

BENCH PRESS SYMPOSIUM
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Welcoming Remarks

Chancellor Nancy Cantor

Good morning, everyone. It is a great pleasure to have you join us here today in the nation's capital to discuss the collision of media, politics, public pressure, and an independent judiciary. This symposium bears upon matters that have been vital to our democracy since the founding of our nation: the separation of powers, the rule of law and judicial review, and role of the press in a nation built on free speech and the robust debate of public issues that may also affect the most intimate decisions of our private lives.

Courts have always had to attempt to resolve, under law, some of the most deeply contested matters we face. Our complex technology has raised new issues and made larger and larger audiences aware of them---from stem cell research and nanotechnology to end-of-life questions, from evolution to intelligent design, from real-life judges on television to Judge Judy, from Senate judicial confirmation hearings to "Justice Sunday," a live simulcast to challenge what its organizers called "our out-of-control courts."

Our increasingly diverse society has grown increasingly fractured, and it is a vital part of our heritage that we have looked to the courts to interpret laws when we cannot agree---and even when we can agree---on new ones. It is perhaps inevitable that such schisms will be and have been exploited politically.

In the wake of the Schiavo case, the vilification of members of the judiciary, combined with a seemingly bottomless appetite for sensation on the part of the media, including the internet, led to a climate in which Justice Sandra Day O'Connor said last summer: "In all of the years of my life, I don't think I have ever seen relations as strained as they are now between the judiciary and some members of Congress."

In the light of these strains, the talk of firing "activist judges," and the sense that something may have changed in the national arena of public opinion, we see an urgent need for a national conversation that includes people from both inside and "outside" the academy, the courtroom, and the newsroom.

To provide structure and framing for such a discussion, the deans of three Syracuse University colleges with particular expertise in these areas--the College of Law, the S. I. Newhouse School of Public Communications, and the Maxwell School of Citizenship and Public Affairs ---have organized this symposium as a starting point, here in Washington, D.C. where Federal law is proposed, debated, written, legislated, enforced, and interpreted.

As a university president and chancellor, I feel that higher education is ideally positioned to host such a discussion, because colleges and universities occupy what I'd call a "third space," in American society, someplace between the monastery and the marketplace. On the one hand, we are removed from the tumultuous daily demands of politics, the law, and the media. On the other hand, we must not remain in our ivory towers or--in the case of Syracuse University—up on our hill. We must be involved in the critical social issues of the day.

Our three deans---Hannah Arterian of Law, David Rubin of Newhouse, and Mitchel Wallerstein of Maxwell---have been inspired in this work by some of our outstanding alumni and friends, including Arlington, Va. Circuit Court Judge Joanne F. Alper and Judge Rosemary S. Pooler, of the U.S. Court of Appeals for the Second Circuit, as well as by the dedication of several of our faculty and students to initiate a dialogue that will allow us to hear different voices and perspectives.

As you will hear during the day, Syracuse University also brings to the table the results of this year's Maxwell Poll, a national survey conducted every October by our Campbell Public Affairs Institute, which this year included 15 questions about public perceptions of judicial decision-making, judicial selection, and the relationship between politics and the courts. Respondents were also asked for their opinions about media coverage of the courts. It is our hope that the results of this poll can serve as a catalyst for discussion and analysis.

We have asked a group of distinguished panelists to explore issues as fresh and raw as today's headlines:

- What is at stake in the controversy over the Supreme Court confirmation process?
- In a results-oriented world, how can the judiciary remain impartial?
- When does healthy debate cross the line into intimidation?
- When does media coverage of the court-system go too far?
- How does a judicial system built on deliberation respond to a potent atmosphere comprised of a 24-hour news cycle dominated by party spokespeople and whimsical bloggers?

It is my hope that the outcome of today's conversation will lead to the establishment of an interdisciplinary center – a center responsible for producing scholarship and research on this confluence of topics on the judiciary, politics and media.

Such a center could provide critical information to our public servants in navigating the independence of the judiciary. It could craft a legal education that is more critically responsive and attuned to the demands of a non-stop news cycle. And it could foster a journalism education that creates a better legal reporter.

So I invite you to listen critically to what is said today: to appreciate it and to challenge it. It is not often that we get to hear judges speak publicly outside of their judicial opinions. Today I hope begins the first of many public conversations we may have on this subject, and I thank you all for coming – and thanks to all who have made this day possible.

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