Professor Martha Nussbaum, the Ernst Freund Distinguished Service Professor of Law and Ethics, can count on students to provide unvarnished criticism of her work and ideas, just as she expects them not to hold back when discussing hot-button issues such as abortion and same-sex marriage.

“The Law School’s culture of respect allows conservative and liberal students alike to articulate their views in a way that might be much more difficult at other law schools,” she said. “We all learn a great deal from these debates.”

The University of Chicago Law School fosters an environment where students across the ideological spectrum can express their viewpoints without fear of scorn or ridicule. Rather than just token individuals, all parts of the ideological spectrum, including the center, have strong representation in the student body and on the faculty. Students and faculty alike are drawn to the Law School for a long-standing reputation of welcoming a diversity of ideas, a feature that provides fertile ground for engaging debates.

After all, the Law School was the home of President Barack Obama, who taught Constitutional Law as a Senior Lecturer, as well as former Professor and current U.S. Supreme Court Justice Antonin Scalia, who helped Chicago Law students organize its chapter of the Federalist Society. The Law School’s faculty continually makes news on ideologically diverse topics, whether it’s Nussbaum discussing sexual orientation and the law on Chicago Public Radio, Richard Epstein blogging on Forbes.com in defense of BP, Geof Stone talking about judicial activism in The Huffington Post, or Eric Posner writing an op-ed on the situation in Gaza in The Wall Street Journal.

Students of every stripe report feeling comfortable in the knowledge that their views are supported and appreciated. As they have for decades, student organizations invite nationally recognized speakers for talks over the lunch hour—about eight to 10 each week—that may include a debate or panel discussion with an ideologically opposed professor or another invited speaker. Part of the speaker’s time is reserved to take student questions.

On any given day, lines of students snake down the Law School hallway and into various classrooms where students will spend the lunch hour diving into the hottest and most politically charged legal issues of the day. One room might host a panel discussion on immigration reform while next
door speakers debate human rights and the limits of international law, the economics of hate crime legislation, or the SEC’s case against Goldman Sachs. When students ask tough questions, speakers answer with opinions that aren’t agreeable to everyone. But the lunch hour ends with the satisfaction that ideas were debated and shared.

Student organizations will often work together to host speakers. For example, during last year’s Diversity Week, the Black Law Students Association joined the Muslim Law Students Association, the Federalist Society and three other groups to host a panel on educational diversity. Marisa Maleck, ’11, president of the Federalist Society, said the group’s best events last year were cosponsored with the American Constitution Society, an organization with opposing viewpoints. One such co-sponsored event was a discussion about appellate adjudication with Judges Alex Kozinski and Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit.

Some of the more controversial speakers might have received an unwelcome reaction at other schools, but their lectures are well attended at the Law School and without incident. For example, former Department of Justice official John Yoo, author of the so-called “torture memos,” debated former Georgia Congressman Robert Barr in February about presidential powers and civil liberties in wartime. Despite the rowdy response Yoo has received at other universities, Maleck had no worries about the debate being disrupted by Law students.

“The room was packed and the questions were just the type you’d expect from Chicago students—it was an intellectually engaged discussion!” Maleck said.

More student groups are being formed to promote debate. Last year, Adi Habbu, ’10, founded a student organization called Jefferson’s Salon as a liberal version of the Edmund Burke Society, the Law School’s conservative parliamentary-style debate group. Habbu said Jefferson’s Salon was founded not to compete with the Burke Society but out of respect for it.

“The Burke Society has been such a great institution on campus,” Habbu said. “They have managed to bring students together regularly to discuss various issues. We really liked this idea and we assumed the only reason the liberals did not have a similar institution was because we were too stubborn to admit it was a great idea!”

The debate topics of the two groups take different angles. Whereas a standard Burke Society topic might be “Resolved: This House Prefers Order to Liberty,” a typical Jefferson’s Salon debate from last year was “Capital Punishment: (Too) Tough on Crime?” The groups have respect for each other. At least one Burke Society member has shown up to every Jefferson’s Salon meeting, Habbu said. The students found that their viewpoints aren’t so divergent.

“At the conversation on immigration reform, one of the Burke members suggested that a guest-worker program may be the best alternative to grapple with the immigration issue,” Habbu said. “That was a fantastic debate because it shows you how close the conservatives and liberals are on various issues. It provides a healthy respect for the arguments on the other side.”

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Coffee Mess is an ideal setting for casual debate.

A student learns more after a talk by Judge Frank Easterbrook, ’73, and Professor Martha Nussbaum.
Habbu, also past president of the Law School Democrats, points to a spirited debate he had as another example of the Law School’s culture of respect. It occurred after the Law School Democrats organized a trip to a nearby shooting range. After receiving some questions, he posted a lengthy message on the Law School’s listserv explaining the motivation behind the event.

He wrote about the need for liberals to develop greater empathy for gun rights as a path to developing policy that will protect the rights of gun owners without compromising safety. He explained that the trip would build liberals’ credibility and provide some common ground.

Later, another student replied to the listserv, saying he loved the idea of a gun trip, but thought Habbu’s email relied too heavily on a caricature of what it meant to be a liberal. Not all liberals, he argued, adopt the assumed liberal positions. Habbu responded with a reply of his own and an invitation to continue the debate over coffee.

This debate over divergent ideas carries over into classroom discussions. Richard H. McAdams, the Bernard D. Meltzer Professor of Law, said he has noticed an atmosphere of respectful disagreement in class, including when students are discussing controversial topics.

“Our students do not aim to win points with those on their side by being dismissive of the other side, but instead try to make a good, often novel, argument,” McAdams said. “The ethos is to be thoughtful, not knee jerk.”

Nussbaum said students’ ideological diversity benefits the classroom experience. She recalled a debate about polygamy arising while she taught the Religion Clauses several years ago.

“Our Mormon students contributed a very valuable historical perspective, and then joined in an analysis of polygamy as a contemporary issue often linked to same-sex marriage,” Nussbaum said. “The classroom is definitely enriched by having a wide range of student opinions.”

Jack Snyder, ’10, the past president of the Federalist Society, was a part of a similar experience in Professor Adam Samaha’s Constitutional Law class when discussion turned to the Free Exercise and Establishment Clauses of the First Amendment.
“Obviously, religion is a very sensitive subject, and our class delved into a number of very difficult questions, and necessarily so because the leading cases confront many controversial issues,” Snyder said. “But the class discussion was uniformly respectful and high minded without dodging any of the tough questions. Of course, Professor Samaha and his superb teaching deserve the bulk of the credit, but the school’s culture was an indispensable part of the success of the class.”

Students carry this respect into their personal lives, as well, and don’t base lines of friendship on beliefs or politics. Maleck says one of her best friends is the president of OutLaw, the Law School’s LGBT group, and some of her other friends are on the ACS board. Snyder said he never saw ideology get in the way of a friendship.

“People here are comfortable in their beliefs,” he said, “and have enough respect for one another to get past such differences.”