

MEREDITH LOCKWOOD 0:04

Hi, welcome to our podcast, Human Rights, Conversations Across Generations. I'm Meredith Lockwood, founder of Lockwood Creative, a purpose-driven creative agency. And I'm here with my dad.

BERT LOCKWOOD 0:16

And I'm Professor Bert Lockwood, the director of the Urban Morgan Institute for Human Rights at the University of Cincinnati College of Law.

MEREDITH LOCKWOOD 0:26

Together, we are your father-daughter co-hosts.

BERT LOCKWOOD 0:29

For over 50 years, I've had a front-row seat to the evolution of international human rights.

MEREDITH LOCKWOOD 0:35

And now, we're sharing that expertise with you by connecting to the powerful stories and insights of human rights voices from around the world.

BERT LOCKWOOD 0:43

We bridge the past and the present, making complex human rights issues more approachable and understandable.

MEREDITH LOCKWOOD 0:50

So, pull up a chair and join our table as we speak with Nobel Peace Prize recipients, political leaders and the world's leading human rights scholars and activists.

Hello Listeners. Thanks for joining us today. It is our very first episode and we are honored to sit down with a true legend in the international human rights field and a longtime friend of our family, Paul Hoffman. Paul has been a Titan in human rights law for decades. He has argued groundbreaking cases before the U S Supreme court and has served as the chair of the board of Amnesty International USA. From Paul's early days working alongside my dad, Burt Lockwood at Amnesty to his pioneering battles against corporate abuses. Paul's career is a testament to the power of unwavering advocacy. We are so grateful to have him here today to share his wisdom and kick off our podcast.

MEREDITH LOCKWOOD 1:50

off, is going back in time, back to the 1970s. You and my dad both were in New York City. I know you are a graduate of New York University School of Law, 1976, and my dad was at NYU in their international studies program. He remembers maybe 1972, but we don't believe you guys had a crossover during your 70s New York days.

PAUL HOFFMAN 2:17

I don't think so, no.

BERT LOCKWOOD 2:18

I don't think so, no.

MEREDITH LOCKWOOD 2:19

Okay.

PAUL HOFFMAN 2:20

Bert, did you know Tom Frank well, then?

BERT LOCKWOOD 2:24

Before.

PAUL HOFFMAN 2:24

Okay, because I was his research assistant for a year or so.

MEREDITH LOCKWOOD 2:28

Wow.

PAUL HOFFMAN 2:29

In, um, 1974, 75.

BERT LOCKWOOD 2:35

Wow, you, so that means in the fall, and I probably, that summer, moved to Washington.

PAUL HOFFMAN 2:42

Uh-huh.

BERT LOCKWOOD 2:43

I was on soft and it was sort of the end of when these, uh, international, or the foundations were funding, uh, international, law stuff. uh, uh, uh, uh, uh, so I went from, uh, Virginia, up to as the assistant director, u, at the Center for International Studies, which had its own townhouse on 6th Washington Square, north or south, one or the other. it was a wonderful, uh, experience. It was just an incredible experience, uh, just an incredible experience. um, we had about, uh, there were about 20 people that were sort of associated with that center. uh, To remains the most brilliant person that I've dealt with. he just had an extraordinary mind, uh, absolut. uh, in, in, encyclopedic, uh, taste different things, he, I was very fond of him. and, it was a very special center. They, they had what they called senior fellows who were distinguished, uh, academics or professionals. Um, and they teamed him with, four PhD and graduate law students. And the day that I arrived as the assistant director, the leading civil rights attorney in South Africa had just come into exile, a guy named Joel Carlson.

did a project that was focused on, um, Southern African issues. supposedly the unique twist Frank's things is that you engaged in these studies, but you tried to implement them. And we ended up, being approached by the congressional black caucus, um, when the U. S. Congress, became first to violate the, the first time the U. N. imposed mandatory economic sanctions, was against the renegade regime of Ian Smith and what was then Southern Rhodesia that had declared unilateral declaration of independence from, the U. K. Um, and, um, we ended bringing this lawsuit under a security council, uh, resolution, uh, a case called Diggs versus Schultz. And it was fascinating, uh, uh, litigation. we, we couldn't get any of the big firms work with us. and the only one that was the Center for Constitutional Rights, Peter Weiss's, uh, operation. Um, and, uh, we worked with a guy called Mort Stavis, was the, the lawyer that worked with us, uh, and it, it was, it was just a, fascinating, uh, case. we, we did get standing under a security council resolution, which was, a first, but, they had decided against us the merits under the last in time doctrine,

MEREDITH LOCKWOOD 5:32

Now, Dad, would Paul have at all overlapped with Mom? Because she was the secretary

BERT LOCKWOOD 5:37

No.

MEREDITH LOCKWOOD 5:37

at the International Studies? They wouldn't have overlapped when he worked with Tom Frank?

BERT LOCKWOOD 5:40

No,

PAUL HOFFMAN 5:41

I did most of my- With Tom through the Carnegie Endowment.

MEREDITH LOCKWOOD 5:44

Through the Carnegie Endowment, okay.

PAUL HOFFMAN 5:46

We worked a lot on East Timor the year that I was, invasion had happened that fall, and we

BERT LOCKWOOD 5:54

the

PAUL HOFFMAN 5:54

worked on the Western Sahara And we wound at technically we wrote an article together, but I think it was one of these things where I did a bunch of research memos and Tom sat down and dictated this long law review article in a day. secretary was named Phyllis, right?

BERT LOCKWOOD 6:14

Yes, Phyllis, yeah.

PAUL HOFFMAN 6:14

Phyllis, yeah.

BERT LOCKWOOD 6:15

Oh yeah, sure.

PAUL HOFFMAN 6:17

so I remember going there and watching him take my memos and just off the top of his head dictating a hundred page law review article. It

BERT LOCKWOOD 6:26

And

PAUL HOFFMAN 6:26

was, it was, it was astonishing to

MEREDITH LOCKWOOD 6:28

me. Wow.

BERT LOCKWOOD 6:29

Wow.

PAUL HOFFMAN 6:29

Yeah.

BERT LOCKWOOD 6:30

Yeah.

PAUL HOFFMAN 6:31

you know, we did a lot of work like you did in your situation. W, we worked with the Fretilin and some of the liberation folks that were fighting the invasion, you know, in East Timor. was on, I, very interesting.

BERT LOCKWOOD 6:46

Yeah, I was on, um, this is later, but I was on three panels Yosei Ramos Horta. Do you know

PAUL HOFFMAN 6:55

Mm-hmm.

BERT LOCKWOOD 6:55

that name?

PAUL HOFFMAN 6:56

Oh yeah, I met him several

BERT LOCKWOOD 6:57

yeah, yeah. he won the Nobel, Peace Prize, I think he's still the president, if I'm not mistaken,

PAUL HOFFMAN 7:04

times.

BERT LOCKWOOD 7:04

of, uh, East, East Timor. But, when he was in the U. S. and sort of focused on that, he, uh, had this idea creating a new that would pool the resources of the Nobel Peace Laureates together and focus on three issues, one of which was human rights. um, asked him where was going to locate it. And I remember he said, well, I know I'm going to locate it in the United States because, any country that can, or, he was talking about the marketing of McDonald's. And how it, was so successful, the Western marketing, he knew it was going to be in the United States, that he was going to do it, but he hadn't decided on what city. And so we actually were going to make an to get it in Cincinnati. but then things heated up more rapidly than, he expected, uh, and so never came about, uh, I don't know if you remember Ken Blackwell. Did you ever run into him?

PAUL HOFFMAN 8:18

Sure. Yeah.

BERT LOCKWOOD 8:19

We, he was the first president Bush's, uh, representative to the Human Rights Commission. And while he was doing that at that time, that only meant like three weeks, three times a year. so he actually a senior fellow my center. it was, it was very interesting. marketing, he, he actually, frankly, was my students and naming them to be the first, uh, students on the U. S. delegation uh, the Human Rights Commission in, in Geneva. he, he did a couple other things that uh, uh, very good, but, we sort of recognized, even though we probably didn't agree on most things politically, that it would be advantageous to, have an association. yeah, uh, the last time I ran into I went to the wrong place. They, they changed the location of my voting. And so I, I went to the former place and he was there making the same mistake with his Cadillac. so I got in, but I had

to move the minutes of the, uh, NRA, board of directors off the seat. Uh, and so we went and voted, uh, at the new And as we came out, he said, well, I guess we canceled each other out.

PAUL HOFFMAN 9:37

Fair, a fair guess.

MEREDITH LOCKWOOD 9:42

and so the connector for how you two met was through your work at Amnesty International, correct?

PAUL HOFFMAN 9:48

I think so. It's, you know, one of the things that's always so hard at this point is kind of unraveling where you meet when you

BERT LOCKWOOD 9:55

Yeah,

PAUL HOFFMAN 9:55

sort of overlap on so many things.

MEREDITH LOCKWOOD 9:57

Oh, absolutely.

PAUL HOFFMAN 9:59

I was thinking that the, you mentioned CCR and obviously CCR doing the Filártiga case really changed my career. In so many ways, you know, and, uh, cause it was when Filártiga was decided that I sort of got into the litigating of alien tort statute cases.

BERT LOCKWOOD 10:19

Yeah.

PAUL HOFFMAN 10:19

So from 1980 on, basically.

MEREDITH LOCKWOOD 10:22

Yeah. One thing, Paul, I love about this podcast, and for our loyal listeners, um, they will hear us mention Sir Nigel Rodley quite often

PAUL HOFFMAN 10:30

Uh-.

MEREDITH LOCKWOOD 10:30

as our dear friend. we had the honor of having Lynn, his wife on to do a tribute recording for Nigel. and, you know, I think having human rights giants, you know, I grew up more so as family friends and now, being older and wiser and realizing the incredible legacy you all have. one, story that Lynn shared is how Nigel was part of the founding members of Amnesty International. they were out to dinner in London in the 1960s, and just had this idea of together a human rights, know, organization through their legal work. and it was only a handful of them. And then it just kicked off and it's what we know now. and I just, I can just picture Nigel at a little table, you know, they were pretty broke at the time, in London coming up with these ideas, you know, dreaming up an international human rights organization, probably not dreaming up as big as what it is now. And then the connection that you and my dad, you know, worked with Amnesty. I'd love to tell our listeners

about your earlier work, um, at Amnesty International. I don't know if you guys had shared projects, but you both have done a lot with Amnesty.

PAUL HOFFMAN 11:42

Well , my, my initial, exposure to Amnesty was when I was at the London School of Economics in, in 1972 and 73. I was doing a master's degree there. And, um, my tutor was a Ugandan Asian who had just fled from Idi Amin's Uganda. And I spent most of my year keeping track of all of his friends who were murdered by the regime. And one of the things that I wound up doing was connecting with Amnesty people on those cases. So, and that was, you know, in the pretty early days of Amnesty. I mean, even then I was only maybe 10 years old at that point. And I think it was 1961, I think is when it started. And so, you know, it was a pretty bare bones operation with some European sections, you know, lot oriented towards prisoners of conscience and law and, and not so much mass, you know, demonstrations or things like that. so, you know, my exposure to Amnesty led me to think that that's an organization I really wanted to participate in, and fast forward for me. I was a professor in the early eighties at Southwestern Law school in LA, w was a block away from the, from ACLU and from the Amnesty headquarters in Los Angeles, which had just been created. And, uh, I wound up, know, volunteering to try to create the Amnesty legal support network, which is where I think Bert and I actually met.

BERT LOCKWOOD 13:20

I think

PAUL HOFFMAN 13:20

That

BERT LOCKWOOD 13:21

so.

PAUL HOFFMAN 13:21

work.

BERT LOCKWOOD 13:22

Yeah.

PAUL HOFFMAN 13:22

Where I suggested to them that we create committees of lawyers around the country, that would work on AI USA things. And, uh, I think Bert, you were part of that in

BERT LOCKWOOD 13:36

beginning.

PAUL HOFFMAN 13:36

the very

BERT LOCKWOOD 13:37

I, I, I hosted the first three meetings.

PAUL HOFFMAN 13:40

Right. I'm sure.

BERT LOCKWOOD 13:42

The legal support network. And, and Sandy Caliber was, uh.

PAUL HOFFMAN 13:47

Yeah, Sandy was involved in, uh, Jim McDonald in Chicago. And we had a bunch of different people in different cities that, uh, volunteered to do that. And, you know, there was legal work that was done, but there was also organizing in the legal community to take action on behalf of other lawyers that were persecuted in other countries. And, um, and that's how I to know Nigel actually was, we did research for the, for the legal office in London, from the beginning, right. And, uh, occasionally got into arguments about whether we could file amicus briefs. That was my, my, my first real exposure to Nigel was him telling me that I couldn't do the things that I wanted to do in the United States. And we would have rip-roaring arguments arguments about why it wasn't such a good idea for us to file certain briefs. A then eventually he, he changed. Then we started.

BERT LOCKWOOD 14:44

Well, but I can remember, uh, the frustrating days of the mandate police.

PAUL HOFFMAN 14:50

Oh yeah.

BERT LOCKWOOD 14:50

Yeah. Who would, uh, constantly questioning, uh, whether you were acting within the mandate or not.

PAUL HOFFMAN 14:57

ye. Yeah. And so we get, I you know, Nigel, as you both know, is just the most delightful person and when even more delightful in her way. but we had a very contentious relationship in the beginning. but I think over time, you know, we got to be very close friends you know, I miss him still.

BERT LOCKWOOD 15:19

Yeah. But when think of them from the NYU I think it probably would have been, the last person who would have ever been known as Sir Nigel. Um,

PAUL HOFFMAN 15:30

Mm-hmm.

BERT LOCKWOOD 15:30

he sort of fancied himself as a revolutionary though. In, in those days.

PAUL HOFFMAN 15:36

Yeah.

BERT LOCKWOOD 15:36

Quite,

PAUL HOFFMAN 15:36

Yeah. And it's funny the way, the way that transformed within the Amnesty culture, right? Because by the end of his time in Amnesty, he was viewed as one of the most conservative.

BERT LOCKWOOD 15:47

Yes.

PAUL HOFFMAN 15:48

Versus within the organization, because there was a, you know, there was always a fight between the originalists who thought that amnesty was stronger if it kept its focus narrow. and then there were, because it was a movement, there were people in the movement that didn't accept that, that wanted to take on other issues that wanted to take on LGBTQ rights or wanted to take on discrimination in a broader way. And that's always been kind of a fight within the organization. And, and Nigel was always viewed as one of the conservative forces in that.

BERT LOCKWOOD 16:24

Yeah. Yeah. and I think, you know, because it wasn't really, a human rights organization to start with because of the mandate, but it, as it became more famous, people thought of it as you know, as the leading human rights organization. And so, wanted them to get involved in very worthy, uh, causes. So, uh, I think it was sort of a natural, uh, evolution, to take on these, other issues, but yeah, there, there were growing pains that, were experienced,

PAUL HOFFMAN 16:53

and I, you know, the, I think they're constant growing pains, any organization like this has to change and also retain what made it strong and how you balance that is really tough. I think.

BERT LOCKWOOD 17:07

Well, you played such a critical in amnesty I can recall getting, I think a call from uh, be urging me to run for the uh, of, of, of amnesty because you needed some sane people to.

PAUL HOFFMAN 17:25

Sounds like something I would have said.

BERT LOCKWOOD 17:31

And that was, that was what Bill Schultz executive director.

MEREDITH LOCKWOOD 17:36

Yeah. And dad would take us, my sister, my brother and I, when we were, gosh, maybe I was 10, 11 to any Amnesty International, like open volunteering, or we'd have to like sit outside the meeting. Um, so I feel like Amnesty international has just always been woven into the fabric of my upbringing, with his work. And, you know, I remember being like a school kid, elementary school and telling them, Oh yeah, you know, we went to this amnesty international And I'm like 10 in fifth

PAUL HOFFMAN 18:03

Yeah.

MEREDITH LOCKWOOD 18:03

grade. And. Like, what is that? And I was like, oh, you don't, you don't know what that is? Oh, Paul, I want to tell you this story. So, and dad, I forget who this photographer's name was. So maybe with your recollection, you might remember who your friend is, but Paul in fifth grade, this was a Catholic school. My dad, um, we invited, you know, parent career day. I don't even know if they still do these things, but invited my dad, you know, as a international human rights lawyer, professor. well, Bert, decided that it wasn't going to be him as the spotlight. One of his friends was in town that he invited through Urban Morgan Institute of Human Rights, who was a world renowned, uh, photographer, um, and shot black and white. And he had just come from Pakistan where he shot and did investigative reporting on child labor. one, I'm looking at my dad to be like, hi, he's trying to remember this memory. No, I can see his eyes are not working. and it was children, working in rugs and woven goods and carpetry and all of that. and the photographs are burned into my

brain in a good way, maybe not at like 11, but, you know, they're chained to their wooden looms and weaving and, you know, all through the day, all through the night, no rights. A lot of them are street children. And the photographer brought these beautiful, black and white high res images framed. And on the chalkboard around my elementary school classroom, he showed all of these photos. And then gave about a twenty- minute talk about his work to a small neighborhood school

PAUL HOFFMAN 19:41

Uh,

MEREDITH LOCKWOOD 19:42

and my, I mean, I think my dad thought it was the right thing to do, you know? and the one who had to deal with the aftermath with my mom, getting all the calls from the

PAUL HOFFMAN 19:51

no,

MEREDITH LOCKWOOD 19:51

principal, other parents. So yes. Um, but unfortunately I really, I, I can't remember who the photographer was, but I, I deeply remember his work and I'm having an inkling from the nineties. You don't remember dad.

BERT LOCKWOOD 20:05

Uh, no, no, I, I don't, I don't remember the incident.

PAUL HOFFMAN 20:10

I think the children of human rights activists have their own set of stories. I remember I was chairing a meeting in Paris in 1998, I think it was. And I brought my son who was then 13 to Paris to this meeting, right? With people from all over the world. And one of the people that was there was Geronimo Pratt, who had just gotten out captivity in the United States. And my son and Geronimo Pratt spent the entire conference hanging out together. So this 13 year old kid gets in, know, and

MEREDITH LOCKWOOD 20:48

y

PAUL HOFFMAN 20:48

we, we had all these, you know, human rights luminaries

BERT LOCKWOOD 20:51

everything.

PAUL HOFFMAN 20:51

and And I don't think he realized like who these people were, but he thought Geronimo Pratt was cool.

MEREDITH LOCKWOOD 21:00

Well, I, I also think for my dad, it sometimes selective memory. What he may or may not remember.

PAUL HOFFMAN 21:09

There's, you know, not having memories comes with the territory.

MEREDITH LOCKWOOD 21:14

Yes. Well, not to pick on dad, but his memory has never been great. He one time lost the Volvo at a Reds baseball game. Uh, we had to take a cab home and go back the next day. To retrieve the car because he couldn't remember where he parked.

BERT LOCKWOOD 21:29
Where I parked, yeah.

MEREDITH LOCKWOOD 21:30
So these are some inside family secrets of the Lockwoods that any of his former fellows might not believe.

PAUL HOFFMAN 21:37
This is a dangerous podcast.

MEREDITH LOCKWOOD 21:37
Oh,

PAUL HOFFMAN 21:37
[huh].

MEREDITH LOCKWOOD 21:38
yes. Um, and I've, and I really befriended a lot of his former students, who have become just dear friends. And they always, they're like, gosh, your dad's just so like on top of And he's calm, cool, collected. And I was, and I always just smirk. I'm like, uh-huh. Yeah. Professor Lockwood.

PAUL HOFFMAN 21:55
Tell you a story.

MEREDITH LOCKWOOD 21:56
Yes, I have a few. Um, well, another organization that I also deeply admire, that Paul, you have worked with for nearly five decades is the ACLU. Now, more than ever, the ACLU is fighting tooth and nail to save our democracy. They're busier than ever. I wish they didn't have to be. Um, but I would just love to dive into your work with the ACLU through the years and bring it to present day.

PAUL HOFFMAN 22:22
Well, that's another one that goes back to NYU, actually. when I was at NYU... I volunteered to work with Burt Neuborne, who was one of my professors. And this was before he was the national legal director of the ACLU, actually. He was a, he had worked as a staff attorney and then he went and became a professor, but he was still working on ACLU cases. So I wound up just volunteering to work on his Supreme Court cases. And I worked on several of them over the couple of years that I was there. And he, he lived near me in, Park Slope in Brooklyn. So we used to play, touch football every weekend.

MEREDITH LOCKWOOD 23:03
Wow.

PAUL HOFFMAN 23:04
So I got to know him as a friend as

BERT LOCKWOOD 23:06
w did you live in Park Slope?

PAUL HOFFMAN 23:08
Seventh and Seventh.

MEREDITH LOCKWOOD 23:09
Oh, great location.

PAUL HOFFMAN 23:11
Yeah.

MEREDITH LOCKWOOD 23:12
Do you

BERT LOCKWOOD 23:12
lived?

MEREDITH LOCKWOOD 23:12
remember where you

BERT LOCKWOOD 23:12
I, I, I lived there.

PAUL HOFFMAN 23:14
We paid, we paid, the three of us paid \$250 a month rent for the third story of a brownstone.

MEREDITH LOCKWOOD 23:20
No.

BERT LOCKWOOD 23:20
Okay.

PAUL HOFFMAN 23:21
Yes. It was a different

MEREDITH LOCKWOOD 23:23
That's

PAUL HOFFMAN 23:23
day in those days.

MEREDITH LOCKWOOD 23:24
like how much it is a day. That, that probably

PAUL HOFFMAN 23:26
Yeah.

MEREDITH LOCKWOOD 23:26
a steal.

PAUL HOFFMAN 23:27

Oh yeah. I know. It's completely different. And we would, we would walk home from NYU and stop at Junior's to get cheesecake on the way home. Tha how we.

BERT LOCKWOOD 23:36
Oh wow.

PAUL HOFFMAN 23:38
NYU.

MEREDITH LOCKWOOD 23:39
And Junior's is still there. Would it still be

PAUL HOFFMAN 23:41
It

MEREDITH LOCKWOOD 23:42
this? Location?

PAUL HOFFMAN 23:42
is. Yeah, it

MEREDITH LOCKWOOD 23:44
Wow.

PAUL HOFFMAN 23:44
is. The same location.

BERT LOCKWOOD 23:47
so I, I'm in the midst of reading, Aryeh Neier's. he's just written an autobiography,

PAUL HOFFMAN 23:54
um,

BERT LOCKWOOD 23:54
but did you have contact with him when you were working with Burt?

PAUL HOFFMAN 23:57
A lot.

BERT LOCKWOOD 23:58
Ye.

PAUL HOFFMAN 23:58
A lot. Actually. He, um, he, um, Aryeh was the executive director first of New York civil liberties union and then the national. when he was at the New York civil liberties union, one of the people that worked for him was my boss at the ACLU, Ramona Ripston, who was one of the first women in the ACLU to occupy, you a leadership role. And, Aryeh and Ramona went back, you know, to the sixties and whenever he would come out to LA, we would have dinner or And we actually helped him launch the human rights, watch LA committee when they

BERT LOCKWOOD 24:37

Oh,

PAUL HOFFMAN 24:37

start.

BERT LOCKWOOD 24:38

okay. Yeah.

PAUL HOFFMAN 24:39

And so I spent a lot of time talking to Aryeh and when I did more, when I became more of a leader in Amnesty, I had a lot of contact with him because at that point he was, you know, leading human rights watch.

BERT LOCKWOOD 24:53

just had the, uh, wonderful, privilege of meeting him about a month uh, Sandy Caliver arranged a dinner with him. when I, went to New um, Columbia had a, uh, emergency uh, meeting of human rights programs. Um,

PAUL HOFFMAN 25:08

uh, in current

BERT LOCKWOOD 25:10

events. So, that was, that was a real highlight, getting to meet him.

PAUL HOFFMAN 25:13

Very interesting, man. Very

BERT LOCKWOOD 25:15

yeah.

PAUL HOFFMAN 25:16

interesting. you know, and it was having that connection through Ramona was really great because, you know, over the years I got to spend a fair amount of time with him and talk to him about different issues. He's very smart, man. And I think did a huge amount for the international human rights movement. Okay. So, I mean, after that experience in, law school, one of the things I wanted to do when I got my first job was to work on ACLU cases. And I also actually just applied for every ACLU job that was around, but in the beginning, you know, it pretty hard to get ACLU jobs. So I wound up going to a law firm in LA that promised me I could work a third of my time on ACLU cases. And what they didn't tell me was that it was a third of like a zillion hours, but. But I, but they were, they did let me work a third of the

BERT LOCKWOOD 26:08

hours.

PAUL HOFFMAN 26:09

zillion Um,

MEREDITH LOCKWOOD 26:10

Generous.

PAUL HOFFMAN 26:10

so I went to the ACLU and I started working on ACLU cases over the years um, e I became the lead counsel in a really big police case. And at the end of that, the guy who was legal director, who had been a legal, the legal director for 30 years was retired and I became the legal director. So I, I ran the Southern California program for 10 years. and I tried the overlap with international human rights as I tried to get the ACLU to work more on international human rights, which is a story in and of itself. for example, in 1985, which was my second year at the ACLU, there was a, a biennial every, every other year, there was a conference of all the ACLU affiliates. Um, and this one was in Boulder, Colorado. And I tried to get a room to talk about international human rights and how the ACLU should use international human rights in its work. the executive director is a guy named Ira Glasser at the time.

BERT LOCKWOOD 27:15

Yeah.

PAUL HOFFMAN 27:15

A Ira absolutely refused to let us have a room, said we shouldn't be getting into international human rights issues. that was for Amnesty for somebody else, not for the ACLU. So we sort of staged a protest. We, we took over a room and 40 or 50 of us talked about how we should do this and sort of from 19 and then when Anthony became the executive director, who was probably 25 years ago. Now, Anthony Romero, he was much more open to And so now there's an international human rights unit within the ACLU in New York. So the through line from 85 to now is that the organization has a completely different attitude towards international human rights, but it was a fight.

MEREDITH LOCKWOOD 28:05

Wow.

PAUL HOFFMAN 28:06

Along the way. I mean, I was refused the, we usually affiliates could file their own amicus briefs in cases and take on whatever cases they wanted basically. And I had a case, I don't know if you remember this case, uh, Bert, the Sideman vs. the Republic of Argentina was a case involving the torture of a Argentinian Jewish man. And we sued, uh, Argentina under the foreign sovereign immunities act. And when I say we, it was a guy named Mike Basler that did the original case. I found out about and joined it when I was in the law school. And then I went to the ACLU and I said, well, I'm involved in this case. I'd like to bring this into the ACLU and the ACLU national office said, absolutely not. We don't sue foreign governments, blah, blah, blah. And we wound up still, we took the case basically. And so we wound up eventually 12 years later, settling it for quite a lot of money. fortunately my boss, Ramona Ripston didn't pay a whole lot of attention to what national said about certain things and let me, let me do internationally. Uh, when I was there, and I spent a lot of time trying to proselytize within the organization to argue that international human rights would advance ACLU issues. and eventually they agreed to that.

BERT LOCKWOOD 29:31

so, uh, Paul, Ramona is not a name that I was familiar you, you mentioned Ramona.

PAUL HOFFMAN 29:38

Yeah, Ramona Ripston.

BERT LOCKWOOD 29:40

Yeah.

PAUL HOFFMAN 29:40

a very interesting woman. she broke in in the New York civil liberties union in the sixties. and, know, eventually came out to Los Angeles to become the executive director of the ACLU of Southern California, where she was the executive director from the mid seventies to, I don't know, 50 years later. She died a few years ago, um, she was a very dynamic woman, uh, women's rights very much into the forefront of ACLU work. knew Ruth Bader Ginsburg at the time when she was working in the women's rights project, was, you know, did an amazing job fundraising in the Hollywood community and building the, the Los Angeles office. You know, the Southern California affiliate to one of the strongest, biggest affiliates in the ACLU system, was much more progressive than someone like Ira, who was much more of an ACLU conservative and the kind of Nigel Rodley, you know, that we had within the ACLU. S,

you know, there were, you know, there were a lot of traditionalists that thought that the ACLU should focus on first amendment cases, mostly, or much more traditional civil rights um, and then there were progressives like Ramona that said, well, now, you know, we've got to deal with gender equality. We've got to deal with race. We've got to deal with LGBTQ rights. We've got to deal with all these issues, which, and eventually, of course, the, those forces were transcendent within the, within the organization. Um, but he, he had that tension in the ACLU over all those years too.

BERT LOCKWOOD 31:27

I wasn't aware of

MEREDITH LOCKWOOD 31:28

And

BERT LOCKWOOD 31:28

that. Yeah.

MEREDITH LOCKWOOD 31:29

Paul you were awarded the Clarence Darrow award for your work with the ACLU. and you know, for our listeners. who may not know Clarence Darrow's, uh, legacy Ohioan as a proud Ohioan. He is a fellow. He was one of the leading members of the ACLU. and I also found it interesting, that his father was an ardent abolitionist. and his mother was an early supporter of female suffrage and women's rights advocate. so, what an incredible honor for you to receive, through your work. and for our listeners, Paul's incredible legal career has had groundbreaking battles from police spying cases, first amendment rights, AIDS discrimination. the list goes on and And then after this question, we will continue the conversation of your landmark legal battles from the Supreme court and more. I was curious with what's happening in our modern society, with ICE and DHS. I would be curious to learn more about your legal expertise in police spying. and if you would want to share a little bit about one of those cases and what that experience revealed about protecting civil liberties against government overreach. Um.

PAUL HOFFMAN 32:47

Well, the, the big case that I worked it was colloquially called the "police spying case. ". It had to do with, a case on behalf of, I think there were 23 or 24 community groups, including environmental groups, the Black Panthers, American Indian Movement, a lot of the groups that were spied on by the LAPD's, political surveillance unit. Um, and this goes back to the Hoover days and, you know, McCarthy, know, where the LAPD had a unit that was surveilling almost any progressive, group in town or person in town. And one of the things they did was they actually put infiltrators within groups and some of them were agents provocateurs. Um, we had one client who lived with a LAPD undercover agent for two years you know, without knowing that he was an undercover agent. Um, we had another one that was part of the Black Panther movement in LA who continually tried to get them to take violent action, presumably so that the police could come down on them. a there were groups, um, and there were groups, uh, the LAPD spied on,

uh, the groups in town that opposing police misconduct. In fact, one of them went to a meeting with the mayor and the police chief, um, on behalf of the groups, uh, without them knowing that he was actually an LAPD officer. So we found out serendipitously because one of the people who had been spied on saw the person, the LAPD officer that spied on him doing traffic. One day and said, o my goodness, he's a police officer. And so that, led to the filing of the case. And we uncovered a whole bunch of other, infiltrators, uh, undercover agents. and we litigated that case for several years until 1984. and settled the case, mostly to rewrite the political surveillance guidelines. So to put restrictions on the way that the LAPD could engage in undercover work, uh, restrictions on them doing undercover work within mosques and religious institutions. not putting, you know, undercover agents living with people or doing things like Uh, not being an agents provocateur, and so part of the was just rewriting the way that this particular red squad did its work. And there were red squads all across the country. And there was litigation in New York and Mississippi, um, Chicago. Uh, ours was one of the most prominent ones, but there were many others where, people were fighting the surveillance state in those days where it seemed like in the eighties we had made some progress on that. And I think the danger now is that, you know, I think that we're in a period where I think it's going to be on the rise again. And it's very hard to know that it's happening, know, u there's a break somehow that you, you find out about it in a criminal case, where someone's got to testify or serendipitously like we did, where you just identify somebody that you thought was in your group. And I think that, um, that, um, that turns out to be a police officer. And I think the issue is about privacy. And, um, I've been working on some other cases recently where the question um, gover collecting information, sometimes through private groups to identify people for deportation, for example, is a huge So, um, I think that's what's going to happen now, um, working on another case where the Orange County DA collects DNA from misdemeanants. So they have a DNA database. and I think that we're trying to stop that before it becomes a nationwide phenomenon. There's a nationwide DNA database you can find out anything about anybody that way, without adequate safeguards. so, you know, I think privacy is going to be one of those issues that is going to be right at the top of the, of, of our concerns over the next period of time. And I also think, you know, I've been dusting off all my old McCarthy era texts. and when I started, uh, one of my first cases was on behalf of a guy named Frank Wilkinson. And I don't know if you know Frank, Bert, um, he was the head of the National Committee to Abolish HUAC and spent a year in prison for taking the first amendment before UAC in 1960s. and I think that we're in a new McCarthy era because I think that's where, that's where Trump gets his, you know, it's from the Roy Cohn era,

BERT LOCKWOOD 37:40
right? Yeah.

PAUL HOFFMAN 37:42
Um, and a lot of this stuff he's doing is very reminiscent of what was done in the late forties and fifties to go after people on who were alleged communists, right?

MEREDITH LOCKWOOD 37:54
Mm-hmm.

PAUL HOFFMAN 37:55
I mean, look at what's happening at Harvard and at the law firms, you know, all of this stuff.

MEREDITH LOCKWOOD 38:00
Absolutely.

PAUL HOFFMAN 38:00
Anybody that doesn't, know, adhere to the, new ideology, right? Wh woke or whatever they

MEREDITH LOCKWOOD 38:08

Yeah.

PAUL HOFFMAN 38:08

call

MEREDITH LOCKWOOD 38:08

I

PAUL HOFFMAN 38:08

it.

MEREDITH LOCKWOOD 38:08

think we're called "woke radical lefties".

PAUL HOFFMAN 38:12

Something

MEREDITH LOCKWOOD 38:12

Yeah.

PAUL HOFFMAN 38:12

like that.

MEREDITH LOCKWOOD 38:13

I'll make

PAUL HOFFMAN 38:13

Yeah.

MEREDITH LOCKWOOD 38:13

a t-shirt.

PAUL HOFFMAN 38:14

Yeah. I mean, my only regret is that I don't have an executive order yet, which strikes me that I'm not doing my job well enough.

MEREDITH LOCKWOOD 38:22

Yes.

PAUL HOFFMAN 38:22

I

MEREDITH LOCKWOOD 38:23

Yeah.

PAUL HOFFMAN 38:24

think I'm trying to work, I'm trying to work on that. I'm hoping for my own executive

MEREDITH LOCKWOOD 38:29

And

PAUL HOFFMAN 38:29
order.

MEREDITH LOCKWOOD 38:30

Paul on, you know, uh, McCarthyism for our listeners, there's a great show that came out last year on Showtime called Fellow Travelers. and it is a really wonderful series cause each episode takes you from different decades, starting in the 1950s with a government official who is closeted queer. and just how afraid he is for his life as well, because, you know, they were also targeting people in the government who were closeted. so just for our listeners, a little sidebar, that if you don't know a lot about that time period, um, it's very relevant, takes you up into the 1980s. and you know, Paul, something that my dad gets on a daily basis from me, being a non-lawyer and knowing that my dad taught constitutional law for many, many decades is I call him when I read the news and I say, Dad, how is this legal? Can you just explain to me the constitution? Because I think I understand it. But then I don't understand how Trump and his cronies are getting away with things. I mean, even, you know, these ICE agents who are now lurking in the hallways at immigration court, I, how, how is that legal? You know? And I, I, I mean, I know the question is how is it moral, but that's been thrown out the window. So now I just try to find my moral compass and ask my dad, how is it legal? And then we have very lengthy chats at night about it. And I just, I feel like our.

PAUL HOFFMAN 39:54
I think the problem is that no

MEREDITH LOCKWOOD 39:56
right?

PAUL HOFFMAN 39:56
one

MEREDITH LOCKWOOD 39:56
Mm-hmm.

PAUL HOFFMAN 39:56
really knows right now, I mean, I think that I'm still waiting to see what the court is actually going to do when it really decides some of these cases. Right. You know, are, what are they going to do about impoundment, for example? Are they just going to let him not spend whatever he doesn't want to spend? know, even though Congress has allocated money, I mean, then the power of the purse is gone.

MEREDITH LOCKWOOD 40:21
Mm-hmm.

PAUL HOFFMAN 40:22
Can he just reallocate funds anywhere he wants? You know, take it away from Harvard and give it to

MEREDITH LOCKWOOD 40:27
Right.

PAUL HOFFMAN 40:27
trade schools. he just do tariffs, right? I mean, tariffs are an Article I power and he's abusing it, you know, in a ridiculous way and no one's standing up to him. So will the courts do that? There was just an argument in

the Court of International Trade about a week or so ago about whether the tariffs violate the Constitution. Will the courts stand up to him on that? What are they going to do about this guy that was sent to El Salvador

MEREDITH LOCKWOOD 40:54
I know.

PAUL HOFFMAN 40:54
where Trump says, I can get him back in a minute, but it's not my decision. I mean, are the courts going to eventually order him to bring him back? What are they going

MEREDITH LOCKWOOD 41:03
I

PAUL HOFFMAN 41:04
to do?

MEREDITH LOCKWOOD 41:04
know.

PAUL HOFFMAN 41:05
And then, you know, can they take people who have green cards and put him in prison in Louisiana because they protested, for Palestinian rights in Columbia? I mean, that's crazy.

MEREDITH LOCKWOOD 41:18
It's crazy.

PAUL HOFFMAN 41:19
Yeah. I mean, and that's why I say that's very much like McCarthy,

MEREDITH LOCKWOOD 41:22
Mm-hmm.

PAUL HOFFMAN 41:23
right? unless the courts put some limits on that, you know, he's going to start doing it to citizens.

MEREDITH LOCKWOOD 41:29
Absolutely.

PAUL HOFFMAN 41:31
That's what I think. I mean, he's already... They already have arrested lots of citizens. they've let most of them out, I think. But, you know, and the fear, you know, I run know, civil rights litigation clinic at UCI, and we do some work in the community in Santa Ana and Orange County, which is mostly an immigrant community. And the fear in immigrant communities, you know, we have these sessions, know your rights sessions, and people come in and say, well, I'm afraid to send my kid to

MEREDITH LOCKWOOD 42:00
Mm-hmm.

PAUL HOFFMAN 42:00

school. Mm-hmm. I'm afraid to go to church. You know, what do I do if they take me when I have to make a court appearance for a ticket? You know, so there's vast fear within the community about what to do. And it's very hard to tell them what the answers are to

MEREDITH LOCKWOOD 42:19
That

PAUL HOFFMAN 42:19
that.

MEREDITH LOCKWOOD 42:19
was my next question. As both of you, like, if somebody does come to you for legal advice, do you lack confidence in giving them the legal advice because you just don't know if it matters or that it'll be upheld? That's a better way to

PAUL HOFFMAN 42:32
say it. Well, I think there's some basic legal advice that we can give people within what we understand the law to be, but we always have a caveat that they're not people that live within what we understand the law to be. You know, they're stretching what the law is all the time, you know, and until the courts stop them, they're just going to keep doing whatever they're going to want to do, right? I mean, he, I think it's purposeful that they're, they're testing every limit that exists legally.

BERT LOCKWOOD 43:04
yeah, and I think there are three cases now where he's not so far complying the, uh, judge's decision. and it's not clear whether he's going to or not.

PAUL HOFFMAN 43:14
yeah, you know, he, they have been complying a lot of

BERT LOCKWOOD 43:18
Yeah.

PAUL HOFFMAN 43:18
decisions. The thing is right now they're mainly decisions from district

BERT LOCKWOOD 43:23
Yeah.

PAUL HOFFMAN 43:23
courts. With a handful of circuit decisions until the Supreme Court says something definitive. I think all of those are very tentative. you know, there are some issues that I think are so clear that I'm not terribly worried ultimately, like birthright

MEREDITH LOCKWOOD 43:40
Mm-hmm.

PAUL HOFFMAN 43:40
citizenship. I don't see them overturning birthright citizenship. I just don't. I think they may screw around with the procedural issue that they heard on May 15th about it, which should there be nationwide injunctions? Cause they don't like those very much. But I think on the ultimate merits on it, I don't think he

wins on that. I don't think he wins on the cases against the law firms, which are just blatantly illegal. What's much more difficult to me is the, is he going to be able to fire and the heads of independent agencies or boards? I think this court is probably going to let them do it. And on impoundment, I think they're going to give them a lot of leeway. And so there are a lot of things where they're not going to be a check. And if, if Congress is not a check, I don't know what happens, you know, and Congress is this bill that they just passed in the house prohibits nationwide injunctions. So they're putting limits on the court. I think it's a little bit more complicated than that. They, they ban them when there's no, what, what do you call it? Bert, where the court imposes a, it's a like bail almost, not thinking of the right

BERT LOCKWOOD 44:55

That's

PAUL HOFFMAN 44:56

word.

BERT LOCKWOOD 44:56

a bond, isn't it?

PAUL HOFFMAN 44:57

A bond. Yeah. That's, that's, that's what I'm

BERT LOCKWOOD 44:59

Yeah.

PAUL HOFFMAN 44:59

thinking. Sorry.

BERT LOCKWOOD 44:59

Yeah.

PAUL HOFFMAN 45:00

I don't know. I get to the point where I'm, I don't always have the

MEREDITH LOCKWOOD 45:03

Same

PAUL HOFFMAN 45:03

words.

MEREDITH LOCKWOOD 45:03

here. But the thing is, I have the internet to just make sure that I'm saying, I'm like checking dates.

PAUL HOFFMAN 45:08

We all have the internet.

MEREDITH LOCKWOOD 45:10

I can just do a little faster as I'm the moderator. I had to fact check myself.

PAUL HOFFMAN 45:15

yeah. So, you know, it's, it's, I don't know whether we'll know the answer to a lot of these questions until

MEREDITH LOCKWOOD 45:20

Wow.

PAUL HOFFMAN 45:20

next term.

MEREDITH LOCKWOOD 45:20

Wow. Oh, Paul, that's too long.

PAUL HOFFMAN 45:24

Uh, it is, you know, and I think part of the reason for that is that the delay helps the administration. And I think even on cases where the court would ultimately rule against the administration, they're still sympathetic to the administration's political goals, I think. And they're going to, it's what they did on the immunity decision. You know, they held it up and held it up and then they gave him immunity. I mean, it's crazy

MEREDITH LOCKWOOD 45:52

Absolutely.

PAUL HOFFMAN 45:52

decision.

MEREDITH LOCKWOOD 45:53

and I was curious, Paul, with you having been in front of the Supreme Court and you're very well known for the incredible cases you've done. I'd love to talk about a couple of the Supreme Court cases. Do you support packing the court? You know, that, that really came up during Biden and Harris, and with Ruth Bader Ginsburg's departure. Is that something, and for you too, dad, I think we've talked about it. I think my generation, millennials and the younger generations, Gen Z, we really believe in packing the court. I say that without really, I've never been in front of the Supreme Court. I probably never will unless I get in trouble. so that being said, I'm curious with your stature, if you support that.

PAUL HOFFMAN 46:40

It's a tough one for me, I think, because I think, um, If we do it, t they'll do it. And I don't know that that ultimately gets anybody anywhere. I also think it's a little early. For example, I think Amy Coney Barrett strikes me as a really interesting justice. I think that she might turn out to be

BERT LOCKWOOD 47:04

reasonable

PAUL HOFFMAN 47:05

much more than some of the others. I don't think that of Kavanaugh. I mean, the problem is, is there another one to be reasonable? And to my mind, it's much more important that the politics in the country change. Because I think that if the politics in the country change, then Congress can do what it's supposed to do. The court is probably not going to stop Congress from doing many of those things. And if the court really did, then you're in a situation like you were during the FDR era, right? And eventually, if, if the politics change and, and the right people are in government and the Senate in particular, in the presidency, then, you Scalia will go away and Thomas will go away. And all it's going to take, I mean, it would take one justice, maybe two to change the entire dynamic of the court. And that's how it's happened over the years. So I think putting, the focus on the court is probably not where I would put things. I would put it much more on

building a coalition, whether it's, you call it progressive or not, th at least has, you know, the right kind of policies on things like human rights and civil And, you don't have to be particularly progressive,for example, to have a civil rights division that actually goes after civil rights violators, you know, rather than completely undermines everything that has been done the last 10 years. those are

MEREDITH LOCKWOOD 48:42

Absolutely.

PAUL HOFFMAN 48:42

important things. Or a president that appoints lower court judges that, make reasonable decisions. know,all I want as a lawyer is somebody sort of in the middle. I don't, I don't need liberals. I just need honest judges that do the right thing.

MEREDITH LOCKWOOD 48:59

Absolutely.

BERT LOCKWOOD 49:02

within 18 months, I guess it is about I think his influence, Trump's influence is going to wane with the next elections. sincerely expect the House, at least, will become a Democratic majority.

PAUL HOFFMAN 49:20

think so, but I don't think that it happens, happen automatically. You know, I worry younger people, you know, my grandson's 20.

He liked what Trump had to say, and he's a low information voter, right? Doesn't care about politics at all. You know, just not at all. so right before it came time to vote, what he decided, and he listens to people like

MEREDITH LOCKWOOD 49:48

Oh.

PAUL HOFFMAN 49:48

Joe Rogan. So he listened to Joe Rogan and Trump and Vance on Joe Rogan. He said,wow , you know, they speak pretty well, and they're saying things that seem okay, an he doesn't have any, he doesn't really study very carefully. then he knows Kamala Harris didn't go

MEREDITH LOCKWOOD 50:04

Yep.

PAUL HOFFMAN 50:04

on Joe Rogan. And so he said, well, I don't know what she has to say. I don't really like her that much. Biden was really old. know, he wound up not voting, I think, because he thought I would kill him. But, which

MEREDITH LOCKWOOD 50:20

Yeah.

PAUL HOFFMAN 50:20

is probably true. You know, I've worked on him since then, but, you know, one of the things that shocked me, you know, I thought, you know, he's grown up in this house with me, because he lives with me, right? And he's lived with me his almost entire life. And I thought, well, how could it possibly be that he and his friends

MEREDITH LOCKWOOD 50:36

Right.

PAUL HOFFMAN 50:36

could think this way?

BERT LOCKWOOD 50:37

Yeah.

PAUL HOFFMAN 50:38

But I think the Democratic Party has lost a

MEREDITH LOCKWOOD 50:42

Yes.

PAUL HOFFMAN 50:42

lot of these people. By not reaching out to them

MEREDITH LOCKWOOD 50:45

Yes.

PAUL HOFFMAN 50:45

where they live. And talking to them in ways they

MEREDITH LOCKWOOD 50:48

Yes.

PAUL HOFFMAN 50:48

understand. And, you know, we take it for granted, yo know, young people, they'll vote for the Democrat. Well, that's not

MEREDITH LOCKWOOD 50:55

Yep.

PAUL HOFFMAN 50:55

necessarily

MEREDITH LOCKWOOD 50:56

And,

PAUL HOFFMAN 50:56

true.

MEREDITH LOCKWOOD 50:56

yo know, Paul, I'm actually wearing my shirt. It says, Vote for Kamala and Timmy,

PAUL HOFFMAN 51:01

Uh-huh

MEREDITH LOCKWOOD 51:02

Tim Walz, um, I was that, you know, disillusioned, the younger generation, your grandson, the 20 year olds, they're going to save our democracy. I was like, they have the energy, they have the spirit, you know, t dedicated. A lot of them are environmentalists. They care about climate and conservation and their future. And then I was blindsided because I lived in my bubble. I really, really believed that. And you're absolutely right, you know, and particularly white male, young, single issue voters feel alienated. They feel polarized and they are listening to these Rogans of the world and these video game consoles. They'll spend hours on, social media, et cetera. YouTube has become this whole other genre that the Democrat and Tik Tok

PAUL HOFFMAN 51:48

TikTok.

MEREDITH LOCKWOOD 51:49

that Democrats are just sleeping on. And I realized more and more, and one of the reasons, you know, for this podcast, the theme cross generational conversations is that we have to engage other generations in human rights while celebrating the legacy and hard work that's been going for decades. But we're really losing a lot of key voters and key potential human rights. Maybe they're not lawyers. Maybe they're teachers. Maybe they're just local volunteers, you know? And I think when I was going through school, y know, taught basic one-on-one, but we always focus on this country at the national level and the federal level. I think we've done a disservice that local elections matter too. It matters. Who's mayor. It matters. Who's on city council. It matters. Who's on school boards. But we don't put a lot of emphasis on knowing your candidates and getting involved for younger voters.

PAUL HOFFMAN 52:46

Yeah. And we assume that, you know, I was having this conversation with a friend the other day the Holocaust. you know, I grew up in a family where some members, know, su from, family members that were killed in the Holocaust. And I grew up with parents, know, one who fought in the war and, you know, the other one who was a war bride. and, you know, I grew up with sort of the greatest generation in their philosophy and, the fact that they had done what they did in Europe to overcome Nazism and, and all that. The younger generation doesn't understand that in the way that I did, I grew up living that, being told about it all the time with parents that had lived it and had suffered the consequences and had lost their best friends in battle and things like that. you know, the idea to me, for example, that you could let Ukraine

MEREDITH LOCKWOOD 53:42

Absolutely.

PAUL HOFFMAN 53:43

die. Is just crazy to me. Right. And yet, what does my grandson understand

MEREDITH LOCKWOOD 53:50

Mm-hmm.

PAUL HOFFMAN 53:50

about the Holocaust? Unless someone

MEREDITH LOCKWOOD 53:53

Mm-hmm.

PAUL HOFFMAN 53:53

teaches them. And that's not

MEREDITH LOCKWOOD 53:55

Right.

PAUL HOFFMAN 53:55

what's happening. And so, you know, I worry about that for the international human rights movement. where are we in international human

MEREDITH LOCKWOOD 54:04

Mm-hmm.

PAUL HOFFMAN 54:04

rights now? Is it, are we losing this generation to that?

MEREDITH LOCKWOOD 54:08

Mm-hmm.

PAUL HOFFMAN 54:08

Do they care? I don't know what you think about that, Bert. I worry about it because I don't, in the students that I teach and I, I kind of teach people who are generally oriented to civil rights. But I don't think in my, in the law school, which is a relatively progressive law school, that the feeling is uniform about that. I think it's still a small category of kids that are really care about human rights and civil rights. Even in a school like UCI, which is pretty progressive. And I think in other schools, it's a lot worse. I don't know what it's like in Cincinnati, but it's

MEREDITH LOCKWOOD 54:45

Mm-hmm.

PAUL HOFFMAN 54:46

worrisome.

MEREDITH LOCKWOOD 54:46

Mm-hmm.

BERT LOCKWOOD 54:48

Well, I, I, I'm just teaching seminars now. So I do women's human rights and, uh, and in international human rights, um, seminars. So those are the students that I come in contact.

PAUL HOFFMAN 55:04

They're the self-selected

BERT LOCKWOOD 55:04

Self-selected.

PAUL HOFFMAN 55:05

students.

BERT LOCKWOOD 55:06

Yeah. Yeah.

MEREDITH LOCKWOOD 55:07

You LLM students, you know, and you're international students.

BERT LOCKWOOD 55:11

Yeah. But a lot of the, I was, I was noticing Meredith recently, um, uh, cause I vote on the applications. And, and one of the things they ask is what you're interested in. I mean, why you've applied to Cincinnati and I think three quarters of the, uh, LLMs, uh, put down corporations and business,

PAUL HOFFMAN 55:38

really,

BERT LOCKWOOD 55:38

inte. Y. Yeah. Um, and seeing the LLM is something that's going to advance their sale ability with a international firm kind of, um, uh, experience. and so it's only about a quarter of them that are. Coming because of the human rights program now.

PAUL HOFFMAN 55:57

Well, the MAGA movement's all about making money. It has nothing to do with any kind of values. It's, it's,

MEREDITH LOCKWOOD 56:03

Oh,

PAUL HOFFMAN 56:03

you know, it's

MEREDITH LOCKWOOD 56:04

absolutely.

PAUL HOFFMAN 56:04

money.

BERT LOCKWOOD 56:05

have I sent you a copy of a recent book in my pen series, uh, Through the Morgue Door? No,

PAUL HOFFMAN 56:12

I don't think so.

BERT LOCKWOOD 56:13

Okay.

MEREDITH LOCKWOOD 56:13

It's a great title.

BERT LOCKWOOD 56:15

I'm going to, send you a, a copy of that. all the other books in my series are scholarly examinations of international human rights. This one, Rebecca Cook sent me, and it was, uh, the mother of a memoir, of a doctor friend of hers. And she, u, um, uh, young, um, aspiring, medical student, um, in the, uh, early 1940s in German occupied Paris. And, and, and she was Jewish and associated with the Rothschild, um, uh, Hospital. and she became part of this secret network that rescued young Jewish children that were about to be sent to either concentration camps or outright killed. And when I got this manuscript, I mean, I couldn't

put it down. I mean, it was just, I mean, it's haunting, but it's absolutely compelling reading. And, uh, I think a very important, book, um, I'll, I'll send you a copy

MEREDITH LOCKWOOD 57:22

Well,

BERT LOCKWOOD 57:22

of

MEREDITH LOCKWOOD 57:22

and

BERT LOCKWOOD 57:22

that.

MEREDITH LOCKWOOD 57:23

I, it goes further, dad, with, you know, when I, I was so lucky that you and mom took me to see Elie Wiesel, the author of Night. He came to Cincinnati and did a talk, in the nineties. And that's where I first really attached myself to learning about the Holocaust. And then through your work, dad, I got to meet judge Thomas Bergenthal. Um, and I got to reconnect with, he did a talk at NYU when I was living in the city. and then him and I got to have an email correspondence, up until he passed away. But then I think about the younger generation who we're losing our Holocaust survivors. We're losing our Holocaust advocates as well. and how do we continue to share those stories when we've lost an imperative generation? and particularly now that people are becoming more individualistic. and Paul, we would, do a disservice to our listeners, not to celebrate your landmark legal battles and Supreme Court cases. We may have to have you on for part two to talk about those. because

PAUL HOFFMAN 58:25

Okay.

MEREDITH LOCKWOOD 58:25

we'll just end up keeping you

PAUL HOFFMAN 58:26

Well,

MEREDITH LOCKWOOD 58:27

all

PAUL HOFFMAN 58:27

that would be fine I'd be

MEREDITH LOCKWOOD 58:29

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PAUL HOFFMAN 58:29

happy

MEREDITH LOCKWOOD 58:29

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PAUL HOFFMAN 58:29

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MEREDITH LOCKWOOD 58:29

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PAUL HOFFMAN 58:29

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MEREDITH LOCKWOOD 58:29

would just

PAUL HOFFMAN 58:29

it.

MEREDITH LOCKWOOD 58:30

be incredible. And I have so many questions, but one thing I would like to round us out on is if you'll bear with me, I have one more question about, our current topic of Trump, his cronies, and they just care about money. And we've seen that with a lot of the billionaires who supported his inauguration. One of your key legacies is corporate accountability. And one of the cases is Nestlé's USA versus Doe One and Cargill versus Doe One. and for our community, these are cases, that alleged that major chocolate companies, we all know Nestlé's here in the United States, no, only profited from aiding and abetting child slave labor in West and now more than ever, we are seeing corruption. We are seeing the Elon Musks infiltrate our government. We are slowly turning into an oligarchy if we are not one already. if you could just kind of, you know, share with our listeners, your distinguished career in corporate accountability and how it's infiltrated our government, I'd be really fascinated. Um, any way you want to guide that conversation?

PAUL HOFFMAN 59:40

Well, the, you the cases that I've done in the Supreme Court have mainly been about using this, uh, 1789 statute, the Alien Tort Statute to, enforce international human rights norms on corporations that are complicit in human rights violations. And we've had mixed success on that. You know, the Supreme Court's kind of put limits on that. Although it's interesting, this morning, we have a case up there now called Doe versus Cisco, which has to do with Cisco aiding and abetting the Chinese government in persecuting

MEREDITH LOCKWOOD 1:00:16

Hmm.

PAUL HOFFMAN 1:00:16

Falun Gong, which we won in the Ninth Circuit in a fairly broad, very favorable ruling. Cisco filed a cert petition. This morning, the court asked the Solicitor General for his views before they decide whether to take it. So we're still sort of waiting to see if the Alien Tort Statute remains in any way as a way to challenge exactly what you were mentioning. But I think the thing I would leave you with on that is we understand that the alien tort statute may not be available for many cases. You know, we may have lost that battle for the most part, but we have been able to find other ways achieve accountability. I'll give you a couple of examples. A couple of cases that started out as Alien Tort Statute cases wound up being cases cases ultimately were resolved on foreign law as a case called Doe versus Exxon, which has to do with human rights violations in Aceh, Indonesia.

We settled that a couple of years ago for quite a big sum based on Indonesian law as it was about to go to trial. There are a bunch of cases against Chiquita for its role in mass murder in Colombia. The first of those cases went to trial last spring. In fact, I'm working on the appellate brief right now where there was a \$38 million judgment on behalf of victims. There are thousands of victims waiting for their day in court. That's up in front of the 11th circuit now. If we win on that, I think it'll probably lead to a major settlement with Chiquita on behalf of the relatives of people who were killed during that campaign. So bringing cases based on common law, which is, by the way, the way that it's done in England, for example, the human rights lawyers that bring these kind of cases in England, bring them on common law grounds. We've done that in these cases as well. And those can be very effective. go freshman and I have done a lot of cases under the Trafficking Victim Protection Act, which is an act that deals with forced labor and other violations in supply chains. So, for example, there are cases dealing with cocoa from West Africa, from forced labor and the shrimp importation business. We have an argument up in Seattle in June about one of those cases. And I think those are cases there's a substantial amount of agreement that trafficking should be dealt with in a bipartisan way. And I think that's an area where we may make some progress. There's also, we have brought individual cases under the Torture Victim Protection Act against corporate executives. The Torture Victim Protection Act doesn't apply to corporations directly, but it doesn't mean you can't see them. It can't sue the individuals in the corporations that are responsible for torture or murder. And we have some of those claims in the Chiquita case. We have some of those claims in some other cases. So, I guess what I'm saying is that although we've suffered some setbacks, and I'm pretty sure Burt will agree with me on this one, I think from an early point, it was pretty clear that we were not going to achieve what we wanted

MEREDITH LOCKWOOD 1:03:46

I

PAUL HOFFMAN 1:03:46

in our lifetimes.

MEREDITH LOCKWOOD 1:03:47

see.

PAUL HOFFMAN 1:03:48

That this is more like a 100-year project, which I'm not going to be around for the 100 years. But I think I've always viewed this as creating the architecture where over time, if the politics is right, if we get the right Congress, if we get the we will be able to make progress on this. Because I think people understand human rights at a fundamental level if we tell the right stories. Like, for example, the jury. had a jury verdict for \$10 million against the former president of Bolivia five years ago for his participation in the murder people the suppression of in La Paz. Those were ordinary people in a Florida jury. Same thing

MEREDITH LOCKWOOD 1:04:38

Mm-hmm,

PAUL HOFFMAN 1:04:38

with Chiquita. You know, not people who understood going in, anything

MEREDITH LOCKWOOD 1:04:44

mm-hmm.

PAUL HOFFMAN 1:04:44

about this stuff. But they heard the testimony about what happened to people, and that really moves people. It moves judges, it moves, you know, those stories matter. A we have to find ways to tell them, both

in court, out of court, you know, in legislative form, in public forms. so, I'm optimistic that, know, this is a tough period,

MEREDITH LOCKWOOD 1:05:07
you

PAUL HOFFMAN 1:05:07
right? But there have been other tough periods, and I think we have to be ready, as a movement, we have to be ready to take advantage when the pendulum swings in the other direction, which it will, it seems to

MEREDITH LOCKWOOD 1:05:18
Absolutely.

PAUL HOFFMAN 1:05:18
me. So, that's my optimistic view.

BERT LOCKWOOD 1:05:22
you know, Chiquita was- Cincinnati.

PAUL HOFFMAN 1:05:27
Cincinnati-based.

BERT LOCKWOOD 1:05:28
And, um,

PAUL HOFFMAN 1:05:29
Cincinnati. Yes. we know that. We took depositions in Cincinnati. Okay.

BERT LOCKWOOD 1:05:34
Well, what are their top lawyers, had to think I was the, uh, dumbest guy around, because he kept putting out these feelers, wantin me uh, uh, human rights mission to go to Chiquitas, to, do a report on it. And,

PAUL HOFFMAN 1:05:52
uh,

BERT LOCKWOOD 1:05:52
and, I what they wanted was something that was going to, you help them out. And so I, I just didn't pick up on any of the hints, um, of, of doing it. So, cause I, I suspected it was, going to be a loser for me. Um, um,

PAUL HOFFMAN 1:06:11
you know, there's a battle within the corporations too.

MEREDITH LOCKWOOD 1:06:14
Oh.

PAUL HOFFMAN 1:06:14
You know, that I think that, you know, I've had the experience where either the lawyers for corporations or some people within the corporations want to do the right thing. Now, I think they're fighting a corporate culture. that's profit oriented and where doing the right thing is not the easy sell within the corporation, but that's something that changes over time too. Right. With different generations, with different attitudes. So I

think that's a long-term fight that's worth having. You know, John Ruggie, when he was doing his work. I was trying to do that kind of work was trying to, you know, he would call me up and say, you know, keep suing them because I tell them that either they have to do the right thing or they got to face you in court. And that helps sometimes. I think that's kind of the dynamic that happens, right? I mean, I think there are people working on these corporations from a different perspective where they're going to be advances, it seems to me.

BERT LOCKWOOD 1:07:16

have teaching next year at the law school. The person, the lawyer at Procter & Gamble that in charge of human rights. And she's got to offer a course on corporations and human rights.

PAUL HOFFMAN 1:07:29

That'd be

BERT LOCKWOOD 1:07:30

It

PAUL HOFFMAN 1:07:30

interesting.

BERT LOCKWOOD 1:07:30

should be interesting.

MEREDITH LOCKWOOD 1:07:32

Who's

PAUL HOFFMAN 1:07:32

I think

MEREDITH LOCKWOOD 1:07:32

that

PAUL HOFFMAN 1:07:32

it will

MEREDITH LOCKWOOD 1:07:32

dad?

PAUL HOFFMAN 1:07:33

be.

BERT LOCKWOOD 1:07:33

It's that

MEREDITH LOCKWOOD 1:07:34

Oh,

BERT LOCKWOOD 1:07:34

someone you

MEREDITH LOCKWOOD 1:07:35

okay.

BERT LOCKWOOD 1:07:35

know.

MEREDITH LOCKWOOD 1:07:36

Tara Van Ho teaches business and human rights.

BERT LOCKWOOD 1:07:39

And yeah, Tara Van Ho is one of my former students that she was teaching it over in Essex, but she's just accepted a position in Texas at St. Mary's Law School. And she'll teaching it there.

PAUL HOFFMAN 1:07:54

sounds

MEREDITH LOCKWOOD 1:07:54

was very

PAUL HOFFMAN 1:07:54

good.

MEREDITH LOCKWOOD 1:07:55

kind and was also on our podcast and a wonderful friend. I may be planting a seed, more so asking a question, but do you two have any inner workings of your next joint conference together to bring folks?

BERT LOCKWOOD 1:08:12

Yeah.

PAUL HOFFMAN 1:08:13

Oh, we

MEREDITH LOCKWOOD 1:08:13

I

PAUL HOFFMAN 1:08:14

got to do

MEREDITH LOCKWOOD 1:08:14

think

PAUL HOFFMAN 1:08:14

that.

MEREDITH LOCKWOOD 1:08:14

now is the time, you and I think a lot of people are wanting to get together in person to talk about human rights, global issues. perhaps I speak for both of you in assuming that you probably never thought that our U. S. administration would be going after students, international students, and trying to ban them from universities. I can't imagine that you guys thought you'd

PAUL HOFFMAN 1:08:39

Yeah.

MEREDITH LOCKWOOD 1:08:39

see this in your lifetime

PAUL HOFFMAN 1:08:41

Crazy

MEREDITH LOCKWOOD 1:08:41

and that

PAUL HOFFMAN 1:08:41

stuff.

MEREDITH LOCKWOOD 1:08:41

you've dedicated your careers to advancing students' education and their careers.

PAUL HOFFMAN 1:08:48

I think there's a hunger for figuring out how the international human rights framework applies in these, you know, to what's going on.

BERT LOCKWOOD 1:08:57

So, Paul, we'll, uh, scheme and figure out,

PAUL HOFFMAN 1:09:00

Okay.

BERT LOCKWOOD 1:09:02

What the next, uh, Conference will be, who we want to bring together. So that sounds good.

PAUL HOFFMAN 1:09:07

O. Scheming. I like that

MEREDITH LOCKWOOD 1:09:08

You

PAUL HOFFMAN 1:09:09

the

MEREDITH LOCKWOOD 1:09:09

need

PAUL HOFFMAN 1:09:09

best.

MEREDITH LOCKWOOD 1:09:09

any help on the side? I'm a really good project And I can

PAUL HOFFMAN 1:09:12

manager. All

MEREDITH LOCKWOOD 1:09:12
make Google

PAUL HOFFMAN 1:09:13
right.

MEREDITH LOCKWOOD 1:09:13
forms and get out some dates. Uh, but Paul,

PAUL HOFFMAN 1:09:15
All

MEREDITH LOCKWOOD 1:09:16
this has

PAUL HOFFMAN 1:09:16
right.

MEREDITH LOCKWOOD 1:09:16
been an absolute honor. if you're ever willing to come back and share part two, we can dive more into your Supreme

PAUL HOFFMAN 1:09:22
Sure.

MEREDITH LOCKWOOD 1:09:22
Court case.

BERT LOCKWOOD 1:09:23
Okay.

MEREDITH LOCKWOOD 1:09:23
I'd love to also talk about your work and climate and more. but it's, it's been an absolute honor and I hope to see you here in Portland in June.

PAUL HOFFMAN 1:09:31
Yeah. I hope we can, we see each other.

MEREDITH LOCKWOOD 1:09:34
Thank you, Paul. Bye.

PAUL HOFFMAN 1:09:34
Bye. Bye.

MEREDITH LOCKWOOD 1:09:45
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