



Left Turn Permitted

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By Leslie A. Gordon

Move over Federalist Society members. There's a new kid in town.

If early appointments are any indication, the [American Constitution Society for Law and Policy](#), the left-leaning equivalent of the Federalist Society, will be heavily represented in the administration of President Barack Obama. Already, ACS members Eric Holder and Lisa Brown have positions in the Obama White House, as attorney general and White House staff secretary, respectively.

A progressive group composed primarily, but not exclusively, of lawyers, judges and law students, the ACS was founded to promote "the vitality of the U.S. Constitution and the fundamental values it expresses: individual rights and liberties, genuine equality, access to justice, democracy and the rule of law," according to its mission statement.

But the group probably never would have come into existence without the Bush administration.

The ACS was started in 2001 as a response to the Bush White House. "We had seen a departure by strict constructionists, who promoted expanded government with little accountability, excessive assertions of presidential authority, and a perverse doctrine of equal protection," explains Goodwin Liu, chair of the ACS and an associate dean at the University of California at Berkeley's Boalt Hall. "We believe there's room for refashioning the legal culture to meet contemporary challenges. The Constitution is meant to be a simple and spare document that adapts to the many changes the country would confront."

Liu says there was a hunger for a group like the ACS. "There wasn't a national umbrella organization for progressive lawyers, students and scholars. ACS was an opportunity to bring them together under one roof."

Although the American Civil Liberties Union and liberal lawyer committees existed, "none was devoted to deepening fundamental intellectual foundations and building a network in a coordinated way," Liu says.

The ACS remains nonpartisan. It does not litigate, endorse candidates or take positions on legislation. “Our role is more in the background,” Liu explains, but many board members also have been on Obama’s transition team and are “bringing important ideas into the new government, and those ideas have percolated through their association with ACS.”

Lawyer Judith Lichtman, president of the Washington, D.C.-based National Partnership for Women & Families, says she was drawn to the group because “progressive ideas that are important in legal policy as well as the practice of law were really missing.”

Though still smaller than the conservative Federalist Society, the ACS’s growth has been rapid. Its speaker series, which launched seven years ago in a restaurant in D.C.’s Chinatown, now hosts more than 1,000 events a year nationwide, with the last U.S. Supreme Court review at the National Press Club drawing some 300 people. The group also hosts panel discussions and issue groups tackling topics like voting, separation of powers and criminal justice.

The ACS has no plans for radical changes under the Obama administration. But Liu says he’s hopeful the new administration will draw more nonlawyers to the group. “The things we discuss resonate with everyday people.”

BY THE NUMBERS	ACS	FEDERALIST SOCIETY
Founded:	2001	1982
Lawyer chapters:	30	60
Law school chapters:	160	220