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Prospects improve for pro-life law group

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From the [Life & Mind Desk](#)

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WASHINGTON, Oct. 9 (UPI) -- The dean and associate dean of a St. Louis law school say they anticipate that the application of a pro-life student organization, twice rejected by the Student Bar Association, will be approved on a third ballot.

But they stressed that the administration of the Washington University School of Law would not tell the SBA what to do.

WUSL Dean Joel Seligman told United Press International on Wednesday that SBA President Elliott Friedman sent a letter Tuesday to SBA representatives urging recognition and that the vote would take place "within a reasonable period of time."

Asked to confirm this, Friedman responded that although he did not rule out sharing the Oct. 8 letter with UPI at some point, the issue is still under consideration and he "would prefer not to do anything that might get in the way until it is resolved."

On Sept. 10, after the SBA voted down the application, Friedman sent a letter to Law Students Pro-Life Chairman Jordan Siverd listing three salient "concerns" of SBA representatives. (These were not necessarily Friedman's own views.) The first was that a "pro-life" organization should also oppose the death penalty. The second "concern" was the suggestion that the organization be revamped "to encourage and facilitate discussion of the issues as a whole, not simply the pro-life side of certain issues." The third was that the organization "should be open to those students both subscribing to and disagreeing with the political viewpoint."

"I think the best bet is to broaden the scope of your issue," Friedman wrote. The SBA rejected the group's reapplication on Sept. 23 without comment.

This provoked a strong response from FIRE, the Foundation for Individual Rights in Education, a Philadelphia-based campus watchdog group founded by University of Pennsylvania History Professor Alan Charles Kors and Boston civil rights attorney Harvey A. Silverglate.

"Essentially, Friedman and the SBA believe that if Law Students Pro-Life became a completely different student organization, it has a better chance of being allowed to exist at your university," FIRE's Executive Director Thor L. Halvorsen wrote in a Sept. 30 letter to Washington University Chancellor Mark Stephen Wrighton. The Sept. 10 statement "denies the group's right to promote the principles that it was established to uphold."

Halvorsen wrote that the university, through its authority delegated to the SBA, has demonstrated "a bigoted intolerance toward religious students" who advocate "pro-life principles as applied to abortion, euthanasia, and assisted suicide." He stated that the SBA is wrong in attributing intellectual inconsistency to those who hold these views but do not also oppose the death penalty because many religionists draw a distinction between the protection of innocent life and those found guilty of capital crimes.

Halvorssen accused the university of "a breathtaking double standard," citing SBA approval of several organizations with equally narrow interests, including the Jewish Law Society, which is committed to "fulfilling the needs of Jewish Students;" the Black Law Students' Association, which functions solely "to orient, assist, and otherwise support African American students;" and OUTLAW, which restricts its activities to fostering an environment that is "supportive, positive, and safe for individuals of sexual and gender diversity."

The FIRE executive director charged that Wrighton's SBA "agent," in ruling against Law Students Pro-Life, "imposes a disability that you do not -- and would not -- impose upon those of different belief and persuasion."

Alan Charles Kors, FIRE's president, said that the university "has condoned intolerable restrictions on freedom of conscience, freedom of association, and freedom of speech. Washington University is now a stifled and intellectually bereft environment."

According to a FIRE statement, as a result of the ruling, Law Students Pro-Life has not been allowed to use the university's name, have a student group Web site, advertise its meetings on campus, or be listed in the admissions brochure. It has been prohibited from using the student group bulletin board and barred from the student group office complex. The group also has been disqualified from applying for funding despite the fact that all of its members pay WUSL's mandatory student activity fees.

But on Wednesday Seligman said that FIRE's concerns were seriously out of date.

"I made the point when I met with Jordan Siverd and others from Pro-Life, and Elliott Friedman, that the Law School -- and, I would strongly suggest, the Student Bar Association -- should not get into content regulation," the dean told UPI. "I have encouraged both Pro-Life and the Student Bar Association to move toward a third vote," which he anticipated would recognize the Pro-Life organization.

But Seligman said he couldn't predict the outcome with any certainty and would no sooner tell the SBA what to do than he would interfere with a Law Review article.

Kathy Goldwasser, associate dean of the Law School, said it concerned her that "it might have been the case that some piece of what was going on (in the rejection of the group's constitution) was viewpoint-based. Sure it occurred to me. I'm not stupid."

When she looked at the situation more closely she thought: "That may be going on here, but I see some other things too. So let me see if there's anything that can be done to kind of 'fix' those things -- or right them -- and then see if we can get something that's a bit cleaner in terms of the presentation of this issue back to SBA and see if we can get a different decision. And that's kind of what we're working on here," she said.

"I absolutely to my dying breath will think that a dean should not tell a student organization in a graduate school what they have to do. But I do think that, in the way that institutions do things, we're going to end up in a place that I'm going to feel comfortable with."

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