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DEBRA SAUNDERS

Shaking the foundations

[Debra J. Saunders](#)

Sunday, November 24, 2002

San Francisco Chronicle

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At first blush, it appears as a case of academia restricting free speech. Stanford Law School had invited controversial lawyer Lynne Stewart to speak at a weekend conference called "Shaking the Foundations," and to serve as a mentor. But when Stewart arrived at her Palo Alto hotel, she found out her stint as a mentor had been terminated.

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Yes, dean Kathleen Sullivan had left a note informing Stewart that the law school cannot "confer upon you the title of David W. Mills Public Interest Visiting Mentor." Still, Stewart did speak at the conference -- just not as a mentor.

Stewart, you may recall, is the attorney who represented Sheikh Omar Abdel Rahman, who was convicted for his role in the 1993 World Trade Center bombing. In April, a grand jury indicted Stewart for illegally aiding Rahman in communicating from behind bars with Egyptian militants -- after Stewart signed a statement agreeing not to pass on information from Rahman. Stewart admits she passed on information, but is pleading not guilty. So you can see why a law school might deem Stewart an embarrassment.

That said, it would be wrong to muzzle Stewart -- just as it would be wrong to muzzle an idea. Academia thrives, not when institutions prohibit the airing of unpopular ideas, but when they encourage partisans to use argument and reason to persuade.

Stanford law student Carter Ruml led the protest against Stewart, whom he considered an inappropriate role model for future lawyers. Ruml uncovered two statements by Stewart that confirmed his opinion of her:

She told the New York Times recently that the Sept. 11 attacks were an "armed struggle," like Hiroshima and Dresden. Thus, she had "a lot of trouble figuring out why that is wrong, especially when people are sort of placed in a position of having no other way."

In 1995, Stewart told the New York Times that she believes in "violence directed at the institutions which perpetuate capitalism, racism and sexism, and at the people who are the appointed guardians of those institutions, and accompanied by popular support."

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Ruml and Sullivan concluded that those statements demonstrate a profound contempt for the rule of law.

If Stewart is a suitable mentor for law school students, then Hugh Hefner should be a Girl Scout leader.

The Stanford Daily editorialized that "Sullivan's unacceptable decision undermines the academic value of free expression." In fact, Sullivan would have done a better job of making her point, not by axing Stewart, but by picking another attorney -- one who respects democratic institutions -- to counter Stewart's vile world view. Then, news stories would have focused on what Stewart said, not on what Sullivan did.

Sullivan however might not want the public to question why Eduardo Capulong,

who heads the law school's public policy program, chose Stewart as a mentor. (He didn't return my calls by deadline, so I can't tell you his reasons.)

Alan Kors, of the Foundation for Individual Rights in Education, noted that Stewart didn't have a "right to be a mentor."

"What universities are now living with is that for 20 years, to buy a certain peace, they gave over a lot of middle administration to ideologues and zealots. Finally, post Sept. 11, they find themselves facing decisions made by those people, and the more careerist and more politically sensitive higher administrators suddenly think, 'Wait a minute, what are the liabilities for my institution?' "

The answer is in the name of the conference: Those decisions are "shaking the foundations."

E-mail Debra J. Saunders at dsaunders@sfchronicle.com.

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