

Testimony of Catherine Albisa before the Massachusetts Joint Judiciary Committee Hearing
on the *Human Rights for All* Bill (HB706), June 7, 2005

Good afternoon. My name is Catherine Albisa and I would like to thank the members of this Committee for allowing me to testify here today. I am a human rights attorney with over 15 years of experience in both constitutional and human rights law as applied in the United States, and currently the Executive Director of the National Economic and Social Rights Initiative – and organization dedicated to the implementation of economic and social rights in the United States. I am also a former staff attorney for the national office of the American Civil Liberties Union, co-directed a human rights clinic for students at CUNY Law School, and was the Associate Director of the Human Rights Institute at Columbia Law School where I taught human rights courses there as an adjunct professor. Finally, I also directed of the U.S. Program at the Center for Economic and Social Rights.

It is an honor to testify hear today as part of this effort which reflects the ongoing leadership taken by this State on the question of ensuring fundamental human rights. Your Chief Justice, the Honorable Margaret H. Marshall has stated with reference to the Massachusetts courts:

Participating in the global conversation about human liberty will keep our courts a vital part of the local community we serve and of the world community into which we and our constituents are now so tightly woven.¹

This applies with equal force to the crucial – indeed central – role of the legislature in protecting human rights. The work on HB 706 recognizes that the citizens of the State of Massachusetts a must be guaranteed basic economic and social rights standards in order to protect the liberty and dignity that every democracy owes to its citizens. HB 706 also reflects an understanding that the solutions to the current state of failure to protect economic and social rights lies in the development of a cohesive systemic approach, and not in piecemeal efforts that ultimately rely on tradeoffs among and between economic human rights. It cannot be a question of investing in education at the cost of protecting health, or investing in security at the cost of education – but rather solutions must emerge from a solid commitment to guarantee all fundamental rights.

It is appropriate that this effort begin with study and dialogue. Human rights provides a strong starting point for developing new policy models, but human rights only offers a set of standards and criteria to judge and assess those models. The concrete and particular solutions must come from communities themselves in this type of thoughtful and constructive dialogue which respects the right to participation of civil society in the

¹ 79 N.Y.U. L. 1633 (Nov. 2004) (speech) "WISE PARENTS DO NOT HESITATE TO LEARN FROM THEIR CHILDREN": INTERPRETING STATE CONSTITUTIONS IN AN AGE OF GLOBAL JURISPRUDENCE