

Civil liberties lawyer Lynne Stewart dies at 77

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11 March 2017

The civil liberties lawyer Lynne Stewart, jailed by the government on fraudulent charges of assisting terrorism, died at her home in Brooklyn on March 7 at the age of 77. A longtime member of the National Lawyers Guild, she is survived by her husband, Ralph Poynter, three children and several grandchildren.

Stewart, a self-described left-wing radical, was born in Queens. After working as a teacher and librarian, she was radicalized in the late 1960s and early 1970s and turned to the law as a means of fighting social injustice. Obtaining a law degree from Rutgers University, she embarked on a three-decade career in which she represented Black Panthers and members of the Weather Underground, among other defendants.

Stewart was convicted in 2005 after a seven-month trial arising out of her representation of the blind Egyptian cleric Sheikh Omar Abdel Rahman, found guilty in 1995 of a plot to blow up US landmarks. Stewart, who continued to represent Rahman, visited him in jail where he was serving a life sentence. She was charged, in connection with visits in 1999 and 2000, with helping him communicate with his Egyptian followers.

The charge involved a violation of administrative rules that had rarely led to serious punishment in the past. Stewart made it clear that she had no political agreement with the fundamentalist Islamist cleric and his call for “holy war.” She passionately insisted, however, on his right to a lawyer and to the defense of free speech and other democratic rights, and she also continued to point out that it was American imperialism that was the main guilty party in imposing dictatorship and mass repression around the world.

In the political climate stoked by both major parties of American capitalism after the terrorist attacks of September 11, 2001, Stewart was victimized to set an example for other lawyers defending the Bill of Rights and representing those accused of terrorism, including

the hundreds of innocent men at Guantanamo Bay who had been seized following those attacks.

Stewart’s conviction came after 13 days of deliberations and under conditions of immense political pressure during the most violent stage of the US occupation of Iraq following the 2003 invasion. There was apparent reluctance among at least some of the jurors to go along with the government’s case. The conviction led to her automatic disbarment, preventing her from practicing law again.

Stewart’s sentencing was put off for more than a year while she was treated for breast cancer. In late 2006 she was sentenced to 28 months in prison, a relatively light punishment that enraged the prosecution.

District Judge John G. Koeltl was forced to acknowledge that Stewart had acted over many years as a defender of democratic rights, including the right to legal counsel for “the poor, the disadvantaged and the unpopular.” “It is no exaggeration to say that Ms. Stewart performed a public service not only to her clients but to the nation,” the judge added, an unusual rebuke to the prosecution, which had called her a terrorist accomplice.

Both the government and the defense appealed, the defense against the conviction and the prosecution against the sentence. Stewart remained free until November 2009, when a panel of the 2nd Circuit of the US Court of Appeals upheld the conviction and sent an unmistakable message to Judge Koeltl. Without any specific order or recommendation, the higher court said the sentence must be reconsidered. Stewart was sent to prison in late 2009. Koeltl took his cue from the appellate ruling, lengthening Stewart’s term behind bars to 10 years when he issued his new decision in July 2010.

Stewart entered prison at the age of 70. While there, her cancer recurred. She received little consideration, her family even reporting that on several occasions her

chemotherapy treatment was scheduled for the same day as a family visit. Stewart remained in prison for a total of four years, finally winning “compassionate release” on New Year’s Day 2014, only after the cancer that would eventually claim her life had spread.

Lynne Stewart was part of a layer of workers and the middle class that sought to fight social injustice. She was victimized by the ruling class because of her persistent and courageous fight for basic democratic rights, especially in the recent period of endless war.



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