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By Electronic Mail

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Re: Letter of Support for Professor Sheila Bedi and the Community Justice and Civil Rights Clinic (the Clinic) of the Northwestern Pritzker School of Law

Dear President Schill, Chairman Barris and General Counsel Graham:

We are lawyers, legal workers, members of local professional associations and supporters of democracy. We write to urge you to support Professor Sheila Bedi and the essential litigation and legal work she and the Community Justice and Civil Rights Clinic (the Clinic) pursue. The U.S. Congressional Committee on Education and the Workforce (CEW)'s March 27, 2025 request for information is an unwarranted attack on academic freedom and an attempt to suppress, criminalize and eliminate the work of Professor Bedi and the Clinic in support of peoples' Constitutional rights and liberties. The CEW letter is part of a larger attack on lawyers, the legal profession and judicial branch that we have witnessed from this Presidential administration intended to undermine the role of law and the judicial branch in our tripartite government. It is also part of an on-going assault on institutions of higher learning targeting faculty and students. We respectfully urge you to resist this unprecedented intrusion into the litigation and education provided by the Clinic and law school clinics at large.

Introduction

Professor Bedi and the Clinic work tirelessly to vindicate the sacrosanct rights of their clients and Chicagoland community members to free speech, assembly, protest, dissent, counsel and due process guaranteed by the First, Fifth, Sixth and Fourteenth Amendments and innumerable statutes, laws and ordinances. Professor Bedi and her clinic have represented some of the most marginalized people in our community who lack the necessary resources to pay for litigation on their own behalf. Engaging in this litigation, and other policy work, demonstrates that Professor Bedi and the Clinic are fulfilling the obligations set forth by the [American Bar Association's Model Rule of Professional Conduct 6.1](#) to provide substantial pro bono legal service to "to persons of limited means." Likewise, the knowledge and learning imparted to Professor Bedi's students through the Clinic teachings and advocacy are fundamental to the First Amendment and a democratic society.

Professor Bedi and the Clinic's Work and Teachings Are Protected by the First Amendment

Congress's broad request encroaches on Northwestern, Professor Bedi, and the Clinic's academic freedom protected by the First Amendment. Academic institutions and scholars have a right to academic freedom. *Keyishian v. Bd. of Regents of Univ. of State of N. Y.*, 385 U.S. 589, 603 (1967) (describing academic freedom as "a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom."); *Sweezy v. State of N.H. by Wyman*, 354 U.S. 234, 250, 77 S. Ct. 1203, 1212 (1957) ("Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die."). Academic freedom "includes the authority of the university to manage an academic community and evaluate teaching and scholarship free from interference by other units of government, including the courts." *Brandt v. Bd. of Educ. of City of Chicago*, 480 F.3d 460, 467 (7th Cir. 2007). We ask that Northwestern University exercise its academic freedom and protect the rights of their academic units to set their own educational agenda, free from the partisan demands of Congress.

In addition to violating the First Amendment, the request for information issued by CEW unfairly attempts to vilify Professor Bedi and the Clinic's work to protect fundamental civil rights as "progressive-left political advocacy," or "movement lawyering" citing their efforts to enforce a federal court ordered consent decree governing the Chicago Police Department (CPD); challenging issues of mass imprisonment; and the representation of individuals defending themselves against a lawsuit seeking millions of dollars involving a protest opposing the war in Gaza and advocacy for a cease fire. While members of CEW and the current Presidential administration may disagree with Professor Bedi and the Clinic's work, and so called "left-wing" causes, there is absolutely no evidence or basis to validly assert that Northwestern University is using financial resources "for troubling purposes" or to assert that this litigation is supporting "illegal, antisemitic" conduct.

The work for which CEW faults the Clinic is consistent with the Clinic's mission and academic mandate and does not violate any civil rights laws. The goal of the federal court ordered [consent decree](#) governing the CPD is to ensure Chicago Police Officers respect the constitutional rights of civilians and is an attempt to restore community members' trust in the CPD. It derives from the U.S. Department of Justice's investigation that was concluded in 2017. Its aim is to reform training, policies, and practices of the CPD, including its use of force, training, accountability, officer wellness, data and information systems, among other things. This is far from "progressive-left political advocacy," but lawyering in furtherance of democracy and respect for the Constitution.

The same is true for CEW's disparagement of the Clinic's work to end mass incarceration. According to the Sentencing Project, the U.S. prison population has grown by over 500% in the last 50 years. The U.S. is one of the nations that incarcerates more people per capita than almost

every other nation in the world, even though studies suggest imprisonment does not reduce violence. The fact that the Clinic works to reduce the prison population and invests in programs that would produce more safety and freedom from violence should be applauded regardless of whether members of the CEW believe there is value in this work. It should not be undermined.

The CEW also takes issue with Professor Bedi and the Clinic's defense of individuals being sued in a putative class action seeking \$5 million for an action protesting the Israeli Government's war on Gaza. *See Manhart v. AJP Education Fund, et al.*, 1:24-cv-8209 (N.D. Ill). Each of the Defendants sued in this action have filed a motion seeking sanctions pursuant to Fed. R. Civ. P. 11 against the plaintiff and have moved to dismiss the case in its entirety arguing - *inter alia* - that the lawsuit is: frivolous, not brought in good faith, predicated on baseless arguments and alleged factual assertions, or improper causes of actions. Moreover, the Defendants have also uniformly argued that the action is an illegal Strategic Lawsuit Against Political Participation violating the Illinois Citizen Participation Action (see 735 ILCS 110/15), because it is targeting the defendants for exercising their political rights to oppose the war and demand a cessation to the violence. Two of the defendants originally sued, including AJP, have already been dismissed from the lawsuit with prejudice in response to Rule 11 letters to the plaintiff that asserted they were improperly sued.

The CEW, however, claims the defense of these individuals, regardless of the circumstances, is antisemitic. We strenuously disagree. As a legal community, we are unified in our belief that all people in the United States have the right to freedom of speech, assembly and association as guaranteed by the First Amendment, as well as due process guaranteed by the Fourteenth Amendment. Fighting for the perseverance of these fundamental rights is not only legal, but moral and justified. Any attempt to repress or criminalize this advocacy or teaching is chilling and violates the Constitution. We also resist the CEW's and larger efforts that attempt to chill or criminalize criticism of the Presidential administration or the Israeli Government, or opposition to the war on Gaza as antisemitic. That is just wrong.

The CEW also takes issue with statements made by one of the individual Defendants in the *Manhart* case. Attorneys often represent clients in challenging or unpopular cases, and their role is to ensure that everyone has access to zealous legal representation. As lawyers and clinical law students, we do not agree, adopt or endorse every statement made by our clients. But punishing lawyers for representing clients who use their speech to oppose our or other governments or for taking on controversial causes undermines our entire legal system.

Moreover, there is no legal basis for the Committee's claimed jurisdiction to investigate any alleged claims of antisemitism violating Title VI of the Civil Rights Act of 1964. As stated in the Republican Staff Report entitled "Antisemitism on College Campuses Exposed," dated October 31, 2024,¹ by that date, the CEW *completed* a thorough investigation of Northwestern University, among other institutions of higher education. There is no claim or evidence that Professor Bedi or the Clinic engaged in any antisemitism or violations of Title VI. Thus, the

¹ See CEW letter dated March 27, 2025, fns. 6 and 7.

assertions set forth by the CEW in its letter are unfounded and pretextual justifications to investigate Professor Bedi, the Clinic, and other Northwestern legal clinics.

Seeking discovery of Professor Bedi's cases, her performance evaluations, and/or the litigation budgets for the entire clinic, among other requests, encroaches on her and other Professors' rights to academic freedom. It also appears to be an attempt to shut down the Clinic and to chill the exercise of First Amendment Rights. The CEW's derision of Professor Bedi and the Clinic's litigation and advocacy illuminates the CEW's political agenda which is to demonize and eviscerate what this Committee deems to be support of "left-wing causes."

Conclusion

If Professor Bedi suffers any retaliation, is terminated and/or the Clinic is limited in its work or closed, it will impact the students at Northwestern University. But the impact of the CEW's letter and discovery foray goes far beyond your institution. It may lead other law schools to follow suit and shutter similar clinics to avoid investigations by the government depriving professors of their academic freedom and students from receiving invaluable knowledge, litigation and policy experience. Moreover, many marginalized community members will lose access to legal representation, and there is already a shortage of lawyers to engage in this necessary public interest representation.

Professor Bedi, the Clinic and Northwestern University must be given the freedom to teach, represent and advocate for their clients. Professor Bedi's students are also entitled to the right to learn and develop knowledge about the protection of Constitutional Rights in a civic and democratic society. We urge Northwestern University to challenge and resist the Committee's request for information and any further attempts to chill teaching, advocacy and the protection of Constitutional rights. We ask you to stand up for Professor Bedi, the Clinic, your students and faculty.

Signed by,

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