



Scott Thompson: President, American Civil Liberties Union, Duke University School of Law, Durham, NC

[By Charisse Dengler]

When asked who has influenced him the most during his time at Duke University School of Law, Scott Thompson listed Professor Erwin Chemerinsky, a professor he described as “a beacon of what being a lawyer is all about to all of the students at Duke Law.”

Thompson said he admires Chemerinsky’s commitment to serving others and not taking the traditional path through life. One of his favorite moments during law school was witnessing a debate between Chemerinsky and a Washington lawyer over whether John Roberts should be confirmed as Chief Justice.

“The lawyer said that what John Roberts said or wrote while working for the government couldn’t be attributed to him because he was working for a client and didn’t have the choice to just turn it down but had an obligation to work for that client’s interests,” Thompson said. “He then made a smart comment—something to the effect that Prof. Chemerinsky wouldn’t understand because he’s not a practicing lawyer and is an academic who can say what he really feels. Professor Chemerinsky stood up calmly when it was his turn to talk and said, ‘With all due respect, I am a practicing lawyer.’”

Chemerinsky, who Thompson said had recently been in the Supreme Court and who litigates dozens of pro bono claims, went on to explain that attorneys are never forced to take on cases that they don’t believe in.

“During his brief stint at a firm, Professor Chemerinsky was brought an assignment [and] asked to write a brief or memo supporting a position he morally disagreed with,” Thompson said. “Chemerinsky said he wouldn’t do it. His boss asked him if Chemerinsky was asking him or telling him. Chemerinsky said he didn’t care how he wanted to phrase it—he wasn’t going to do it. Wow.”

Entering his second year at Duke, Thompson is interested the issues of discrimination and economic justice and hopes to one day be a participant in the fight against racial and gender inequality, sexual-orientation discrimination, and economic discrimination.

“Some of the world’s greatest humanitarians have indeed been lawyers—Gandhi being a prime example,” he said.

When he graduates, Thompson hopes to go into international human rights work or civil rights litigation. His desire is to research the various ways that trade law can be effective in protecting human rights. He’s also interested in teaching.

“I became interested in human rights and trade interaction as an undergraduate, when I studied America’s recent interactions with Haiti,” he said. “Haiti is one of the most impoverished nations in the world; and although there is plenty of blame to share, a large part of the responsibility falls on the United States and our trade and subsidies policies, which continue to depress the Haitian market. Even policies as facially benign as food aid have been exercises in dumping that have destroyed, for example, indigenous pork production in Haiti, making them fully dependent on Iowa pork. So, working as a trade lawyer or an academic would allow me to help developing nations craft and advocate for more favorable trade laws so as to enhance their economic stability and, in turn, their human rights regimes.”

Currently, Thompson is interning for the Japanese law firm Abe, Ikubo & Katayama in Tokyo for the summer, and he said he is enjoying Tokyo and all that there is to “do, taste, and see.” He found the internship through Duke’s International Studies office and describes the overall experience as “great and challenging.”

“I’m learning that legal problems don’t solve themselves in the course of a three-hour exam and that, in many cases, the client really has to help and be intricately involved in the crafting of a legal theory/claim—especially in patent matters, where the differences in products are so nuanced and particular that the client (an expert in the product) basically has to teach the lawyers about the different products to provide the basis for either a claim or defense,” he said. “I’m also rediscovering coffee and discovering the power lunch.”

In addition to his studies at Duke, Thompson is also serving as President of the school’s American Civil Liberties Union (ACLU). Thompson, who helped re-launch the group with fellow Duke classmates, is in charge of organizing events, collaborating with committee chairs, and working at ACLU’s state headquarters in Raleigh.

During the spring semester, the organization concentrated on educating the community about a provision in the No Child Left Behind Act dealing with military recruiters. The group also hosted former ACLU Legal Director Burt Neuborne, who gave a speech on U.S. courts during wartime. During the



coming semester, Thompson plans to bring in Ellie Smeal of the Feminist Majority Foundation to speak about legal issues involving gender.

"We're a fledgling organization but growing steadily and already having an impact not just at Duke, but also in North Carolina," Thompson said.

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www.law.duke.edu

Abe, Ikubo & Katayama
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