

## *Dean Says, 'I Object,' to CUNY Law Students*

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**By Robert F. Worth**

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Since its founding in 1983, the law school of the City University of New York has taken pride in its zeal to produce lawyers with a social conscience and a left-wing sense of the public interest.

Now these students have taken their training a step too far for the school's administration: they are seeking to honor the only American lawyer ever charged with providing material support to a terrorist organization.

The lawyer, Lynne F. Stewart, 63, was a natural choice to many students at the campus in Queens. Since her arrest last April on charges that she helped an Egyptian sheik to direct terrorist operations from his Minnesota prison cell, Ms. Stewart has become a cause célèbre among many left-leaning lawyers and advocates. The students say the charges against her are groundless and part of an assault on civil liberties.

Members of the graduating class presented their dean last week with a petition signed by more than half of them nominating Ms. Stewart as public interest lawyer of the year.

But for an administration sensitive to the school's mixed reputation -- its graduates have a mediocre success rate on the bar examination -- honoring someone accused of aiding terrorists was a little too much. The dean, Kristin Booth Glen, informed the students at a meeting on Tuesday that she could not allow the class to present its award during the graduation ceremony.

That has infuriated many of the students, who say the choice of honoree has traditionally been theirs.

"What message does this send to us?" said Kathryn Hudson, who organized the drive to nominate Ms. Stewart. "If you can't have free speech at a law school, where can you have it?"

Ms. Stewart, who is free on bail and awaiting trial, said: "I am obviously sincerely touched and very honored by the students' choosing me under the circumstances. The students seem to carry on a long tradition of reminding institutions of their responsibilities. They are willing to take the risk, but Dean Glen apparently is not."

Federal prosecutors say Ms. Stewart distracted prison guards so that her client, Omar Abdel Rahman, a blind Egyptian sheik serving a life sentence for a 1995 conviction in a plot to bomb the United Nations and other landmarks, could pass messages to his followers through a translator.

Ms. Stewart's lawyers have argued that all of her actions were consistent with her legal defense of the sheik and protected by the First Amendment, and that there is no evidence she sought to incite violence by the sheik's followers. They say she was merely a zealous advocate for an unpopular client -- a role she has played throughout her career, representing Mafia hit men and violent revolutionaries, among others.

Despite the dean's decision, the school's criminal law society plans to give Ms. Stewart the award on its own behalf on Thursday in the school's auditorium, said Kris Kraus, the vice president of the student society.

Several lawyers who specialize in civil liberties criticized the decision to revoke the award.

"It's sort of a bad lesson for the students," said Joshua L. Dratel, the vice president of the New York State Association of Criminal Defense Lawyers, who has worked on terrorism cases. "We teach students about the presumption of innocence, and yet the school does not appear to be implementing that."

But some CUNY law professors said the school could not afford the bad publicity that would follow if Ms. Stewart were to receive the award, especially at a time when the city and state are looking for ways to cut programs and save money.

After the school's passing rate on the bar dropped to 50 percent last year, the CUNY chancellor, Matthew Goldstein, asked that the rate be improved. In February, the school's administrators adopted stricter admission standards.

State Senator Serphin R. Maltese, a Republican whose district includes the law school, said that giving an award to Ms. Stewart "at this time, post-Sept. 11," would be terrible.

"It's not only a violation of the law, it's a violation of ethics, and it's not something law students should aspire to," Mr. Maltese said.

In an e-mail message sent to all members of the graduating class on Wednesday, Dean Glen wrote that she sympathized with the students' desire to defend unpopular causes and to honor the principle that defendants are presumed innocent.

"Unfortunately," Dean Glen added, "Lynne Stewart has become a symbol laden with implications beyond these values; try as we might to explain what is intended by the honor, we will not be able to escape the consequences that come from sources unwilling to listen or who might seize this opportunity to malign the law school, its graduates, or its mission."

Two faculty members at the school said yesterday that they sympathized with the students' feelings but agreed with Dean Glen.

"I don't think this gesture would be interpreted very benignly out there," said Penelope Andrews, a professor at the law school.

Past recipients of the public service lawyer of the year award include Judith S. Kaye, the chief judge of the New York State Court of Appeals; Arthur Kinoy, a civil rights attorney who worked in the South in the 1960's; and Kristian Miccio, a former CUNY professor.

Some of CUNY's graduating students disagreed vigorously with the selection of Ms. Stewart.

"The law school is a political stepchild, and I think this could have been a death knell for us," said David Abrams, a third-year student. "It's just not something we can afford right now."

Others agreed, but criticized the handling of the issue, saying the dean should have spoken out two months ago when the campaign to nominate Ms. Stewart began.

Some students are so angry about the dean's decision that they plan to wear tape over their mouths at graduation to signify that their statement of protest has been silenced, said Barry Klopfer, a third-year student.

And some say they will not let the dispute mar their graduation day.

"I plan to sit back and enjoy the theater," Mr. Klopfer said.

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