13 September 1982

URGENT!

The US Senate has suddenly voted for the Extradition Legislation as devised by the House of Representatives. The vote in the lower house comes up very, very soon - this week, perhaps not till next. You will find details of the bill in the op-ed article by Christopher H. Pyle printed in THE NEW YORK TIMES on 11 August - overpage.

It is urgent that Representatives be contacted immediately asking that they debate this dangerous legislation extensively on the floor. Amendments will be offered which would - if accepted - make the legislation more protective of the rights of those who seek asylum in the United States and guard against their peremptory detention and deportation back into the hands of their oppressors.

ACT IMMEDIATELY! Press the issue with your Representatives, at their home offices or in Washington. Here are a few key Congresspeople, with their Washington phone numbers and their staff aids:

Ron Dellums (D-CA) 1-202-225-2661 Marilyn Elrod
Don Edwards (D-CA) " " 225-3072 Roberta Haeberle
Pete Stark (D-CA) " " 225-5065 Bill Vaughn
Mervyn Dykstra (D-CA) " " 225-5425 Adonis Hoffman
Toby Moffett (D-CT) " " 225-4476 Ed Klaymann
Pat Schroeder (D-CO) " " 225-1955 Andrea Pamilis
Paul Findley (R-IL) " " 225-5271 Bob Wichser
Harold Washington " " 225-4372 Bill Ware
Sam Gejdenson (D-CT) " " 225-2076 Kathleen Bertelson
Barney Frank (D-MA) " " 225-5931 Dave Feltman
Gerry Studds (D-MA) " " 225-3111 Bill Woodward
John Conyers (D-MI) " " 225-5126 Bobby Kamezman
George Crockett (D-MI) " " 225-2261 Jack Bathwell
Howard Wolfe (D-MI) " " 225-3158 Priscilla Newman
Arlen Erdahl (R-MN) " " 225-2271 John Ehrlich
Jonathan Bingham (D-NY) " " 225-4411 Pat Branch
Shirley Chisholm (D-NY) " " 225-6231 Brenda Pillos
Stephen Solarz (D-NY) " " 225-2361 Stanley Roth
Ted Weiss (D-NY) " " 225-5635 Mark Pinsky
Charles Rangel (D-NY) " " 225-4365 Peter Pope
Dennis Eckart (D-OH) " " 225-6331 Ina Risman
John Sieberling (D-0H) " " 225-7792 K. Cass Stevens
Thomas Kindness (R-OH) " " 225-7612 Virginia Chamberlain
Mickey Leland (D-TX) " " 225-3816 David Quilter
Don Bonker (D-WA) " " 226-7825 Farborz Fatemi
Bob Kastenmeier (D-MI) " " 225-3926 David Beier
A THREAT TO THOSE IN REFUGE

Ruining Extradition

By Christopher H. Pyle

The Senate bill, which the Administration favors, would do so by stripping the courts of jurisdiction over the political crimes defense. Instead, the accused would have to raise his claim with the State Department, which could then decide whether protecting him from persecution is worth the risk of alienating the foreign government involved.

The State Department's motive for regarding this bill is clear. It wants to be able to swap alleged criminals with foreign countries the same way that children trade baseball cards: "We'll give you one terrorist if you give us three embezzlers."

The House bill seems more protective of political refugees than the Senate bill because it would keep in the courts the power to decide the political crimes defense. However, the appearance is deceptive, because the House bill would forbid the courts to regard as political, and hence not extraditable, any offense involving bodily violence or a conspiracy to commit bodily violence. There is a tiny exception for crimes committed under "extraordinary circumstances," but the bill does not say what they might be. All that is clear is the political message: Protecting foreign revolutionaries from return to authoritarian regimes should be a rare, not common occurrence.

As if to emphasize a preference for authoritarian regimes, both bills would forbid the courts to question whether a request for extradition was really a subterfuge for persecution.

Nor would the courts be allowed to hear evidence that the charges against the accused resulted from torture or to deny extradition on the ground that the requesting regime is notorious for brutal interrogations, unjust trials or cruel punishment. Judgments of this sort would be left to the State Department, which currently pretends that El Salvador protects human rights.

The Administration claims that the courts should be denied the power to look into foreign injustice in order to assure the neutrality of the United States in foreign political conflicts. However, there can be no doubt where the Justice Department's sympathies would lie; both bills would require its lawyers to represent all foreign governments in their extradition requests. The United States would be neutral only in the sense that it would be neutral in favor of whichever regime happens to be in power.

In anticipation of this legislation and a treaty to implement it, the Marcos dictatorship is requesting the extradition of more than a dozen of its opponents now living in the United States. One of those charged with plotting in the United States to support bombings in the Philippines is Benigno Aquino Jr., an associate of Harvard University's School of International Affairs who, ran against President Ferdinand E. Marcos in the last free election. The only "evidence" against Mr. Aquino comes from the confession of an alleged co-conspirator who later recanted, claiming he had been tortured. However, if either bill now before Congress passes, that evidence will be sufficient to send this democratic politician back into the hands of the dictator he opposed.

Christopher H. Pyle teaches constitutional law and civil liberties at Mount Holyoke College.

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Shocking? If this proposed legislation directly affected those of us who are American citizens, we would be up in arms. But those amongst us seeking political refuge from oppressive regimes abroad—many of them our close friends—are in imminent peril of being offered up in sacrifice for cold-blooded foreign policy considerations by a reactionary US government. Americans have traditionally prided themselves that their country is a sanctuary for the oppressed. The sanctuary is endangered.

Contact your Senators and Representatives immediately. The time is short.

For full information and advice:

Campaign for Political Rights
201 Massachusetts Avenue, NE
Washington, DC 20002

ATT: Ms. Susan Benda

PHONE: 1-202-547-4705

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