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## Law & Organizing: An Introduction to the Public Interest Practice Section

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## **LAW & ORGANIZING: AN INTRODUCTION TO THE PUBLIC INTEREST PRACTICE SECTION**

*Shirley Lung\**

The relationship between law and worker organizing is necessarily a dynamic and contentious one. Dynamic because when workers fight to alter conditions in their lives, alliances must be formed. Contentious because visions and relationships must be disputed. Thus, the role of lawyers in facilitating workers' struggles for justice is fraught with tension as well as radical potential.

This trilogy of articles about law and organizing offers complex insights into different models of community-based lawyering in the context of workers' struggles. While the models vary in how lawyers are integrated into the partnership of workers, organizers, and workers' centers, they share a common goal. Each model discussed strives to support the capacity of workers to organize for and achieve changes that reach beyond any particular worker's individual life. The contributors speak from their lived experiences as organizer, social justice lawyers, and lawyer-turned executive director of a worker center. Each grounds her or his theory and practice on facilitating workers to create power by solving their problems in concert with other workers. And each recognizes the need for lawyers to "see" beyond the law. All of this resonates radical potential.

Yet the contributors dispute the specific contours of the relationship between lawyers, workers, organizers, and workers' centers. Tammy Kim, of the Urban Justice Center, discusses the advantages of "resource ally" lawyering over "in-house" lawyering, arguing that distinct roles between lawyers and organizers prevent role confusion and overreaching by lawyers. Jaime Vargas and Nadia Marin-Molina, of the Workplace Project, examine the detractions and merits of providing legal services through on-site lawyers within a worker center that aims to organize workers; both highlight the resource- and labor-intensiveness of legal services

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\* Professor of Law, City University of New York School of Law. J.D., 1985, New York University, School of Law. Lung is the former Executive Director of the Center for Immigrants' Rights and has worked on labor issues affecting Chinese garment, restaurant, and construction workers in New York City through participation in several independent workers' centers. She publishes on a range of low-wage worker issues, including manufacturer accountability for sweatshops, mandatory overtime, and the work/family conflicts of working class women.

provision and the tensions this poses for organizing. Sebastian Amar and Guy Johnson, of CASA de Maryland, explore the potential of integrating lawyers on-site into teams with organizers to provide for mutually supporting roles with distinct spheres of expertise, responsibility, and action.

As evident from each article, charting and navigating the relationship between law and organizing is filled with challenges for everyone involved. After all, the stakes are high. Are lawyers proceeding in a way that facilitates workers who organize or stifles them? How do we ensure that the use of law helps to broaden workers' struggles rather than isolating workers by individualizing their problems? How do lawyers navigate professional codes of ethics that are based on traditional models of client-lawyer relationships in the context of partnerships between workers, organizers, and workers centers? How do lawyers undermine the boundaries of bad laws to create more space for worker organizing?

Over the years I also have wrestled with these issues. I find this trilogy refreshingly provocative because the contributors share with intelligence and passion their theories, insights, ideas, and, most of all, their daily practice of working in concert with workers. This is radical.