



NEWS Texas/Southwest

UT law students defending terrorism suspects at Guantánamo

Security, human rights clinic concerns some conservatives

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AUSTIN – When someone asks law student Shane Sanders why he hates freedom, they're usually only half serious.

But it's a ribbing he's getting used to, as one of a handful of future lawyers at the University of Texas at Austin who's earning school credit for defending the rights of terrorism suspects in Guantánamo Bay.

"Being in this clinic, you have to get used to explaining why you're in it," said Mr. Sanders, 32, a third-year law student from Dallas. "I've never gotten any angry responses from anybody, but people are like, 'Oh, so you think terrorists should go free?' It's half in jest."

"No," say Mr. Sanders and his teachers.

The new National Security and Human Rights Clinic at UT-Austin focuses on what clinic director Kristine Huskey called "the perceived tension between national security and human rights" – what rights do international prisoners have in the war on terrorism, how far should the government go to protect its citizens, and similar issues.

Similar clinics are going on at American University and Duke University, and organizers expect the program to continue to grow as the debate over national security vs. human rights continues.

Campus conservatives say they worry that the class will take a liberal bent, and they disagree that suspected terrorists should have the same rights as American citizens. In liberal Austin, the concern is that the class will take a Bush-bashing angle, said Liz Young, a pre-law government junior and chairman of UT's Young Conservatives of Texas.

"In theory, it's a good thing for UT because these cases are going to be pretty monumental, and that's always a cool thing to have UT in the forefront of law or anything like that," Ms. Young said. "Just as long as it's kept in mind that these are some of the most dangerous men in the world. This shouldn't be about politics."

Instructors say they're trying to find an end for the men they're representing – two Afghans who have been imprisoned since at least 2005 with no formal charges filed.

Students are working toward forcing the system to either charge the men or free them if there's no evidence against them.

"After six years [of the war on terrorism], we're just asking for a day in court," said Elizabeth Hardy, a clinic instructor who graduated from the UT School of Law in May and took part in the clinic last semester.

In the clinic, about 20 students are doing pro bono work representing the two detainees, and doing research for other cases being handled by lawyers and organizations across the country.

This summer, clinic students worked on a brief for the U.S. Supreme Court in the cases of *Al Odah vs. U.S.* and *Boumediene vs. Bush*. The *Boumediene* case is considered to be a defining case in the question of whether the U.S. military can hold foreign prisoners without revealing evidence or bringing formal charges.

Students are also trying to track down and get an update on an Afghan security guard who was arrested for carrying a weapon – apparently his nightstick – then freed a couple years later for lack of evidence and presumably sent back to Afghanistan.

This isn't the first time that university classes have delved into the controversial. Law students across the nation are involved in campus Innocence Projects, dedicated to using DNA testing to free wrongfully convicted death row inmates.

Cutting-edge and roundly criticized when they began 15 years ago, such projects are now credited with raising awareness of the importance of DNA testing in capital murder cases.

Like its death-penalty predecessor, students in the new clinic at UT will get the chance to do groundbreaking legal work on the edge of American justice. Mr. Sanders said that's what drew him to the class.

"A lot of issues that we're dealing with are some of the most important legal issues going on in the United States today," he said.