

Předmět RE: Letter
Odesílatel Lawrence S. Bacow <president@harvard.edu>
Adresát info@uocr.cz <info@uocr.cz>
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Dear Members of the Union of Defense Attorneys,

I appreciate having your perspective about this important—and complicated—set of issues, and I want to assure you that the decision was not made lightly. The controversy was never about the right to counsel. Indeed, Dean Rakesh Khurana publicly stated that he believes that all faculty members must be given academic freedom to make decisions that are right for them, and that every individual is entitled to a vigorous defense as a cornerstone of our justice system.

Faculty deans, however, have unique roles in the Harvard residential system, and the controversy had clearly created a very challenging climate within Winthrop House, especially for students. Worries were expressed by staff and students about whether the deans could deal fairly and dispassionately with all the students, no matter their views about the representation, and there were also concerns expressed about time commitments imposed by outside professional activities. In the end, we favored the best interests of our students and made them our top priority.

Ron and Stephanie have made admirable and worthwhile contributions as faculty deans and valued members of our community. They have supported students facing difficult situations throughout the years and made important progress in support of civic engagement and diversity within their House. I am sure they will continue to work hard to keep the interests of students foremost in their thoughts and actions.

All the best,
Larry Bacow

Lawrence S. Bacow
President
Harvard University

-----Original Message-----

From: info@uocr.cz <info@uocr.cz>
Sent: Tuesday, June 04, 2019 8:17 AM
To: Lawrence S. Bacow <president@harvard.edu>
Subject: Letter

Dear Mr. President Bacow,

We are the Union of defense attorneys from the Czech Republic, lawyers, members of the Czech Bar Association.

Please accept the following words as our response to an event which occurred in your treasured alma mater, event which shook us up and we're not afraid to say, due to its substance as well as ease with which it passed by the academic world, even shocked us. As citizens of the homeland of Iohannes Amos Comenius, the teacher of nations, whom was asked at the early beginnings of your university's existence to lead your institution, as citizens of a nation that gave the world Milan Kundera, Vaclav Havel or Milos Forman, nationals who were persecuted for their thinking and finally chased out of our country, for us, your story presents a particular torment.

It is a story of a defense attorney, forced to leave an academic post for doing his job, pressured by those, who perceived that he chose the wrong defendant. It deeply impacted us. Because our country underwent both nazi and communistic totalitarianisms, we too well understand why it is said that the path to hell is paved with good intentions.

We are reminded of a story of our recently deceased colleague Kamill Resler, a man, who truly had to be the devil's advocate. A top Nazi criminal notorious in the Czech land named Karl Hermann Frank was by your homeland's authorities returned to the Czechoslovakian justice and our colleague was assigned as his defense attorney. He proceeded to defend Frank honorably, nobly, despite a definite death penalty outcome.

The prosecutor of the Nuremberg trials visited the proceedings and remarked the defense of our colleague as exemplary. But what followed for Resler? He was condemned for defending a

Nazi murderer. Contempt, malicious gossip and distrust became his daily bread and finally led to his "voluntary" retirement from practice.

Particularly despicable criminals united under the communist party adopted this tactic. They managed to condemn not only their own victim publicly, but simultaneously their legal counsels. "Trust" had a special role in their words and actions. A magical term, which a fanatic crowd or a blind society gave a whole new meaning. Punishment without legal process. Societal rejection for mere fulfillment of fundamental postulates of a state governed by the rule of law.

Here we can't help but remember Virginia's Declaration of Rights, and all American subsequent founding documents stemming from it. The right for due process. The right to assistance of counsel.

Furthermore, we have to question, if all of those, who insisted on publicly declaring distrust to a defense attorney, acting out the demands of his professional position, did so out of personal selfishness, conceit, small-minded fear, all of which outweighed the integral laws of your country and of a state governed by the rule of law in general.

We deeply value your sovereignty and the far-reaching reputation of your university. This act, however, comes as an echo of totalitarian regimes and fanatic mob mentality. It is not an act of reason, but an act of evil, which once again pats its own back for claiming another noble concept as its own.

In deepest respect,
The presidium of the Union of Defense Attorneys

Unie obhájců České republiky
Sokolská 60
120 00 Prague 2
Czech Republic
<http://www.uocr.cz>
info@uocr.cz