

WHY THE CASE OF LYNNE STEWART SHOULD MATTER TO YOU

On the morning of April 9, 2002 agents of the Federal Bureau of Investigation arrived in the front yard of the Brooklyn home of outspoken attorney, Lynne Stewart to arrest her. Simultaneously, as they handcuffed her, the FBI invaded her Manhattan office and searched for almost 12 hours. Photographs of them leaving with boxes of papers and files were widespread in the media. U.S. Attorney John Ashcroft himself flew to New York, for the announcement of Lynne's arrest both at a Federal court news conference and later that day, with much greater coverage, on the Late Night with David Letterman television show.

The indictment against Lynne charges her with providing material support for terrorism, and violating Special Administrative Measures (SAMS) imposed by the U.S. Bureau of Prisons, which included a gag order on Sheik Abdel-Rahman, who Lynne represented in his 1995 trial. The indictment came a full two years after the last alleged act. The basis? A public press release; overheard, privileged attorney-client interviews and wiretapped conversations with the interpreter and paralegal on the case who are also charged in this indictment.

Lynne pleads: "Emphatically Not Guilty"

Lynne Stewart has been a defense attorney practicing criminal law for 27 years. Prior to becoming a lawyer, Lynne was teacher in the New York City School system as a children's librarian. Lynne is the mother of 3, stepmom to four and the grandmother of 7. Lynne, as a lawyer, has always been a vigorous defender of her clients, who ranged from the many poor people caught in the criminal justice system by the economics and/or the war on drugs to more well known political defendants. These include : David Gilbert, Weather Underground, Richard Williams of the United Freedom Front, Larry Davis, acquitted by reason of self defense of attempted murder of NYPO's, Sekou Odinga, Black Liberation Army and Nasser Ahmed, released after being imprisoned for 3 ½ years on non-existent secret evidence. Lynne remains committed to her clients, as their attorney, until they are no longer in the grasp of the State. This is the work of a criminal defense attorney.

***Prior to September 11th and the hastily enacted "Patriot Act",
Lynne Stewart would never have been indicted at all.***

The charges against Lynne Stewart come at a time when the Bush Administration/Ashcroft Justice Department are using the September 11th attack as a vehicle to mask their attack on the civil liberties of all Americans, and the rights under international law of many people of the world. Through the "Patriot Act" which was force fed to Congress in the late weeks of September, 2001 and passed into law in an atmosphere of trauma and fear - this administration has been able to demand and be granted broad new powers. The Bush agenda had been on shaky ground after the controversial "election" and consequent Supreme Court "appointment" of Bush and his minions to the presidency. After September 11th the opportunity arose for Bush/Cheney/Ashcroft to push the country even further to the right and to move to create a police state. The Patriot Act implements a number of domestic "antiterrorism" measures that enhance government surveillance powers to enable the FBI and other law enforcers to intrude upon the privacy of anyone and everyone in the United States. Under the guise of making us feel "safe", the Act sacrifices values that are at the core of democracy and thus at the core of our Constitution. The Act fosters detention and deportation of noncitizens based on their political activities and associations. When the Bush administration lacks authorization from Congress it may self-authorize by executive fiat, interim rules and directives all done in secrecy. By a signature of Ashcroft, the administration may monitor privileged communications between federal detainees and their attorneys completely bypassing Judicial scrutiny. This thwarts the ability of criminal defendants to receive the effective assistance of counsel to which they are entitled under the Sixth Amendment. Under these same interim rules and directives there are new guidelines for domestic intelligence gathering that repeal the hard-fought-for reforms of the Church Committee's 1976 findings that the FBI and the CIA had engaged in domestic spying and disruption of lawful political activities (Cointelpro). This and other manipulations of Bush et.al. have set back established Constitutional and human rights. This could only have happened behind the cloak of fear engendered by 9/11.

"I am here not because the Government wanted to put me in jail for 40 years but because I have fought for Justice in the United States for 40 years."

The apparent goals of the Bush administration through their "Patriot Act" is to stifle dissent and dissuade all who struggle for freedom and self-determination. One of the rights under attack is the right to counsel. The many detainees, who have been held nameless in a makeshift prison at Guantanamo Bay, Cuba under unspeakable conditions of confinement, are labeled "unlawful combatants". They are not allowed attorneys. After 9/11 imprisoned American Political Prisoners and Muslims were put in administrative detention. Many are still being so held for unexplained "security" reasons. The imprisonment and denial of counsel to two U.S. citizens portrayed as somehow connected to Afghanistan shows that clearly this administration believes that attorneys are part of the problem and that those whose responsibility it is to advocate for the rights of the accused and imprisoned need to be controlled and intimidated.

Why target Lynne Stewart?

By targeting and indicting Lynne Stewart the U.S. Justice Department hopes to make an example of an attorney with a long history of progressive political beliefs as well as a reputation for vigorously advocating on behalf of those whose lives have been entrusted to her. Her arrest is meant as a signal to the defense bar to cease and desist zealous representation of persons criminalized by the Government.

It is to chill the defense bar and force their conformance to the government's tune

Lynne Stewart is represented by Attorney Michael Tigar, who has represented among others: the Chicago Eight, The Seattle Eight, H. Rap Brown, Angela Davis, Cesar Chavez's son Fernando, and Kiko Martinez. He had worked with the African National Congress in the anti-apartheid struggle in South Africa. He is a law professor at Washington College of Law, American University in D.C. where he also teaches a seminar on human rights law.

On his defense of Lynne Stewart Michael Tigar says:

“This case is about Lynne Stewart, her struggle and her freedom. For me this case represents an opportunity to confront the Bush/Cheney/Ashcroft effort to destroy human rights and scare the country into lurching to the right.

This case is an attack on a gallant, charismatic and effective fighter for justice. I am heartened by the support of so many lawyers, but disappointed in the failure of some to see that the case affected them and their lives. The entire legal profession ought to be standing up and shouting about this case....It is clear that this case has at least three fundamental faults:

First, it is an attack on the first amendment right of free speech, free press and petition. When you read this indictment, (see www.lynnestewart.org) you will see that Lynne Stewart is being attacked for speaking and helping others to speak. Already, the law under which she is being prosecuted has been held unconstitutional on this very ground by a judge in California.

Second, this case is an attack on the right to effective assistance of counsel. The indictment, announced in a blaze

of publicity by General Ashcroft himself, seeks to chill the defense bar. The government's theory would sharply limit the rights of lawyers to practice their profession and to represent their clients.

Third, the "evidence" in this case was gathered by wholesale invasion of private conversations, private attorney-client meetings, and private faxes, letters and e-mails. I have never seen such an abusive use of governmental power."

***"The government's indictment of me is
really an attack on the people"***

The initial outpouring and continuing growth of public support for Lynne Stewart is reflective of the nerve struck by this attack on not only Lynne and her life's work but on all the defenders of our rights under the Constitution.

Those who cherish freedom and justice have no choice but to fight this attack against Lynne and against all of us. We must defend Lynne Stewart against government attack.

***WE WON'T ALLOW THEM TO BURY LYNNE STEWART IN THEIR
PRISONS.***

***WE WILL NOT STAND SILENT WHILE THEY BULLDOZE THE BILL
OF RIGHTS!***

JUSTICE FOR LYNNE STEWART IS JUSTICE FOR US ALL

The Lynne Stewart Defense Committee
351 Broadway, Third Floor
New York, NY 10013
212-679-6018 extension # 21