

Nicholas N Wallace

From: law-talk <law-talk-bounces@lists.stanford.edu> on behalf of [REDACTED]
Sent: Monday, January 25, 2021 1:55 PM
To: [REDACTED]; law-talk@lists.stanford.edu
Subject: RE: The Originalist Case for Inciting Insurrection
Attachments: ATT00001.txt

To support what [REDACTED] and [REDACTED] have said below, I'd like to point out that what's truly in "exceedingly poor taste" and divisive was Fed Soc's decision to invite Former TX Solicitor General Scott Keller to speak at SLS just *last week*. Keller has been [a pioneer in undermining confidence in and access to elections](#).

Touting [baseless claims](#) of voter fraud, in 2016 Keller [defended](#) a Texas voter ID law similar to others that block minority voters' access to polls with "[surgical precision](#)." For more information on voter ID laws passed "[with discriminatory purpose](#)" in Texas:

- <https://www.texastribune.org/2016/07/21/after-texas-voter-id-ruling-whats-next/>
- <https://www.nytimes.com/2016/07/21/us/federal-court-rules-texas-id-law-violates-voting-rights-act.html>
- <https://www.texastribune.org/2016/09/23/texas-appeals-voter-id-rulings-us-supreme-court/>

From: law-talk <law-talk-bounces@lists.stanford.edu> **On Behalf Of** [REDACTED]
Sent: Monday, January 25, 2021 11:59 AM
To: law-talk@lists.stanford.edu
Subject: Re: The Originalist Case for Inciting Insurrection

Dear Law Talk:

To those of you made to feel unsafe by this fictional event, I invite you to likewise reflect on the actual events hosted by the Federalist Society that have threatened our classmates' wellbeing. To name but one of many examples: nearly one year ago to date, the Federalist Society hosted Texas Solicitor General Kyle Hawkins to present on his second attempt to end DACA. Five days ago, the Federalist Society hosted former Texas Solicitor General Scott Keller, who led the multistate litigation that ended DAPA in 2016.

For the sake of "academic freedom," our undocumented classmates must bear the trauma of attending an institution that welcomes speakers actively working to remove their right to remain in the country. I agree that the white nationalist attacks at the Capitol were traumatic for many of us; however, I hesitate to draw the line of what is acceptable discourse at pointing out the Federalist Society's complicity in this issue, even if done so satirically and at our discomfort.

Our policy, as recently reaffirmed by Dean Martinez, is to promote discussion despite discomfort. I ask only that you reflect on the momentary dread you felt as an example of the cost of "academic freedom" we impose on our BIPOC and undocumented classmates.

Best,

From: law-talk <law-talk-bounces@lists.stanford.edu> on behalf of [REDACTED]
<lubash@stanford.edu>

Date: Monday, January 25, 2021 at 10:54 AM

To: [REDACTED], [REDACTED], [REDACTED], Nicholas N Wallace
[REDACTED], "law-talk@lists.stanford.edu" <law-talk@lists.stanford.edu>

Subject: Re: The Originalist Case for Inciting Insurrection

Dear Law Talk,

While the original satirical post may not have been in the best taste (as satire rarely is) let us take this moment to reflect on ***why*** so many students believed this was a real event:

The SLS Federalist Society has not shown one iota of leadership or made any attempt to disclaim the events of January 6.

There has been no message of support to our community, no reflection upon how the actions of leaders within their organization led directly to those events, and no work done to distance themselves from this attack on our democracy and the rule of law. While other mentors to Sen. Hawley [have come out opposed](#) to his irresponsible behavior in Congress, our own Professor McConnell (whom Hawley clerked for) has remained silent, at least to my knowledge.

Because of this lack of leadership, the rest of us are left frightened, wondering what our fellow students (and professors) actually believe. While the time for leadership was weeks ago, I personally would still appreciate some response from Fed Soc indicating where they stand. While it may be uncomfortable, satire is often effective in illuminating truths about our society. Let us not forget the true reason why many of us are still afraid today.

Sincerely,

[REDACTED]

--

[REDACTED]
Pronouns: he/him/his

J.D. Candidate 2021

Stanford Law School

From: law-talk <law-talk-bounces@lists.stanford.edu> on behalf of [REDACTED]
[REDACTED]

Date: Monday, January 25, 2021 at 9:46 AM

To: [REDACTED], [REDACTED], [REDACTED], Nicholas N Wallace [REDACTED], "law-talk@lists.stanford.edu" <law-talk@lists.stanford.edu>

Subject: Re: The Originalist Case for Inciting Insurrection

Poor taste. Did you have to send this out to all of us? Why not submit it to the satire portion of Stanford's newspaper, or circulate it among friends or your own club? Even a satire watermark would have been better.

If cannibalism were a real, widespread fear among people in your society, then I think A Modest Proposal would be inappropriate to email to everyone en masse, under the guise of a legitimate organizational proposal.

I don't know how to solve the divide in this country, but I have this worry that this rhetoric is just deepening the hate felt between groups and leading people to just dig in harder into what they already believed. I think people are living in two different universes of ideas about this country, and I worry that the distance is growing evermore quickly.

[REDACTED]
Stanford Law School | J.D. Candidate '22
[REDACTED]

From: law-talk <law-talk-bounces@lists.stanford.edu> on behalf of [REDACTED]
Sent: Monday, January 25, 2021 9:25 AM
To: [REDACTED]; [REDACTED]; Nicholas N Wallace
[REDACTED]; law-talk@lists.stanford.edu <law-talk@lists.stanford.edu>
Subject: Re: The Originalist Case for Inciting Insurrection

I hope nobody in this thread ever reads A Modest Proposal.

From: law-talk <law-talk-bounces@lists.stanford.edu> on behalf of [REDACTED]
Sent: Monday, January 25, 2021 12:22 PM
To: [REDACTED]; Nicholas N Wallace [REDACTED]; law-talk@lists.stanford.edu
<law-talk@lists.stanford.edu>
Subject: RE: The Originalist Case for Inciting Insurrection

I found these jokes to be in exceedingly poor taste.

From: law-talk <law-talk-bounces@lists.stanford.edu> On Behalf Of [REDACTED]
Sent: Monday, January 25, 2021 8:54 AM
To: Nicholas N Wallace [REDACTED]; law-talk@lists.stanford.edu
Subject: Re: The Originalist Case for Inciting Insurrection

Poor judgement.

From: law-talk <law-talk-bounces@lists.stanford.edu> on behalf of Nicholas N Wallace
[REDACTED]
Date: Monday, January 25, 2021 at 10:38 AM
To: "law-talk@lists.stanford.edu" <law-talk@lists.stanford.edu>
Subject: The Originalist Case for Inciting Insurrection

The Stanford Federalist Society presents:



The Originalist Case for Inciting Insurrection

Wednesday, January 6th

12:45 pm - 2:00 pm

[RSVP Here](#)

Riot information will be emailed the morning of the event.

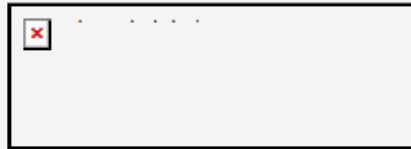
The first thirty students to RSVP will receive a **\$10 Grubhub coupon** to be used on the day of the event.*

Please join the Stanford Federalist Society as we welcome Senator Joshua Hawley and Texas Attorney General Ken Paxton to discuss violent insurrection. Violent insurrection, also known as doing a coup, is a classical system of installing a government. Although widely believed to conflict in every way with the rule of law, violent insurrection can be an effective approach to upholding the principle of limited government. Senator Hawley will argue that the ends justify the means. Attorney General Paxton will explain that when the Supreme Court refuses to exercise its Article III authority to overturn the results of a free and fair election, calling on a violent mob to storm the Capitol represents an

appropriate alternative remedy.

Senator Joshua Hawley is the junior United States senator from the state of Missouri. Before entering the senate, he served as the Attorney General of Missouri. He received his BA in History from Stanford University and his JD from Yale Law School, where he was president of the school's Federal Society chapter. He then clerked for then-Judge Michael McConnell on the United States Court of Appeals, and Chief Justice John Roberts on the United States Supreme Court.

Ken Paxton is the Attorney General of Texas. More information about Attorney General Paxton is available on his [official Federalist Society biography page](#). He is currently under investigation for securities fraud.



The Stanford Federalist Society takes no position on particular legal or public policy issues. The views of individual speakers do not necessarily represent the views of the Stanford Federalist Society or its membership.

*Funding for these gift cards is generously provided by our national Federalist Society organization. No Law School funding was used. If you do not have access to Grubhub, we can work with you to find an alternative.