

## **The Defense Won't Rest Easy**

### **Liberal lawyer works for will of blind cleric**

**by Pete Hamill, New York Daily News 5-20-2002**

Lynne Stewart, the gray-haired, chubby scourge of the Republic, is sitting at a cluttered desk in her third-floor office on Broadway, and she looks like an amused grandmother, which she is. She gestures at the disrupted state of the room.

"We still don't know exactly what they took," she says. "They started by going carefully through some files, then they gave up, and started taking everything. Even the Rolodex! I wasn't here. I was under arrest."

Lawyer Lynne Stewart

The "they" she is describing were agents of the Federal Bureau of Investigation. On the morning of April 9, they descended on her in the front yard of the Chelsea home she shares with her husband, Ralph Poynter, and their Lab, Ubu. "They were nice," she remembers. "They let me cuff front, not rear." The dog, usually a placid representative of the breed, rose in fury, baring his teeth at the FBI men, but otherwise the arrest was peaceful. Meanwhile, another FBI team went to her office on lower Broadway and started carting off the files.

"We're still fighting over the best way to get a full listing of what files they took," she says. "They certainly have a lot of stuff that has nothing to do with this case. I mean, there's probably more sensitive stuff in the Rolodex than anything else. You know, the name of the wife and the girlfriend..."

### **A Push to Convert**

The key figure in the arrest was, of course, one of Stewart's most famous clients: Sheik Omar Abdel-Rahman, better known to New Yorkers as the Blind Sheik. Since 1995 he's been serving a life sentence for conspiring to blow up the United Nations building, the FBI office in Manhattan, with the Holland and Lincoln tunnels and the George Washington Bridge thrown in. After he was sent away, Stewart continued as his attorney. A courtroom drawing of Stewart and the client is on the wall in the reception area, with Abdel-Rahman wearing his trademark Santa Claus cap.

"You know, he always kept sending emissaries to me to see if he could get me to come over and convert and become a Muslim," she remembers. "I'm raised as a Protestant, and suffered under Calvinism and was liberated from it, so I'm basically anti any theology. I respect people who need and love religion, and do so many good things, but I don't feel any great compelling need for it. But [Abdel-Rahman] said to me, 'You must become a Muslim, Lynne, because to be in paradise, and you not be there, is unthinkable.'" She laughs. "Is that great?"

Now she has been indicted on multiple counts of conspiracy for supposedly helping Abdel-Rahman to continue directing his terrorist followers from the federal prison in Rochester, Minn. The Justice Department claims that in the year 2000 she allowed the sheik to pass messages in Arabic through a man she brought along as a translator (Lynne Stewart speaks no Arabic). She's also charged with violating a 1999 order that banned the sheik from communicating with the news media. She admits to the last charge — issuing a press release about the sheik's withdrawal from a terrorist ceasefire

in Egypt — but claims it was a "mistake," not an indictable offense.

"That's what defense attorneys do," she says. "They speak for you, whether you're accused of terrorism or shoplifting."

Now 62, Lynne Stewart has been a defense attorney for 27 years.

"I probably see my job as something more than most defense attorneys see it," she says on this afternoon, while free on \$500,000 bail. "You know, if a client has to have a visit, and it's Mother's Day, and the kids are coming, and your grandmother's coming from Boston, and — whatever else — you go in and see the client. Or if a mother is trying to get her son out of jail, you put off everything, as I just did an hour ago, and see her and try to help her understand why he's not getting out of jail today, and what's happening in this very convoluted world."

### **Champion for the Underdog**

Stewart is an old-style left-wing lawyer, and the label is accurate. In the reception area, there are old posters, redolent of the 1960s, supporting various national liberation struggles, along with a framed Ralph Fasanella poster supporting the 1990 strike at the Daily News.

"Yes, I was a product of the 1960s, but also the 1950s," she says. "In the '50s, a nice young woman didn't leave her father's home unless she was a married person. So I got married, probably too young, and in those days you very soon got pregnant as well as got married. I needed a job that let me spend time with my children — and still work."

She became a school librarian, working at Public School 175 in Harlem, ending up at PS 64 on the lower East Side. The daughter of Irish schoolteachers, she was not prepared for what she saw among the New York poor. Drugs, crime, despair were everywhere in that era. All around her, some of the great social battles of the era were focused on the schools: Intermediate School 201 in Harlem, Ocean Hill, Brownsville, Forest Hills, usually over a vague concept of "community control."

Stewart chose sides.

"But by the 1970s, that was done and finished," she remembers. "In our view, the movement was coopted. I was not going to be happy staying within that school system. That hierarchy that had no ears to listen, no heart to feel with." A pause. "I thought: I can't do this anymore. I'm going to become a shopping bag lady."

With her husband's encouragement, she went to law school instead, graduating from Rutgers in 1975.

"I thought lawyering was right for me, because it's one-to-one," she says. "You can be anti-authoritarian, which is my natural push maybe, and you can get up on Monday and go back to work. You can fight the system, and still have a job in the morning."

She worked with William Kunstler on five cases in a row, the most famous (or notorious) being the defense of Larry Davis, who was accused of shooting six police officers. In the Davis case, Kunstler and Stewart were assigned as defense attorneys by Judge (and former Bronx district attorney) Burton Roberts. They won acquittals that outraged many people.

"They called us 'Fred and Ginger,'" she says with a laugh, "for the way we danced around the prosecution." She shakes her head. "Oh, me."

### **The Will Prevails**

There's one familiar question about her representation of Abdel-Rahman. She is a left-wing lawyer, a liberal on most issues, a radical on a few. The sheik, and all the other Islamic fundamentalists, are ferocious right-wingers.

They despise democracy (preferring leadership from self-elected clerics). They want to deprive women of all rights, including, in many cases, the right to be educated. A female lawyer like Lynne Stewart could not exist under the regimes they want to create. As theocratic fascists, they claim direct lines to God. They are, in many cases, venomous anti-Semites (in spite of the tolerant traditions of Islam). How does a left-wing lawyer defend such people?

"Well, I believe very strongly in self-determination," she says. "If this is the will of their people, people who have lived under this religion for hundreds of years, I think those people have a right to make a decision of their own. And self-determination is supposed to be part of what Americans are about."

With that, the defense rests.