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Law students shout down conservative Constitutional law expert at UC Hastings

"Remove him off the f*cking campus," a law student told the dean, "cause that's what we want." She was met with cheers and applause by her comrades.

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Ilya Shapiro is a law professor who is under risk of losing his job for saying that the nominations to the Supreme Court should be those who possess the utmost qualifications in their field, regardless of their racial or gender identity. He recently attempted to give a talk at the University of California at Hastings Federalist Society about the nomination and the controversy surrounding the President of the United States employing affirmative action to select a justice.

Members of the Black Law Students Association attended the March 1 talk, and during the nearly hour long presentation, Shapiro was protested and shouted down over and over by law students. Protesting students held up signs reading "I am not lesser," "Support black women," "Lesser white man," "UCH condones white supremacy" and others in support of President Joe Biden's Supreme Court nominee Ketanji Brown Jackson.

As soon as Shapiro was introduced and approached the podium to speak, activists began shouting "black lawyers matter." A member of the Federalist Society tried to get the students to quiet down so Shapiro could speak. The protesting students, instead, pounded their hands on the desk and ramped up their chanting as a screen streaming the event showed the mantra "Debate. Discuss. Decide."

"It's too bad that a heckler's veto prevailed here," Shapiro told *The Post Millennial*, "but I'd welcome the opportunity to return to Hastings—or anywhere else—to discuss the Supreme Court, constitutional law, and other areas where I may have expertise."

Chats on the screen repeated the chanting in the room, with some reading, "leave the podium." The chanting did not abate for a second, and Shapiro left the podium after five minutes. The activist students cheered his departure. They then conferred among themselves if they should "follow them." They debate whether or not they "should give a speech" since it's "on Zoom right now." They sat around unsure as to what to do next, until a new idea occurred to them.

The activist students turned on the other professor in the room, who had also been invited to speak by the Federalist Society. They demand that he look into the camera and tell those watching on Zoom that he supports the protesters.

"Excuse me, Professor Little, you said you're all for us?" an activist asked. "Can you look in the camera and say that?"

Professor Rory Little did as he was told. "I'm all for the protest here," he said.

"Look into the camera and state why and tell them that you're for us," the activist student said.

"I'm all for it," Little said. He went on to say, "Let's see what happens. I'm going to see what they do," regarding the Federalist Society having left, with Shapiro.

The chanting then erupts again out in the hall, with students yelling "black lawyers matter" as the academic dean comes into the room. The dean says that "free speech, and including the right to the forms of expression that I see on these signs, is a key right that we are required to uphold. So I applaud those of you who want to express your views. There's a way to do that that's consistent with our institutional codes and norms," he said, at which point the activist students began to vocalize their disapproval and boo the dean.

"No, no," some of them said.

The dean said that Little had intended to "confront our speaker, and some of the views that he has expressed," and he said the Q&A was the part of the debate during which students should make their views known.

The activist students argued that Shapiro should not even be allowed to come on campus and that it delegitimized the institution. They said that Shapiro is "under investigation right now," referring to the witch hunt at Georgetown over his tweets. "We want answers," they said, though they hadn't asked a question.

"We're going to try this one more time," the dean said. His statement was met with more disapproval.

"What the f*ck," students yelled.

Another activist student said that Shapiro would "look all of us in the face and say that we're insignificant." The law students banged their hands on the tables in a further attempt to prevent Shapiro to speak.

"Remove him off the f*cking campus," a law student told the dean, "cause that's what we want." She was met with cheers and applause by her comrades.

An organizer for the Federalist Society tried to speak, and was shouted down. Shapiro tried to speak again and was shouted down. The law students had no time or space for free inquiry, debate, or ideas that didn't meet with their own.

One wonders how they could fairly, justly, or judiciously represent defendants, plaintiffs, or uphold the law. If this is the future of law in the United States, it is hard to believe that truth and justice have any chance of prevailing.

The activist law students said "speak so we can start again." Shapiro tried to speak, but it was absolutely of no use.

"Say it to her face," the activists began shouting, which seemed to be about something they were saying about "lesser black women."

"We don't want you here," an activist law student said as the chanting continued, switching to "leave the room," for several more minutes.

The law students shouted at Shapiro repeatedly and consistently, never pausing for a moment to hear why he thinks merit, and not race or gender identity, should be the primary factor in choosing a nominee to serve on the highest court in the land and the third branch of the federal government.

The Zoom chat was turned off, and an activist law student screamed out: "Now they've censored the chat! You can't even deal with a Zoom chat. Dude, you're a f*cking coward!" Shapiro had done nothing but stand at a podium while activist law students shouted insults at him and prevented him from speaking. He looked far from cowardly as he stood and took the abuse.

"You're a bald coward," the student said, while others said "get out."

One student ironically said "freedom of speech, baby," in demanding that the Zoom chat be kept on.

As the chanting cooled off, the students continued to want to hear their own voices over anyone else's. They demanded apologies, and asked Shapiro if he was ashamed, though they did not make space for him to speak.

Students claimed that he said negative things about black and Hispanic women online. What Shapiro actually said was that "Objectively best pick for Biden is Sri Srinivasan, who is solid prog & v smart. Even has identity politics benefit of being first Asian (Indian) American. But alas doesn't fit into the latest intersectionality hierarchy so we'll get lesser black woman. Thank heaven for small favors?"

He followed it up with a tweet that read: "Because Biden said he's only consider[ing] black women for SCOTUS, his nominee will always have an asterisk attached. Fitting that the Court takes up affirmative action next term." He deleted both of these.

A student activist who was deferred to as a leader of the mob entered the room to a round of applause, and he spoke, saying that he had questions "for the three gentlemen that started the Federalist Society." He referenced a previous talk, in May 2021, saying that "one thing we brought to you as our concern was that you guys, in reestablishing your presence on this campus, what hurt communities of color, across the campus..." he said, referencing remarks Shapiro

made upon the nomination of Supreme Court Justice Sonia Sotomayor that her race was a major factor in her nomination.

"Can you now retroactively look back," the student said, "and say that you were wrong about those statements?"

Shapiro tried to answer and was shouted down. "We're not talking to you," some students said.

"What are your credentials that help you decide what a 'lesser black woman' even looks like?" the student asked.

Everyone completely misunderstood what Shapiro had said in the first place, and as he tried to speak, he was shouted down. Others picked on his personal appearance. "Leave our campus," student activists asked.

As the confrontation continue, students accused him of hiding behind his "white f*cking silence."

Eventually, after not being permitted to speak at all, Shapiro left. The law students cheered their victory over free speech, debate and open discourse, claiming the law school fully for partisan views based in misunderstanding, bias, and hatred.

Shapiro's shockingly reasonable perspective has had him branded as a racist and calls for him to fired from his position at Georgetown's Center for the Constitution have mounted. Those who are shutting him down are none other than the law students themselves. Shapiro was against Biden's stated intention of choosing his pick for the Supreme Court based on affirmative action principles.

A message from Chancellor and Dean David Faigman, Provost & Academic Dean Morris Ratner, and Dean of Students Grace Hum, read that they are "deeply committed to creating an inclusive environment, and we will do so in a manner that is consistent with the values of academic freedom and free speech at the heart of our mission as a center of higher learning." and they quoted the "UC Hastings' Policy on Academic Freedom."

"UC Hastings is committed to the principle that the pursuit of knowledge and the free expression of ideas is at the heart of the academic mission, whether in the classroom, in the selection of clinical projects and clients, and in research, scholarship, public presentations, and contributions to public fora. This is especially true when the ideas or subjects are unpopular or controversial in society, as orthodox ideas need no protection," it read.

They say that the school "has been consistent in its commitment to protecting free speech and academic inquiry." They listed off other protests in the school's history.

"The suppression of unpopular views deprives students of necessary practical, academic, and professional development opportunities. Legal professionals must be able to engage with the full range of ideas, legal arguments, or policies that exist in the world as they find it. The goal of education, and especially legal education, is to develop a broad and deep understanding of, and ability to engage on the merits with, the full panoply of viewpoints that exist in our society,

including those we might find abhorrent. Indeed, possibly especially including those that we find abhorrent," they said.

In regards to the students shouting down Shapiro and putting an end to his speaking engagement before it had begun, they wrote:

"On our campus yesterday, a student organization, the Federalist Society, attempted to hold an event titled 'The Breyer Vacancy: The Rise of Contentious All or Nothing Battlers for Supreme Court Nominations.' The stated goal of yesterday's Federalist Society event was to consider how and why the nomination process had become so contentious and whether there were opportunities for improvement. Invited speakers included Supreme Court and Constitutional Law scholar and UC Hastings Professor Rory Little and Ilya Shapiro of the Cato Institute.

"Yet, Mr. Shapiro was prevented from speaking by some students who spent almost an hour shouting him down. The act of silencing a speaker is fundamentally contrary to the values of this school as an institution of higher learning; it is contrary to the pedagogical mission of training students for a profession in which they will prevail through the power of analysis and argument."

The deans said they understood the "genuine pain felt by students who have been personally and negatively affected by Mr. Shapiro's speech and positions," before referencing all those who feel victimized by oppression based on identity.

"Within this context" they capitulated, "discourse will be particularly challenging because so many are experiencing trauma. Our intention as a place of learning is to find ways to express and address that pain that do not rely on stopping others from speaking. This can include expressions of speech through signs and passionate inquiry and debate during events."

They said that student groups can hold their own events, and that despite finding Shapiro's comments "personally find deeply offensive," they respect his right to speak and the right of the group to host him.

The students also released a list of demands, including that faculty advisors "undergo intensive CRT training and education before advising any student organization."

The incredibly milquetoast statement from the school, that panders to the worst elements of student activist authoritarianism, is a win for those authoritarians, and a loss for free speech on campus. Law students who shouted down Shapiro, who refused to engage, who made demands, who pounded their fists and behaved like spoiled children, would do well to study law, not activism, and make a commitment to jurisprudence, not their own specialized biases informed by an identity politics that has no place in an objective legal framework based on justice, precedent, fairness, and equality.