learned later that they represented an organization known as SWOP -- Sex Workers Outreach Project. SWOP had prepared for these Amnesty conferences and successfully lobbied Amnesty to recognize and include them. We had not thought to seek out people who are "survivors" of prostitution, because we did not yet know how to reach them. But during this period, we were learning about them, and by the end of the conference period, we were in contact with them. These survivors of prostitution, many of whom suffer long-term emotional, psychological, and physical damage, did not appear until the last conference, which was in San Diego.

In Boston, proof of Amnesty membership was not checked, and all present were allowed to vote. Our resolution, opposing the decriminalization policy and seeking to change it, was narrowly defeated.

At this time, the issue of race and/or color was introduced into the dynamics of the debate. The Executive Director of AIUSA at that time was a black man. Standing in the back of the room, he chatted briefly with one of our group's members, without knowing who she was. He asked her, as a side comment, if she had noticed that all the people who spoke for our motion were white. She, white herself, had not thought of that and had not noticed the color of anyone speaking on either side. The rest of our group had not thought of it at all, but after she passed along his comment, we realized that some of the women speaking against us were women of color. We learned later that one woman was from Thailand.

Members from the Midwest regional conference told us that the scene there had been similar to what we experienced in Boston, with SWOP interrupting and holding the floor for long periods of time. The final regional conference was held in San Diego. In preparation, we contacted members in the Western region and told them to prepare for what we knew would happen. We had passed along the Executive Director's comment about the race/color of the participants. An Amnesty member gathered several survivors, including women of color, and enabled them to come to the conference so they could present their experience.

Numerous members of SWOP appeared at the San Diego conference, openly identifying themselves as "sex workers." They were warmly welcomed, formally included in the conference program, and had a large room reserved for them. Again, no effort was made to keep the AIUSA leadership or staff separate from those who attended the session. During the lunch break, several SWOP members appeared out in the hall with the Chair of AIUSA and other members of our Board, posing for photos together like old chums, arm in arm.

The San Diego District Attorney had written a letter in opposition to the new Amnesty policy. A copy of her letter was placed on every chair before the session began at which the Amnesty position would be presented. But Y, the chair of the subcommittee involved, removed every copy of her letter before the audience arrived. "What are you doing," protested a local Amnesty member. Stuffing the copies into a nearby waste basket, Y told her, "This is not our policy."

The survivors, many of whom suffer long-term emotional, psychological, and physical damage, were shut out at this final regional conference. Near the end of the conference, the woman who had brought the survivors to the conference, managed to get them a small room off the lobby in which they could speak. But there had been no announcement or notice of their presence or that they would speak, and they had no chance to make their voices heard, and their stories told.

In every event throughout this period, the AIUSA leadership did not stand aside in a neutral position but took an active, vigorous part opposing alternative resolutions from the membership. This was a struggle every step of the way, with clear interference from the leadership, who brought or invited "sex workers" to our regional conferences and supported them in every way possible. A member of Group 49 wrote of this experience: "AIUSA is a human rights organization, but it allowed our rights and its own espoused values – openness, transparency, democracy – to be trashed."

As the ICM approached, I wondered how this proposal could be allowed to stand. This policy, if passed by the ICM and formally adopted, would betray everything Amnesty International stood for. I wrote on the AIUSA listserv that if the parties behind this proposal pushed it that far, separation or secession from the international organization should be on the table. I said I would ask our delegates to the ICM to make that clear. As one of the largest national sections, AIUSA was permitted a comparatively large delegation to the ICM of five persons. These would be the Chair of our Board, our Treasurer and another member of our Executive Committee, and two members to represent the membership, although they were not chosen by a vote of the membership, but were appointed by the Board. Our delegation had its position already prepared for us to support the new policy, and as we heard, we were to cast our five votes as a bloc – with no dissent from anyone in the delegation.

Other members besides me posted their opposition to the policy on our private, internal AIUSA communications or discussion channel, and on an almost identical channel open to all members of Amnesty International, regardless of their national section. Through this other channel, we corresponded with members of AI- France, AI- Germany, AI-Greece, and other sections.

We learned unofficially that during the ICM, at a working party before the final plenary session, an alternative policy had been passed. It was based on what had become known as the “Nordic” or “Swedish” model -- the sex trade policy followed by some of the Scandinavian countries. The Nordic policy distinguishes between the two contrasting aspects of the sex trade: those who sell sex, and those who buy it. Under the Nordic policy, those in prostitution are not criminalized but instead helped with health care, education, and alternative means of support. The buyers and managers, however -- clients, johns, punters, and brothel-keepers -- remain criminalized. The Nordic model was rejected at the ICM final plenary. Instead, the new “sex work” policy passed, though not by a large majority, and was immediately adopted as Amnesty International policy. Although we lobbied intensely, despite our strongest effort, we did not succeed at the ICM. We had had no chance from the start.

I tried to find out the final vote and how the various national sections had voted but was told that this information is not made public, not even to Amnesty members like myself. It was as if a vote was taken by the US Congress or any other national body, but how the various representatives had voted was kept secret.

From our contacts with members of other national sections, we learned that AI-France, AI-Sweden, AI-Israel, AI-Ukraine, AI-Philippines, and several other sections had voted against this new policy. We also heard that the efforts of AIUSA had helped propel the final vote to pass and be adopted as new Amnesty policy. The very people to whom we had appealed within AIUSA had been opposed to us from the start. And this policy, which appeared new to us, had been decided on almost before we, the members, had even heard of it.

We learned that following the release of the final research report supporting the new policy there would be an opportunity for the international membership, as well as others, to express their views: this was Amnesty’s version of an appeal process. (“*The International Board will ensure that, following the release of the final research report, sections and structures have an opportunity to review and give feedback on the final draft policy before it is adopted.*”) Members from several national sections coordinated an appeal, and many letters from these sections,

as well as from people who were not connected to Amnesty, were sent to the International Board. They pointed to flaws in the process and asked that the new policy be reviewed and amended. These requests were turned down.

A statement was sent to all members of AIUSA to “prepare” us for the announcement and explanation of the new policy, which had just been adopted at the Dublin ICM in August 2015. This announcement was sent to us as an Internal AIUSA Document in the form of a three-page memo through the confidential, private discussion channel we called the “listserv.” The memo explained the new policy, concluding with a set of “updated Questions and Answers for Members.” It did not explain in what way the memo was updated, as many of us had not had a chance to fully ask our questions before it was “updated.” Nor had we been satisfied by the answers already prepared and handed down to us. Rather, this memo was intended to phrase our questions for us, and also to answer them for us. With the questions already asked, and the answers already given, there would be little left to say. The memo concluded as follows:

What if I disagree with this policy on sex work?

You are not required to agree with or ‘defend’ this policy, but as a member of Amnesty International you are obligated to not convey a different message in the public arena.

This was a gag order, contrary to the principle of freedom of speech on which Amnesty had been founded. But the unity of the organization had to take absolute precedence over freedom of expression.

This purported explanation could have been written by Vladimir Lenin, who wrote in his order On Party Unity (March 16, 1921):

In order to ensure strict discipline within the party... and to achieve maximum unity while eliminating all factionalism... the Central Committee has full powers to apply all measures of party punishment up to and including expulsion from the party...

In another of Lenin’s statements, On Party Discipline (November 23, 1906), Lenin declared: ... *all of us, as members of the Party, must act as one man.*”

I had written earlier to X that I had believed that joining Amnesty was not like joining the Catholic Church or the Communist party. But the factionalism that Lenin dreaded had already broken out in Amnesty International. When X wrote to me about the media explosion that she and the leadership feared, she mentioned that during the “consultation” period when the new policy had been revealed to us, there had been 47 responses by 15 different authors, which included one by me. Our members were far from agreed on this policy but could not speak out publicly.

After seeing this memo, forbidding open disagreement with the new policy, I wrote to X to decry the order in the memo. She replied that my criticism was “disingenuous.” She said that far from being a gag order, as I had called the memo, it merely stated the obligation of members not to voice dissent publicly:

This is misleading if not downright disingenuous. The memo states the obligation of members to keep dissent within AI and to avoid voicing

dissent publicly. Within Amnesty, whether AIUSA or the international movement, you can utter dissent as much and for as long as you like (providing your words are civil). Only within AI can policies be amended, so there is no practical point in public dissent, it can only harm the organization.

We worked, X acknowledged, on a *like it or not* basis.

This was the first time I had heard not only of Amnesty rules but also that Amnesty operated like a political party and not a conventional organization, with members required to adhere to the party line, regardless of their own views. This was completely contrary to everything Amnesty stood for. We wrote appeals to governments and authorities to release prisoners of conscience to express their own views, not punish them for speaking their minds.

I read the order in this memo with shock. I could not have known this since I had never had cause to disagree with an Amnesty International policy or position. The saddest thing I heard since then was when several members told me that they agreed with our opposition to the new “sex work” policy, but felt it was futile to speak up. So, they kept quiet. It was suggested to me and to our group that we just concentrate on the Amnesty work we care about and ignore this part that we found unacceptable. This is not to say that Amnesty has not done good, important, and even great work.

Expelled from Amnesty International

It did not take me long to know what I needed to do. Using the words from this memo, I quoted them in a brief letter that I sent to the editor of the *New York Times*. What I sent was met with some disbelief. An editor contacted me, evidently finding it hard to believe that Amnesty International had written this, and asked me for proof that Amnesty had actually made this statement. It was easy to prove, as I had only to fax the actual memo, unchanged, to the *New York Times*. It was the warning Amnesty had sent to its members.

My letter was printed verbatim, over my name, on September 7, 2015, with this identification: “The writer is coordinator of an Amnesty International group.” (See Appendix A).

Little has been heard from Amnesty International members who are opposed to the decriminalization of all aspects of sex work. In advance of a forthcoming ‘open’ conversation call, Amnesty members have been officially reminded that although we are not required to agree with or defend this policy, we ‘are obligated to not convey a different message in the public arena.’ This gag order is contrary to one of the rights on which Amnesty International was founded: freedom of expression.

My letter appeared in *The Times* on September 7, 2015.

I was privately informed that when my letter appeared, someone in an Amnesty leadership position had initially called for my membership to be terminated, immediately. However, in the following days, the leadership settled on a plan for me to get a call from a member of the Board, with a long-time active member included in the call. On September 24, this call took place. It was followed by a letter that repeated what had been said to me on the call. It informed me that the Board had

the right to expel me from Amnesty, but in light of my long service, and also because I had stated, as was truthful, that I had been unaware of Amnesty's policy on publicly expressing disagreement or disapproval, I could reconsider what I had done.

I was told there were several options for a member to express disagreement: (a) choose not to work on the Amnesty policy in question; (b) choose to defer to someone else [within the organization] to explain Amnesty's policy; (c) express disagreement within the internal, secure channel for communications, or bring a resolution calling for a change in policy to one of the annual membership meetings. If I were part of a group delegation lobbying a member of Congress on an Amnesty position, I could remain silent if I preferred, but could not lobby against Amnesty's position. If I wished to oppose an Amnesty policy or position, I had to make sure that Amnesty's position had been properly represented, and that I was not speaking against Amnesty, but rather in my individual capacity.

Initially, when this controversy broke out, two members of Group 49 left our group. The rest of our group, about 12 members, unanimously voted to support what I had said and written. We were then preparing for our annual public event, a "Write-a-Thon for Human Rights," at which participants both from both Amnesty and the general public had an opportunity to write letters of appeal on behalf of various prisoners of conscience.

As was our annual custom, we invited the press to our event. As we had done each year, we invited a guest speaker to address the event. In all previous years, our guest speaker (or speakers) had been a refugee or person who had been a prisoner of conscience or someone who had suffered abuse or violation of his or her human rights. In 2015, however, we invited as guest speaker a prostitution survivor who founded and directed a center in Boston that providing counseling and support for women seeking to leave the commercial sex industry. In addition, we invited a second guest speaker from the Providence Police, who summarized the way in which his department had changed its policy and approach, treating those in the sex trade as victims rather than perpetrators of crime.

This was reported in *The Providence Journal* on December 11, 2015. To further clarify our position against trafficking, I sent a letter to the editor of *The Providence Journal*, which appeared on December 14, 2015. My letter explained that we, in Group 49, wished to clearly distinguish between sellers and buyers of sex. It also explained that although we called for the decriminalization of sellers, we opposed decriminalization of the buyers of sex. My letter made it clear that we opposed the new Amnesty International policy calling for full decriminalization of all aspects of the sex trade, both the selling of sex and also the buying of sex.

The response from the leadership of Amnesty International came swiftly. I was informed on December 28, 2015, that I was expelled from membership in Amnesty International, effective immediately. (See Appendix B). I was given the option of appealing to the AIUSA ombudsman. I decided to do that, not to gain reinstatement, but rather to bring more attention to Amnesty's policy against its own members' freedom of speech.

My appeal to the Ombudsman did not succeed in gaining me reinstatement but gave me time to do further work. Had I succeeded in being reinstated, I would have rejected reinstatement, on any terms whatsoever.

Conclusion

The “sex work” issue was badly bungled, and the resulting policy has damaged Amnesty in many ways. Some of Amnesty’s best members left the movement, and donors, both large and small, departed. Perhaps this is the saddest thing of all: in an internal effort to keep some of us still on board, *we received private, confidential assurance from Amnesty staff that we will never be asked to take actions on this policy.* And to the extent of my experience, that remained true. In that case, why was this rushed through into the adopted policy? The issue of “sex work” called for slow deliberation and depth of review, and we should have taken the side of the abused against the abusers.

Amnesty International had now expanded its policy and definition of human rights to include commercial sexual relations and sexual activity, taking sides in a hugely controversial issue involving abusers and those abused – a betrayal of a foundational principle of Amnesty International. Since when did Amnesty confer human rights to one segment of human beings involved in a highly contentious, controversial industry, far from universally accepted, but did not also confer human rights to those who are violated, harmed, and abused in innumerable ways by that industry?

As long as I agreed with the leadership of Amnesty, everything was fine. But when I dissented, I found myself in the position of some of the prisoners of conscience for whom I had worked. Over my many years in Amnesty, our group and I had written appeals on behalf of many men and women who were imprisoned for speaking out, in a non-violent way.

I think Amnesty has lost its way. In responding to dissent, it borrowed techniques used by the kind of dictators it has been fighting for years. Amnesty was willing to circumvent the democratic process and then silence dissent. It appears to have allowed itself to be captured by individuals or organizations who do not have the human rights of the sexually exploited at heart. One day, the full story may emerge. Amnesty should take the opportunity to right its policy on prostitution.

AUTHOR BIOGRAPHY

Marcia R. Lieberman, Ph.D., served as coordinator of Amnesty International USA’s Group 49 in Providence, Rhode Island, from 1983 until 2015. She has worked as a professor of English and composition at several universities and schools and has served as president of the Board of Hands in Outreach, a nonprofit organization that sends destitute children to school in Nepal. She is the author of four guidebooks on hiking in the European Alps. She is a scholar of Tibetan Buddhist art, and her photographic documentary of Buddhist art is archived at Brown University.

RECOMMENDED CITATION

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Available at <http://digitalcommons.uri.edu/dignity/vol3/iss3/1>.

**APPENDIX A:
MARCIA LIEBERMAN'S LETTER TO *THE NEW YORK TIMES***

Letter printed in The New York Times

Sept. 7, 2015

To the Editor:

Little has been heard from Amnesty International members who are opposed to the decriminalization of all aspects of sex work. In advance of a forthcoming "open" conversation call, Amnesty members have been officially reminded that although we are not required to agree with or defend this policy, we "are obligated to not convey a different message in the public arena."

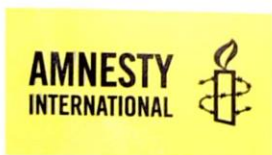
This gag order is contrary to one of the rights on which Amnesty International was founded: freedom of expression.

MARCIA LIEBERMAN

Providence, R.I.

The writer is coordinator of an Amnesty International group.

**APPENDIX B:
LETTER FROM AMNESTY INTERNATIONAL BOARD OF DIRECTORS
EXPELLING MARCIA LIEBERMAN**



BOARD OF DIRECTORS
AMNESTY INTERNATIONAL USA

December 28, 2016

Marcia Lieberman
141 Elton St
Providence RI 02906-5433 USA

Dear Marcia Lieberman,

Please be advised that the Amnesty International USA Board of Directors has revoked your membership in Amnesty International USA (AIUSA) effective immediately.

As per AIUSA bylaws Article III Section 7, "any member of AIUSA may be deprived of membership if the Board of Directors has determined, in its opinion, that the member has acted contrary to or in a manner inconsistent with the Statute of Amnesty International, its core values and policies, or otherwise has acted in a manner judged to be disruptive or harmful to the effective working of the organization."

This decision was not made lightly by the AIUSA Board of Directors, but in light of your recent actions, quotes and letter to the Editor to the *Providence Journal* on December 11 and December 14 respectively, the Board has determined that you have acted contrary to the Statute of Amnesty International and our core values and policies.

In September 2015, after you sent a letter to the Editor of the *New York Times* dissenting with Amnesty while identifying yourself as a group leader, you were advised by Membership Chair Becky Farrar and ACSC Representative David Rendell that your actions were inconsistent with Amnesty policy. (see attachment) AIUSA also communicated internally and broadly that while individual members and member leaders are free to express their dissent internally or while clearly distancing themselves from Amnesty, Amnesty member leaders are not free to dissent from Amnesty's policies and positions while identifying themselves as Amnesty volunteer leaders or members. You were privy to and participated in email exchanges on aiusa-d that clearly delineated and discussed this as AIUSA policy.

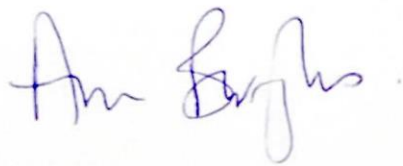
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T 212.807.8400 | F 212.627.1451 | WWW.AMNESTYUSA.ORG

Lieberman: Amnesty International Punishes a Dissenting Member

Your expulsion from AIUSA is effective immediately. You will no longer be afforded membership privileges including receiving communications from AIUSA, communicating with AIUSA staff or member leaders in their official AIUSA capacity, participating on aiusa-d and amnesty-d, voting in elections, and attending AIUSA conferences. You are no longer recognized as the leader or a member of Group 49.

Our Bylaws permit you to appeal this decision. You may lodge an appeal with AIUSA's Ombudsman, William Aceves. His email is wja@cwsf.edu

Sincerely

A handwritten signature in blue ink that reads "Ann Burroughs". The signature is written in a cursive style.

Ann Burroughs
Chair, Amnesty International USA