

From LSE to LIBERTY

Shami Chakrabarti

Born to Indian immigrant parents in west London, Shami Chakrabarti attended state schools before gaining a place at LSE to study for an LLB. She graduated with a 2:1 in 1994, was called to the Bar in 1994 and subsequently worked as a lawyer in the Home Office until joining Liberty – the National Council for Civil Liberties – in 2001 as in-house counsel. Two years ago she was included in the top ten of Radio 4's 'People who run Britain' poll, alongside Tony Blair and Rupert Murdoch. She has even inspired a pop song by the band The Dastards:

'I turn on my TV:/The only one I want to see/Is Shami Chakrabarti... She should be running the country/At the head of her party'.

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For more information on Liberty's work, see www.liberty-human-rights.org.uk

Professor Conor Gearty



Conor Gearty was born in Ireland and graduated in law from University College, Dublin before moving to Wolfson College, Cambridge in 1980 to study for a master's degree and then for a PhD. He became a fellow of Emmanuel College, Cambridge in 1983 and in 1990 he moved to the School of Law at King's College, London. On 1 October 2002, he took up a new appointment as director of the Centre for the Study of Human Rights and professor of human rights law at LSE. He has published widely on terrorism, civil liberties and human rights. Professor Gearty is also a barrister and was founder member of Matrix Chambers, from where he continues to practise.

Shami Chakrabarti, director of the human rights organisation Liberty, talks to **Conor Gearty** about the lasting impact of an LSE law degree.

Shami Chakrabarti is fast becoming one of LSE's most famous alumni. Director of Liberty since 2003, she is widely acknowledged as a powerful and effective lobbyist for civil liberties – prompting the *Sun* newspaper to describe her as 'one of the most dangerous women in Britain'.

Earlier this year, as the new term loomed, she found time to talk to Professor Conor Gearty, director of LSE's Centre for the Study of Human Rights, about why she chose to study at LSE – and what she learnt.

Conor Gearty: It is well known that you studied for an LLB at LSE, but not so much is known about your time here – or why you chose to study at LSE.

Shami Chakrabarti: Like many students who come here, I had a strong sense of LSE as a place where history is made, where academics scrutinise issues that matter. And as a teenager, I was deeply attracted to its rebellious image – the legacy of all that 60s' radicalism. Finally, my parents – both graduates from Indian universities – had a strong sense of what LSE is.

CG: Does that mean you were political from a young age?

SC: I was political with a small 'p'. I certainly developed a strong interest in justice early on. To begin with, that was emotional rather than intellectual. I have told the story before about a conversation on the death penalty with my father. Essentially, as a 12 year old girl, I thought that the Yorkshire Ripper Peter Sutcliffe should be killed for his crimes. But my father dissuaded me, pointing to the imperfections of the criminal justice system, and asking me to imagine how it would feel to be wrongly accused. That conversation had a profound effect on me then and still does today.

CG: And how did LSE sustain that interest?

SC: What was extraordinary about studying an LLB at LSE was the context it gave me. When I studied family law, for example, I was encouraged to discuss domestic relations, to evaluate the constructs commonly used – everything was up for grabs. I viewed this as a course in law as a social science – and loved it.

CG: And who were the academics who taught and influenced you?

SC: My tutor was Professor Rick Rawlings, who has now left LSE. He encouraged me to see law as a social

phenomenon, a set of rules that could be reformed (see box below). The other great influences were Professor Carol Harlow, now an emeritus professor at LSE, and David Schiff, who taught me jurisprudence.

CG: What sort of lawyer did all these influences make you?

SC: Well, not a regular lawyer! I learnt to see the law as a means of delivering change for people. I think the fact that LSE is such an international place also encouraged that perspective. My friends at LSE came from across the world, from very different backgrounds and legal traditions. This outward looking place reinforced my belief that the status quo can be challenged.

CG: But you did not want to become a lawyer initially?

SC: That is true. I had dreams of working in the City to earn enough money to become a script writer in the United States. But that plan fell at the first hurdle, when I failed the maths tests. So I became a barrister instead and worked in the Home Office for a number of years before joining Liberty – the day before 9/11.

CG: You still seem to be a storyteller at heart. You have used the Harry Potter books to illustrate why torture is so wrong, and you have referred to Atticus Finch, the lawyer hero of *To Kill a Mockingbird* as your role model.

SC: Yes, and I did bunk lectures at LSE to go and see films. More seriously, it is no disservice to a complex issue to put it simply, in a way that people will understand – to encourage a form of empathy with the main protagonists in a legal drama, an emotional engagement.

CG: So is it fair to say that you are motivated by empathy yourself? Should you be?

SC: As you well know, and have written yourself, we are creatures of faith and reason, propelled by both emotion and the intellect. I have often found it easier, for example, to talk to religious people about human rights than to talk to atheists. Decent people of faith understand the concept of human rights, based on their religious sense that we are all equal in the eyes of God – indeed, all equally loved. But those without religion need a philosophical justification. In your work you have talked of a Darwinian justification, a political science justification. But for me the key is the democratic justification.

CG: You mean that democracy cannot work without a strong legal framework?

SC: I mean more than that. Your statement implies that I am relying on the judiciary to set the rules, the framework by which we all live. It has to be the polity, by which I mean civil society and the press, that ensures that today's democracy does not become tomorrow's dictatorship.

CG: Is that why you became a campaigner, to be part of that ongoing debate?

SC: Well, I became part of that ongoing debate to win! And yes, that is why Liberty is more than a law centre. We do not just represent people in court, we campaign through the court.

CG: But are you winning? Some people are very pessimistic about the state of civil liberties in this country, and the direction of travel post 9/11.

SC: I am not at all pessimistic. I cannot afford to be. The government's proposal to extend pre-charge detention from 28 days to 42 days was overwhelmingly defeated in the Lords. And take another example, the Human Rights Act...

CG: ...but the Conservatives are talking of abolishing that in favour of a British Bill of Rights.

SC: Bear with me. The Conservatives may want reform but no-one is talking of a return to reliance on the common law to protect our civil liberties. Those days are gone and that is a huge advance. And we must ensure that any future legislation respects everyone's rights – those of the freeborn Englishman as well as those of the asylum seeker.

CG: You have quoted Martin Luther King before, and spoken of the arc of history bending towards justice, arguing that our instincts lean towards justice. Is that what you believe?

SC: Absolutely. I think I have been motivated by that deep conviction since childhood, and it was certainly fostered in my time at LSE. But we won't get there without a fight.

And with that Shami Chakrabarti had to hurry to Westminster. As the LSE term loomed, so did a new political season – and there were battles to be won. ■

The conversation between Professor Gearty and Shami Chakrabarti was summarised by Claire Sanders.



Claire Sanders

is head of communications at LSE and commissioning editor, *LSE Magazine*.

Combating intolerance: Frederick Bonnart 1922-2008

Since 2006, the Frederick Bonnart-Braunthal Trust has provided talented students with the Bonnart-Braunthal Scholarship. Established by Frederick Bonnart, who died earlier this year, the scholarship programme is for current and prospective MPhil/PhD students working in areas relevant to religious, racial and cultural intolerance.

Victoria Redcliff was awarded the first LSE scholarship for her work on the nature and meaning of statelessness, focusing on the Urdu-speaking 'stateless' minority in Bangladesh. Now in her second year and due to conduct field work in Bangladesh, Victoria describes Frederick Bonnart's scholarship as 'a particular privilege and a special opportunity in light of his vision of a tolerant world governed through principled debate'.

Bonnart's charitable concerns were formed through exceptional life experiences. He was forced to flee his native Austria with his father in 1935, which eventually led to ten months of internment in Canada as an enemy alien. After being freed, he joined the British Army and took part in the Normandy landings of June 1944. He left the army in 1972 to become a journalist and commentator on defence affairs, often contributing to *The Times* and *International Herald Tribune*. The second Bonnart scholar, Yael Weisz-Rind, has just been appointed, and she will focus on intolerance within militaristic culture.

Bonnart's philanthropy and its focus on intolerance will continue through the work of the Frederick Bonnart-Braunthal Trust.

Law and human rights at LSE

In 1995, a year after Shami Chakrabarti had completed her degree, her old tutor, Professor Rick Rawlings, put pen to paper to describe the 'tradition of Law' at LSE as part of the School's centenary celebrations. 'Simply expressed,' he wrote, '[the School] has taken as a core belief, appropriately nurtured in a school of social sciences, that law should be treated, both in research and in teaching, as a social phenomenon... It has involved particular commitment to a functional or contextual approach to legal analysis; to teaching and research in the whole range of legal regulation and provision; and to law reform.'

Today the Law Department is one of the largest in the School, with around 900 students and 57 full-time faculty members. It continues to have a distinctive interdisciplinary character and to play a major role in policy debate and policy making. The department moved into LSE's New Academic Building earlier this academic year, complete with a purpose-built moot court.

The Centre for the Study of Human Rights has pioneered the interdisciplinary study of human rights in the UK. The Centre has a number of Law Department members on its core team, but is based in the Department of Sociology and draws on support from across the School. It runs a lively programme of public events – see www.lse.ac.uk/collections/humanRights for details.