

# Eric Freedman professor

Two Outstanding Scholars Honored with Distinguished Professorships

BY FRANCES CERRA WHITTELSEY

It had been a good week for Professor Eric M. Freedman. Legal decisions in the United States and Great Britain had turned back government efforts to hold suspected terrorists indefinitely without access to the courts. And, he had testified to a committee of the New York State Assembly about the legal flaws of death penalty statutes and had found the committee receptive to his arguments.

All of this had Freedman smiling, not only because the rulings and his testimony aligned with his view of constitutional law, but also because he had played a key role in coordinating the different cases. "I function as consultant to many related litigations with the aim of keeping all the lawyers on the same page," said Freedman, his right index finger making circles in the air that suggested the global nature of his work. Here, in his office at Hofstra University School of Law, the newly named Maurice A. Deane Distinguished Professor of Constitutional Law functions as the hub of an international effort to safeguard human rights.

"These are the most significant cases I'm likely to see in my lifetime, and I'm in a unique position to help," he said.

At the ceremony honoring Freedman's installation as distinguished professor last November, Professor Anthony Amsterdam praised him for his study of America's history of civil rights "lapses and recoveries" and for his effort to educate the public on these matters. Amsterdam, the Judge Edward M. Weinfeld Professor of Law at New York University School of Law and one of the most influential legal scholars of his generation, also lauded Freedman for his work to secure due process for the Guantanamo prisoners. "In exposing the injustices and oppressions of Guantanamo to the censure of the world, and in bringing the world's censure to the attention of the U.S. Supreme Court," said Amsterdam, "Eric Freedman has once again played a prominent and pioneering role."

Freedman, 51, has also been honored for his 15-year pro bono effort to free Earl Washington, Jr. from death row

in Virginia. Washington was released in 2001 after DNA testing proved his innocence.

Working on all of these matters, as well as teaching, means that Freedman is likely to be sending e-mails at 4 a.m. "I'm never really off duty," he admits. A native of Manhattan, he lives there still with his wife, Melissa Nathanson, also an attorney. Freedman was introduced to his future wife by his sister, Alix Freedman, a Pulitzer Prize-winning reporter for *The Wall Street Journal*. Freedman's father was the foreign editor at *The New York Times*, and he attributes his interest in civil liberties to his exposure to journalism. In fact, he seriously considered a career in journalism before deciding to attend Yale Law School. He joined the Hofstra Law School faculty in 1988 after working as a litigator at the firm of Paul, Weiss, Rifekind, Wharton & Garrison in New York and Washington.

Freedman currently serves as reporter to the American Bar Association's Guidelines for Defense Representation in Capital Cases. A prolific author, his book, *Haber Corpus: Rethinking the Great Writ of Liberty* was published in 2002.

Freedman says current actions by the federal government to ignore constitutional rights are particularly dangerous because the war on terror may never have an official end. "If the courts uphold repressive legislation, if the public closes its mind to alternative ideas and we close our borders to the streams of cultural enrichment that have led to the success of this country," he says, "then the terrorists will have won beyond their wildest dreams." ❁



ERIC FREEDMAN