

Friday, March 14. 2008

Boston College law professors say no to Mukasey.

The Bill of Rights. (From the public domain.)
When then-attorney general Dick Thornburgh had been invited as my law school's commencement speaker, I was none too pleased. To me, Thornburgh's Justice Department continued where the Ed Meese Justice Department left off, with rampant disrespect for immigrants' rights, a First Amendment-trampling anti-obscenity campaign, advocating drug-testing of its employees, and, of course, continued assault on women's right to choose abortion. Sadly, regime change did not result in a Clinton Administration that championed civil liberties nearly as much as I hoped it would (and the notion of a drug-testing-free society has become a quaint one for now), although Clinton certainly was pro choice, and his administration withdrew from obscenity prosecutions in favor of child pornography prosecutions.
My close law school friend Lou Manuta and I identified and weighed our options: boycott the graduation; tape protest messages to our graduation caps; or proceed with the graduation but leaflet the attendees. We arrived at the third option after concluding that a small-scale boycott would not be a message to anybody, and that there's not much of a persuasive message to put on a graduation cap. Consequently, we put together a simple leaflet saying: "George Washington Law School welcomes Dick Thornburgh as keynote speaker.... But," and continuing on the inner pages to detail our above-listed concerns. With some fellow graduates joining our cause -- which probably had more of a positive impact than the two of us just boycotting the lackluster graduation ceremony -- we called ourselves Law Students for Justice, suggested in the leaflet that people contact Mr. Thornburgh directly with their concerns (we sent a letter and the leaflet to Mr. Thornburgh in advance), and recruited a few people to hand out the leaflets as attendees filed in.
More on Thornburgh's lackluster speech and my two meetings with Thornburgh (who emailed me that he believes in disagreeing agreeably, when I emailed him this blog entry about him) and other opponents is here.
I had not thought of rallying law professors to this Thornburgh protest. Having assumed (perhaps incorrectly) from our Amnesty International petition tables and other general observations that even most sympathetic professors would prefer not making such waves, I focused on some of our fellow soon-to-be graduates to join our cause. Today, George Washington University students have great faculty supporters of human rights in the form of blogger Jonathan Turley; a human rights pro bono advocate Ralph Steinhardt, who taught while I was there; and probably some of the clinical law professors.
How pleased I was to learn that twenty-two Boston College law professors this week sent this letter to attorney general Michael Mukasey requesting that he reconsider his acceptance of an administration invitation to speak at the May 2008 law school graduation. The professors made an excellent point that if he were to speak on campus in a regular speech format, the audience could grill/skewer/question him about waterboarding and other extreme interrogation methods. As a graduation speaker, he will have the final and only word. Thanks to BC law school's Eagle and ABA's website for reporting on this story.
Educational institutions should think more closely in selecting graduation speakers, issuing honorary degrees, and putting donors' names on buildings. This is not to say that their selections should be dull or non-controversial. On the other hand, take American University, which for years had the Adnan M. Khashoggi Center on campus -- which at least some students and faculty opposed -- and later removed the man's name after Khashoggi, of Iran-Contra fame, apparently defaulted on his donation promise.
In 1989, George Washington University, where I went to law school, conferred an honorary doctor of laws on former Korean president Roh Tae Woo, who was far from a darling of human rights. George Washington University never learned its lesson. In 2006, GW handed out honorary degrees to George Bush I and Barbara Bush. GW bestowed the same honor in 2004 to General John Shalikashvili when opposition to the Iraq war was already high, and justifiably so. Granted, along the way, GW made some good picks with honorary degrees, including late Supreme Court Justice William Brennan, Bishop Desmond Tutu, and musician Billy Taylor.
My college, Tufts University, seemed to make many wiser honorary degree decisions once I got there, often calling attention to many deserving of wider attention -- including Eugene Ionesco, Maya Angelou and John Updike -- while still giving honorary degrees to many government officials, although generally avoiding awarding them to the likes of Henry Kissinger and Fidel Castro. However, before I arrived there, Tufts' Fletcher School wrongheadedly made plans to establish a Ferdinand Marcos chair (complete with bondage straps and electric shock torture implements?) but then dropping the chair plans when he fell short \$1 million of his \$1.5 million pledge (it appears the school kept the half million dollars that was paid). The things money can buy.
In any event, thanks to the Boston College twenty-two for inviting attorney general Mukasey to be somewhere else on BC law school's graduation day. Jon Katz.

Posted by Jon Katz in Constitutional Law at 00:00