



# THE FIRE QUARTERLY

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## Inside

From the President	2
FIRE Defends Freedom of Association at Indian River Community College	3
FIRE Changing the Culture	4
In the Mail	6
FIRE Triumphs at UC Santa Barbara; University Drops Attempt to Censor Website	7
Victory for Academic Freedom at Brooklyn College	7
In the News	8
From the Board of Directors	9
Invest in Freedom	11

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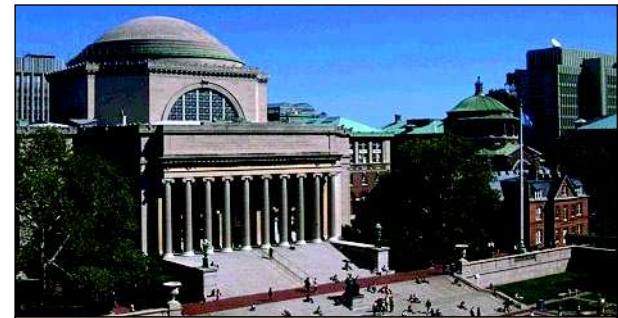
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## FIRE Defends Student Expression at Columbia University

For the last few months, Columbia University has been debating charges of anti-Semitism that have been leveled against professors in the university's department of Middle East and Asian Languages and Cultures (MEALAC). As the furor grew, the New York Civil Liberties Union (NYCLU) entered the debate with a letter that defended the MEALAC faculty and argued that students had dramatically limited rights to dissent from campus orthodoxy.

FIRE has now weighed in on the controversy with a letter reminding Columbia President Lee Bollinger that academic freedom is not just for professors but also for students, and that those who attend or support Columbia have the right to oppose what they see as abuse or indoctrination by any of Columbia's departments or professors. As a leading liberal arts university, Columbia has a responsibility to respect the freedom of students to protest what they feel is ideological bias by their professors.

The hotly disputed accusations against Columbia's MEALAC department were brought in a documentary film entitled *Columbia Unbecoming*, produced by a group called the David Project. In the film, fourteen current and former Columbia students describe incidents of what they feel is anti-Israel bias in the MEALAC department. This had led to calls for discipline for the professors on one side, and cries of "academic McCarthyism" on the other.



Columbia University

FIRE's January 10, 2005, letter to President Bollinger comprehensively discussed the interaction of student, faculty, and institutional academic freedom. Calling for openness and fair treatment, FIRE advocated "an environment that is open and welcoming of a variety of views, including those which clash with the views of a majority of the members of a given academic department." FIRE said that liberal arts institutions like Columbia "must avoid the tyranny of established orthodoxies that do not allow for difference, much less for vigorous dissent. This kind of openness is essential in order to avoid falling into the trap of indoctrination in lieu of education."

Also defending the right of professors to hold controversial views, however, FIRE wrote, "Existing federal, state, and local laws are sufficient to protect students from true harassment, *continued on page 3*



David French

# From the President

In the past few months, I have become increasingly optimistic that public awareness of university abuses and repression is at last prompting administrators to carefully consider their actions in light of concerns about liberty. They are realizing that universities have finally gone too far, and that when they look to the public for comfort and good will to help them weather public relations storms, they find that they squandered their credibility long ago.

Three recent cases have brought an enormous amount of attention to the modern campus culture. At Columbia, the entire Middle East Asian Languages and Cultures (MEALAC) department is under fire for alleged anti-Semitism and intolerance of pro-Israeli viewpoints. At Harvard, President Larry Summers has been forced to apologize repeatedly for suggesting that it was possible that genetic differences may partially explain the disparate academic performance of

While each of these cases is different, they share a common thread: they have laid bare the vast gulf between the modern university culture and the rest of American life. Only an ideologically extreme institution would allow an entire academic department to become so consumed with rage against the Israeli state and the Israeli people that its professors cannot even conduct themselves civilly when confronted with Jewish students. Only an ideologically extreme academic culture would react with hissing rage to arguments that merely raise the *possibility* that its orthodoxies may not be correct. Only an ideologically extreme institution would welcome someone like Ward Churchill, give him tenure, and then promote him to chairman of an academic department.

While the Columbia MEALAC department's extremism, the rage of Larry Summers' critics, and Ward Churchill's comments are protected by the Constitution or by basic notions of academic freedom, they reveal something sinister—a totalitarian mindset that results in the suppression of basic civil liberties.

During this time—as America is awakening to the tyrants in its midst—FIRE's work is most critical. For more than five years, FIRE has protected students from campus tyranny. Now, FIRE may be called on to protect our campuses from a misguided overreaction to leftist ideological dominance.

When Ward Churchill's comments became widely known, the University of Colorado Board of Regents took the unprecedented step of examining the professor's writings to determine whether he had "overstepped the bounds of academic freedom." One need not think long to see the dangers inherent in that approach. When students exposed the ideological bias of the Columbia MEALAC department, sev-

eral government officials called on the university to terminate the offending professors, while other commentators called for prior review of textbooks to ensure that they were not "excessively biased." These proposals are not remedies but are instead symptoms of the same disease—a cultural malady that leads us to meet bad ideas with cries for censorship rather than with more (and better) speech.

In the midst of the university culture war, FIRE will lead America towards a different way—a better way. First, we will work to ensure that each student and professor enjoys the full range of constitutional rights by fighting any effort to replace one form of totalitarianism with another. Second, we will call upon our public universities to end the unconstitutional double standards and viewpoint discrimination that lead to ideological uniformity and repression. Third, we will make private universities keep their promises when they promote themselves as ideologically diverse and intellectually open communities.

The only sustainable university culture is one that is committed to the ideals of free speech, religious freedom, and freedom of conscience. Such a commitment will inevitably lead to better ideas, better research, and better results. The Ward Churchills of the world can only flourish when the marketplace of ideas is closed, when critical thinking is discouraged, and when adherence to political orthodoxy is valued over the pursuit of truth. If we can change that culture—and restore true academic freedom and intellectual diversity—we can once again have a university system that is a powerful engine of liberty and discovery.

David French

**During this time—as America is awakening to the tyrants in its midst—FIRE's work is most critical.**

men and women in the sciences. Finally, at the University of Colorado, Ward Churchill, a department chairman who wrote an essay celebrating the death of civilians in the World Trade Center attacks on September 11, 2001, found himself the focus of national rage and scorn.

# FIRE Defends Freedom of Association at Indian River Community College

Florida's Indian River Community College (IRCC) recently gained national attention for engaging in a campaign of repression against a Christian student group for attempting to show Mel Gibson's *The Passion of the Christ* on campus. Under intense public pressure, the college has relented and allowed the Christian group to show the film.

In November 2004, the college banned its Christian Student Fellowship (CSF) from showing the film because it was R-rated, despite the fact that during the same semester the college hosted a live performance entitled "F\*\*king for Jesus" that described simulated sex with "the risen Christ." Soon thereafter, IRCC imposed a burdensome new policy requiring that faculty advisors attend all student group meetings. As a result, CSF, which usually meets around three times a week, had to stop meeting on campus because the new regulation's time demands forced CSF's advisor to resign.

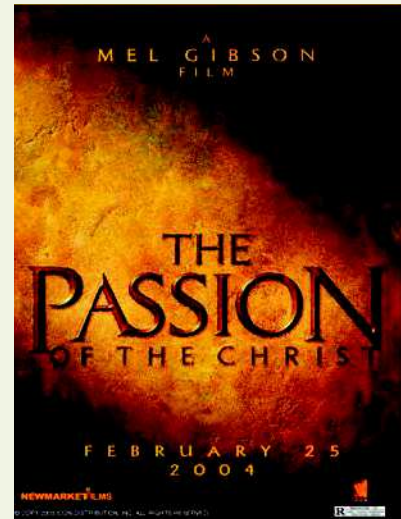
IRCC's adoption of this breathtaking double standard for expression was accompanied by the worst kind of abuse of administrative power. CSF students reported that after their group wrote President Edwin R. Massey to protest the movie ban, administrators pulled group leaders out of class and, astoundingly, demanded an apology from them for their actions.

As a public institution bound by the First Amendment, IRCC had no right to ban

either the movie or the play, and should be ashamed for demanding an apology from students for trying to preserve their constitutional rights. IRCC's arbitrary and authoritarian actions showed little respect for its students or for the Constitution.

CSF's trouble began on November 15, 2004, when IRCC administrators first rejected fliers advertising the club's screening of *The Passion of the Christ* and then cancelled the event altogether. CSF reported that one administrator, Lori LaCivita, stated that the reason for these actions was that the film was R-rated. When appealing to the IRCC administration proved fruitless, CSF contacted FIRE for assistance. FIRE wrote IRCC to explain that its actions against CSF were unconstitutional and violated its own stated policies, which emphasize that at IRCC "students are treated as mature adults."

Soon after writing, FIRE discovered and publicized the college's profound double standard: IRCC had recently allowed the performance of the "F\*\*king for Jesus" skit and a viewing of the R-rated documentary film *Welcome to Sarajevo*, but it would not allow the showing of the R-rated film *The Passion of the Christ*. Under intense media pressure, IRCC lifted the requirement that a college official attend



Mel Gibson's *The Passion of the Christ*

all student group meetings and conducted a legal review that led to its decision to permit the film's screening.

IRCC's rules disregarded students' freedom and treated adults as children. Fortunately, the college has shown the courage to admit it was wrong, giving FIRE yet another victory for free speech, students' rights, and common sense. ♪

**As a public institution bound by the First Amendment, IRCC had no right to ban either the movie or the play, and should be ashamed for demanding an apology from students for trying to preserve their constitutional rights.**

## **FIRE Defends Student Expression at Columbia University** *continued from page 1*

and... the best remedy for most of the abuse described in *Columbia Unbecoming* is public exposure and criticism." FIRE's letter is useful reading for anyone interested in academic freedom at our nation's private universities, and can be read online at [thefire.org](http://thefire.org). ♪

## FIRE President Discusses Columbia on Fox News

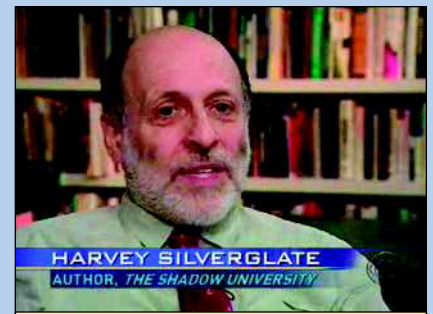
In a Fox News report on the debate over free speech at Columbia University, FIRE President David French argued that students should be permitted to dissent in the classroom. The controversy, which centers on students who say they have been harassed by professors in the university's Middle East and Asian Languages and Cultures department, prompted a letter from the New York Civil Liberties Union that FIRE challenged. In the *Fox Report* interview, French explained: "The students can't expect their views will be unchallenged. Professors can't expect their views will be unchallenged. It's a give-and-take." The report aired on January 21 and can be viewed on the Fox News website.



David French discusses academic freedom on the *Fox Report*

## FIRE Cofounder Defends Free Speech on CBS News

Harvey Silverglate, FIRE cofounder and guardian of free speech, weighed in on *CBS Evening News* regarding the remarks of Harvard President Lawrence H. Summers after Summers was criticized for comments regarding the possibility of a connection between biological differences in men and women and their relative math and science abilities. Silverglate argued that it is "taboo" even to suggest gender as a reason for differences in ability. "You have to apologize for even asking the question," he said during the CBS interview. Summers' remarks have received national attention.



Harvey Silverglate argues against self-censorship on *CBS Evening News*



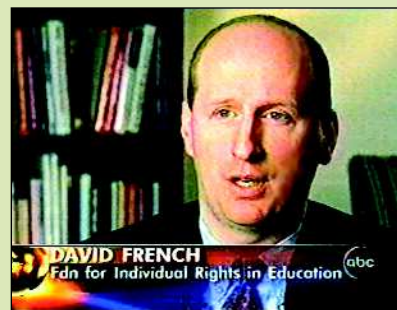
Greg Lukianoff criticizes administrative excess in *Brainwashing 101*

## FIRE's Greg Lukianoff Emphasizes Due Process in *Brainwashing 101*

A new documentary film from director Evan Coyne Maloney, *Brainwashing 101*, features FIRE Director of Legal and Public Advocacy Greg Lukianoff speaking about the climate of repression on America's campuses. *Brainwashing 101* is a humorous yet disturbing look at political correctness run amok at our nation's colleges and universities. The 46-minute film also highlights FIRE's long and ultimately victorious battle with California Polytechnic State University that arose after Cal Poly attempted to punish a student, Steven Hinkle, for hanging fliers advertising a College Republicans event. This film demonstrates how college administrators, who frequently claim to value openness and free expression above all else, too often practice intolerance and suppression. The documentary is available for free online viewing or DVD purchase at [academicbias.com](http://academicbias.com).

## FIRE President Featured on ABC News Special Report

On February 1, an *ABC World News Tonight* “Closer Look” report on the overwhelming censorship of conservative groups at America’s colleges and universities highlighted FIRE as a non-partisan watchdog protecting free speech and academic freedom. The report emphasized cases at Indian River Community College, in which FIRE was instrumental in bringing about a victory for freedom of association, and at Columbia University, in which FIRE wrote a letter to Columbia’s president to emphasize the importance of free speech and diversity of ideas.



David French remarks on ideological diversity on ABC News

## FIRE Lights *The Torch*; Official Blog Gives FIRE Daily Presence in Campus Debate




FOUNDATION FOR INDIVIDUAL RIGHTS IN EDUCATION

In an effort to further illuminate civil rights issues faced by campus communities across the nation, FIRE launched its much-anticipated weblog (or “blog”), *The Torch*, on February 8. *The Torch* is a forum for FIRE contributors to comment regularly on numerous cases of administrative abuse, campus trends, misunderstandings of the law, and other issues related to individual rights in higher education.

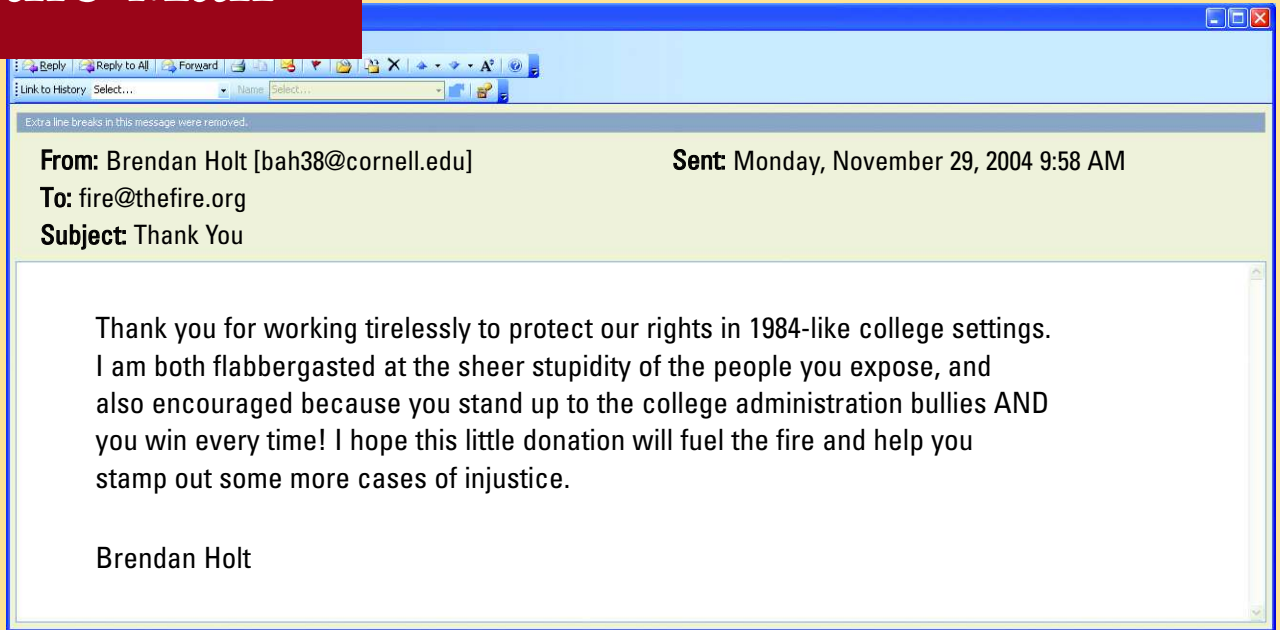
Currently, FIRE faces an increasing number of inquiries, case submissions, and articles about issues ranging from simple questions of unfairness to the most absurd abuses of power at higher education institutions across the nation. *The Torch* gives members of FIRE the space to offer individual critiques, comments, or even praise regarding cases or matters they find especially noteworthy.

Regular contributors to *The Torch* include FIRE President David French as well as Director of Legal and Public Advocacy Greg Lukianoff, Chairman Alan Charles Kors, and Vice Chairman Harvey Silverglate.

As of press time, page requests for *The Torch* and its syndicated XML feed had already exceeded requests for FIRE’s homepage. The number of unique visitors in February to the entire website (i.e., both to blog pages and to all other FIRE pages) is expected to more than triple the number of unique visitors in January.

*The Torch* can be viewed at [thefire.org/thetorch](http://thefire.org/thetorch). The blog’s readers are welcome to submit comments via email to [thetorch@thefire.org](mailto:thetorch@thefire.org). 

# In the Mail



Timothy J. Garneau  
6354 Granite Square Station  
Durham, NH 03824

December 11, 2004

Foundation for Individual Rights in Education  
210 West Washington Square, Suite 303  
Philadelphia, PA 19106

Dear FIRE,

I sincerely appreciate FIRE's staff for helping me with my troubling experience. FIRE is an extremely needed resource for college students throughout the United States. Your knowledge, professionalism, and hard work has brought justice to me and countless others. All of you need to give yourselves a pat on the back for your extraordinary efforts to defend students' individual rights.

In my case, I was astounded to see that one could be evicted for simply posting a harmless flier. Luckily, I kept my head up and was fortunate enough to find out through my dean that a group called FIRE could help me in my quest for justice. Greg, David, and Minnie were all extremely cooperative with my school schedule and kept me informed of their progress, treating my case in a very professional manner. I wouldn't be sitting in a dorm room of my own if it wasn't for FIRE.

I wish FIRE the best of luck in the future and hopefully those who see what this unique organization has done for so many will be kind enough to support their work. At this point, I can only offer my thanks but hope to be able to offer more in the future.

Again, many thanks and I wish FIRE the best of luck.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy J. Garneau', written over a light blue grid background.

Timothy J. Garneau

# FIRE Triumphs at UC Santa Barbara; University Drops Attempt to Censor Website

**T**he University of California at Santa Barbara (UCSB) recently abandoned an attempt to force the owner of a website called *The Dark Side of UCSB* from using the letters “UCSB” in his Web address. UCSB repeatedly threatened James Baron, the site’s owner, with criminal sanctions if he did not change the site’s address. As soon as FIRE protested UCSB’s unconstitutional threats, the university notified Baron that it would pursue the matter no further.

Baron created thedarksideofucsb.com to draw public attention to what he and others see as a dangerous and lawless campus culture at UCSB. The website criticizes UCSB administrators for not doing enough to change that culture. In November 2004, UCSB sent Baron two notices claiming that he had violated California law by including the letters “UCSB” in the Web address, and that using the letters without permission could make him “guilty of a misdemeanor.”

Baron contacted FIRE, and on January 31, 2005, FIRE wrote UCSB, pointing out that the possibility that the public would confuse *The Dark Side of UCSB* with an official UCSB site was remote because of its content, its disclaimer, and its “.com” address. FIRE also noted that UCSB’s application of California law to Baron’s activities was unconstitutional. On February 1, FIRE received a response from the University of California General Counsel’s office stating that Baron’s website “does not at this time pose a potential for confusion that the site is affiliated with the campus, and [UCSB does] not intend to pursue the matter further.”

By pointing out these unlawful proceedings to university administrators, FIRE has forced them to recognize their unconstitutional actions—leaving free speech free to flourish at UCSB. ♣

## Victory for Academic Freedom at Brooklyn College

**T**he City University of New York’s Brooklyn College has reversed a decision that effectively disbanded the student government to prevent it from voting for a resolution including an academic bill of rights. After protests from students, faculty members, and FIRE, the college restored the student government to its earlier status, allowing it to continue with its work.

The resolution at issue included sections stating that faculty members should not be hired, fired, or denied promotion or tenure because of their political, religious, or social beliefs; urging that students be included on tenure committees; and specifying that grades should not be based on students’ political beliefs. The administration’s response was to nullify the assembly’s leadership elections. Doubtful of the claims used by the

university to justify its decision, FIRE wrote President Kimmich, requesting that Brooklyn College overturn its decision. The student government was reinstated just days later.

While FIRE is pleased that Brooklyn College has reinstated its duly elected student leaders, it is appalling that college administrators were so fearful of true academic freedom that they took such extreme steps to derail the democratic process.

Friends of liberty must not allow administrators to hide censorship behind procedural or administrative pretexts. If an administration believes an academic bill of rights is improper, it should engage in debate, not repression. ♣

## Intimidated Classrooms

By Nat Hentoff

Reprinted from the article published on January 18, 2005.

**T**he New York Civil Liberties Union has blundered into the growing controversy at Columbia University about charges by students in Middle East studies (MEALAC) that they are bullied and silenced in classrooms by certain professors who are vehemently anti-Israel. Professors have the right to compare Sharon with Goebbels or to declare Israel not to be a legitimate state—but do dissenting students have no academic freedom to question those professorial views in class? The NYCLU says that's up to the professor.

These charges by students first gained wide publicity in a film, *Columbia Unbecoming*, produced by the David Project in Boston. On-screen, at the beginning of the film, there is the statement that some of the students intimidated in these classes “agreed to appear only if their faces and voices were masked. They feared that their academic careers and letters of recommendation would be jeopardized.”

There was no mention of this fear on Columbia's campus in a December 20, 2004, letter to Columbia University President Lee Bollinger from the New York Civil Liberties Union, signed by executive director Donna Lieberman, Art Eisenberg, and Udi Ofer. This fact-finding delegation refers to the film in the letter but did not see it.

In a conversation with three students, two of whom were in the film, the NYCLU officials were offered a screening of the film. The offer was not taken up.

Therefore, the NYCLU letter to Bollinger—vigorously supporting the academic freedom rights of the professors in

question—did not mention another statement in *Columbia Unbecoming*:

“Numerous [pro-Israel Columbia] professors were contacted and asked for interviews [for the film]. Only a dozen agreed to discuss the situation. They did so with the strict condition of anonymity. Each voiced concerns about consequences to their careers. The professors' own experiences supported the students' testimonies” that students had been intimidated.

But the NYCLU letter to President Bollinger ignored the range of intimidation. After saying that students can criticize professors in various ways outside the classroom, the NYCLU declared: “*They can even advance such criticism in class if permitted by the professor to do so.*” (Emphasis added.)

Read that sentence again. There is ample evidence, in and beyond the film, of certain MEALAC professors treating dissent from students with such confrontational hostility that a student would have to be courageous not to fall silent. I admire those students who have nonetheless stood up for their rights to free inquiry in the classroom, and as a result, have also taken heat from some fellow students—in one instance, when a dissenter in the film wore a yarmulke on campus.

I started to write an answer to the NYCLU letter to Bollinger, but I prefer to quote from a response concerning the NYCLU position that was sent to Bollinger on January 10 by FIRE (the Foundation for Individual Rights in Education).

On First Amendment and due process grounds, I have been associated with this national organization since its inception, and am on FIRE's advisory board.

As FIRE's president, David French, explained to Bollinger in the letter: “FIRE unites civil rights and civil liberties leaders, scholars, journalists and public intellectuals across the political and ideological spectrum on behalf of liberty, academic freedom, due process, freedom of religion, voluntary association and, in this case, freedom of speech and expression, on America's college campuses.”

FIRE has successfully defended and protected many professors and students—liberal, conservative, radical, religious, non-religious, critics of the Iraq war, supporters of that war—from college and university administrators who have punished them for their views in and out of class.

This is what FIRE says about the NYCLU's stunningly misguided definition of students' academic freedom rights in class: “According to the NYCLU, a student may offer . . . criticism [of a professor] ‘if permitted by the professor to do so.’”

“While a professor is certainly free to limit the scope of classroom discussion to the topics discussed in that class—and the professor can prevent actual disruption of the learning environment—it would violate every reasonable notion of student academic freedom to give professors the ability to open classroom discussion for all comments except those critical of the professor's point of view.” (Emphasis added.)

**FIRE has successfully defended and protected many professors and students—liberal, conservative, radical, religious, non-religious, critics of the Iraq war, supporters of that war...**



FIRE continues: “Just as students do not have the right to ‘expect their views will be unchallenged’ [as the NYCLU says], *neither do professors have the right to indoctrinate their students without permitting a murmur of classroom dissent.* According to the NYCLU’s reasoning, if a professor had not given permission for in-class dissent, a student could be forced to sit through a professor’s defense of racial segregation—and even through a classroom discussion in support of segregation—without protest.” (Emphasis added.)

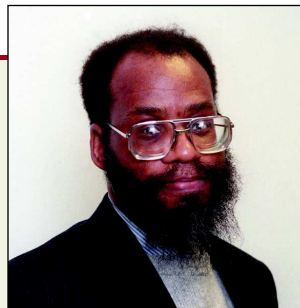
FIRE added that it “agrees with the NYCLU that recent demands by government officials that Columbia terminate the relevant professors are unconscionable.”

But, FIRE emphasized: “Academic freedom is not threatened by student criticism of professors’ ideas. It is threatened by [professors’] disproportionate or inappropriate responses to that criticism.” The NYCLU claims that the students’ charge against the professors is “an assault upon principles of academic freedom and upon

political speech.” Whose academic freedom and free speech are being assaulted? ▯

*Reprinted with permission of Village Voice.*

Nat Hentoff contributes regularly to the *Village Voice* and *The Wall Street Journal* and was a staff writer at *The New Yorker* for more than 25 years. He serves on FIRE’s Board of Advisors.



Michael Meyers

## From the Board of Directors

### Judgments About Free Speech

by Michael Meyers

Free speech is no big deal when others agree with us. We generally favor those who favor our opinions. Against that reasoning, civil libertarians traditionally stand up to defend even speech we may despise and that of those who espouse unpopular, distasteful, even “toxic” speech. And it’s no academic exercise when we do so.

As a teenager, for example, this African American was strolling in the “German-town” section of Manhattan when I almost passed by a white youth of similar age. He must have been all of 16 or 17 years old. The white teenager was distributing leaflets to all takers, except my hand. Curious, I insisted on getting a leaflet. What could be so forbidden that I should not see and read what he was passing out freely to others?

The young man had innocent, doe-like eyes, and I saw embarrassment on his face as he plaintively assured me, “You wouldn’t want this.” But I did, so I took a flyer. It was a flyer announcing a meeting of the Nazi party at a nearby public high school. “What a country!” I thought to myself, as I smiled at the young man and left him to distribute the remainder of his leaflets.

No doubt he was as surprised to see me again as I was to see him at the meeting of the Nazi Party. This time he was dressed in full Nazi regalia and he was one, and perhaps the youngest, of a dozen Nazis who had come to regale their audience about the Jewish and black menace in America.

Naïve perhaps, but I had not seen hatred in the young Nazi’s eyes, only embarrassment for not sparing me the flyer. I stayed for the duration of the Nazis’ meeting. They prattled on about how Jews were smart enough not to eat their own, even though “Jews are swine.” And the Amen corner repeated: “Jew, swine.” And, as if to bring me into the conversation, the Nazi chieftain shouted, “If I had my way, I’d hang every nigger from the highest tree.”

This was not the 1950s or 1960s, but 1970s America. By then, with the New York Civil Liberties Union (NYCLU) leading the way, so-called hate groups had won “equal access” to New York’s public school buildings if other advocacy or civic groups were allowed to use the school’s facilities for their meetings. It was an early lesson for me in the indivisibility of the First Amendment. And, rightly, I had learned this valuable lesson in a school building, albeit not in a classroom.

Recently, some three decades later, I found myself wondering where the NYCLU was when Ward Churchill came to my hometown. Actually, Churchill never made it to New York. Churchill, then chair of the University of Colorado at Boulder’s ethnic studies department, had been invited to give a talk at Hamilton College in upstate New York. But when word had spread that Churchill held noxious and offensive views in post-September 11 America, demagogues called for the banning of his talk. As was the Nazis’ speech, Churchill’s views were errant nonsense; his analysis of the terrorists’ attack on America’s Twin Towers was to blame the victims—the workers inside the World Trade Center, who, according to media reports, Churchill had described as “little Eichmanns,” architects of the U.S. war against Arabs and Muslims.

Initially, Hamilton College officials stood by the invitation for Churchill to speak on campus, although they had also insisted on “balance” through a panel. But as censorial pressures mounted from politicians, media demagogues, and angry donors, college officials folded and canceled the event altogether, citing death threats that had been called in. The NYCLU fell silent, but even the *New York Post*, which had

*continued on the next page*

# From the Board of Directors

*continued from page 9*

itself been railing against Professor Churchill and his scheduled talk, faulted college officials for their cowardice for using “crank calls” as the basis for punking out on their pretense of support for academic freedom and free speech.

The answer I got from my own call to the NYCLU’s legal director as to why they had said nothing in this episode was that they had indeed been quiet about the Churchill controversy—but they had now gotten “an op-ed opportunity.” A free speech organization need not await an “op-ed opportunity” or even a client to speak up for free speech—especially when the governor of New York was pressuring Hamilton College officials about the speaking invitation to Churchill. In stark contrast, however, NYCLU had earlier leapt headstrong, and backwards, into the swamp at Columbia University when

**FIRE explained to Columbia, and to the NYCLU, that students also have academic freedom rights to protect.**

it downplayed charges from Jewish students that professors in the Middle East and Asian Languages and Cultures department were bullying them into silence in the classroom. NYCLU sided with the professors. Suddenly, for NYCLU, talking back in the classroom was an affront to academic freedom, an offense akin to disruption of a professor’s class.

Feverishly, NYCLU had shot off a letter to Columbia University President Lee Bollinger, not only sticking up for the professors but denying that students had any academic freedom interests in the classroom. The NYCLU claimed that students are perfectly within their rights to criticize a professor’s scholarship *outside* the classroom but interjected its opinion that students “can even advance such criticism in class *if permitted by the professor to do so.*” (Emphasis added.)

The world according to New York’s premier civil liberties organization is flat and one-sided when it comes to professors’ interests (“we talk, you listen”) against the students’ in expressing their profound disagreements with their professors in class. Instinctively, I knew NYCLU’s position to be wrong. As a high school student at a recently integrated high school, I had myself brought to my social studies class some insights about blacks’ contributions to American history. Our teacher quickly cut me off, saying, “Not in my classroom. This is my classroom and you will not bring such ideas to this class.” Besides exhibiting racial prejudice, that teacher had a mistaken notion about her exclusive academic freedom rights in the classroom. Luckily for me, because the principal supported my position, I was encouraged rather than suspended, and the teacher was counseled.

It appears that Columbia University officials are also in need of some counseling about the various sides to academic freedom. At least NYCLU told Columbia that it may not cede to politicians’ demands for the termination of controversial professors. But why did it stop there? Why did it not also say that Columbia couldn’t cede to the demands of any professor to silence dissenting viewpoints from students in the classroom? Civil liberties groups come in all sizes. The smaller but unswervingly principled Foundation for Individual Rights in Education entered the fray, an organization that makes me proud to be an American and not just a member of its Board of Directors.

FIRE explained to Columbia, and to the NYCLU, that *students* also have academic freedom rights to protect. How else are their horizons to be truly broadened? How else are false ideas, which sometimes take the form of “scholarship,” to be confronted or exposed in the classroom setting? This was a good thing for students at Columbia to hear. It was also a good thing for Columbia University that FIRE spoke up because President Bollinger might have been persuaded by one side of the civil liberties community.

Indeed, even now he seems totally confused or at least of several minds about the core values at issue at Columbia involving academic freedom and free speech. Dr. Bollinger told the *Columbia Spectator*, “Many people are weighing in on these issues. Many people have points of view . . . It’s a very complicated subject so you want to think it through carefully, but the principles really involved here are very clear and sort of fundamental, so they’re part of the institution.” Say what?

I shudder to leave to Lee Bollinger or to the officials at Hamilton College or to the public officials that pander to public opinion the lone judgments about who in society and on campus gets to enjoy free speech and academic freedom. They, to paraphrase Shakespeare, think too much; such men are dangerous. For their own reasons, the guardians of the academy and of our civic culture, wittingly or unwittingly, too often miss their chances to defend what makes America so different from censorial cultures. On too many campuses, the defense of liberty is not the standard of the academic leadership.

That’s why we so desperately need FIRE and individual courage on the campus, on the part of professors, students, and administrators. We simply need more of them to stand up for the core values of free inquiry and free speech, and to protect the speech of those they disfavor and detest. Right now, too often, we have on college campuses a situation, as Mark Twain observed, of “few things harder to put up with than a good example.” So, until we change the climate and the culture of these campuses, and steel campus leaders to do the right thing, we had better pay attention to Mark Twain’s other maxim: “Never let school interfere with your education.” ♣

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Michael Meyers is president and executive director of the New York Civil Rights Coalition, a vice president and member of the national Board of Directors of the American Civil Liberties Union, and a member of FIRE’s Board of Directors.

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# Invest in Freedom

## About the Publication

### Volume 3 Number 1

The *FIRE Quarterly* is published four times per year by the Foundation for Individual Rights in Education.

The mission of FIRE is to defend and sustain individual rights at America's increasingly repressive and partisan colleges and universities. These rights include freedom of speech, legal equality, due process, religious liberty, and sanctity of conscience—the essential qualities of individual liberty and dignity. FIRE's core mission is to protect the unprotected and to educate the public and communities of concerned Americans about the threats to these rights on our campuses and about the means to preserve them.

FIRE is a charitable and educational tax-exempt foundation within the meaning of Section 501 (c) (3) of the Internal Revenue Code. Contributions to FIRE are deductible to the fullest extent provided by tax laws.

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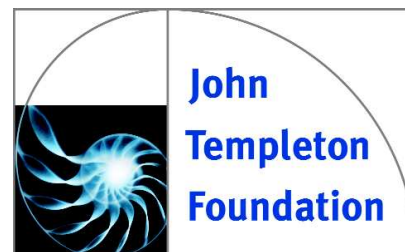
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## John Templeton Foundation Challenge Grant Is Huge Success

FIRE is pleased to announce that it has raised over \$252,221 from its donors towards a challenge grant from the John Templeton Foundation. The Foundation will match dollar for dollar the first \$100,000 in contributions.

FIRE has already begun to distribute and publicize its recently released *Guide to Free Speech on Campus* through its Media Network and has placed advertisements in *The Chronicle of Higher Education*, *Dean & Provost* magazine, *Black Issues in Higher Education*, and the Collegiate Network of Conservative Student Newspapers.

In addition, FIRE has mailed the *Guide* to university administrators and offered itself as a resource for information regarding what universities must do to comply with the law and ensure respect



for individual rights. FIRE will continue to launch advertising and targeted distribution efforts throughout 2005.

FIRE is extremely grateful to the John Templeton Foundation and all the individuals who helped match this grant. These contributions enable FIRE to educate a generation of America's future leaders about the threats to freedom of speech and expression and about the means of protecting them on our campuses. ♪

## FIRE Releases Its *Guide to Free Speech on Campus*

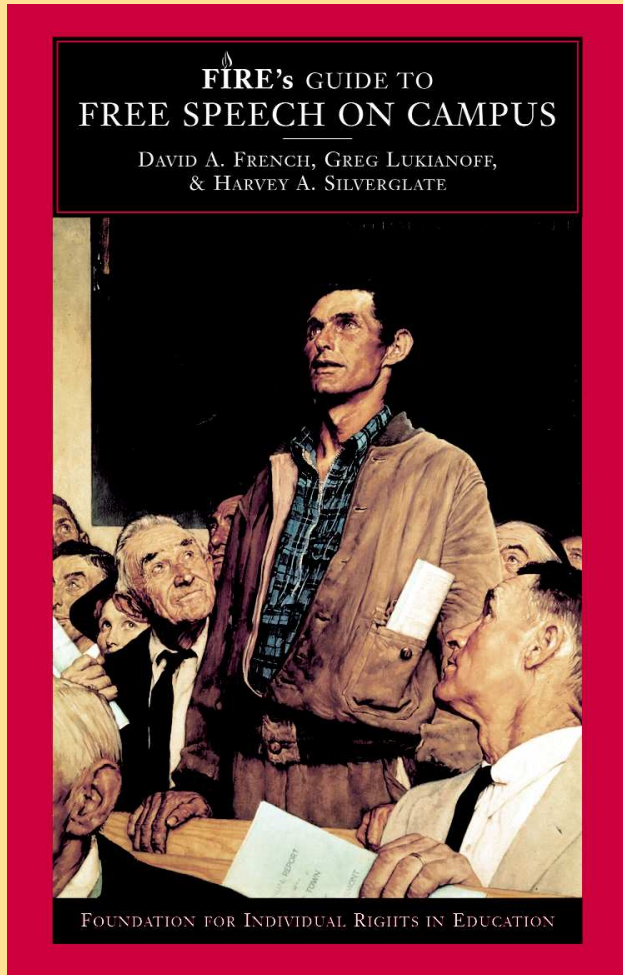
The release of FIRE's flagship publication, FIRE's *Guide to Free Speech on Campus*, has prompted legal scholars from across the political spectrum to hail the new *Guide* as an invaluable resource for students. Edwin Meese, U.S. Attorney General during the Reagan Administration, called the *Guide to Free Speech on Campus* "a welcome and essential part of the effort to defend, preserve, and expand liberty and rights on our nation's campuses."

Written by FIRE President David A. French, FIRE Director of Legal and Public Advocacy Greg Lukianoff, and FIRE Cofounder and Vice Chairman Harvey A. Silverglate, the *Guide* explores the philosophy and history behind our

modern understanding of free speech, discusses the development of law regarding free speech and the First Amendment, and elaborates on the moral and practical values that form the foundations of liberty. Perhaps most importantly, the *Guide* equips students with the rhetorical and legal tools to stand up for their rights.

Paperback copies of all four *Guides* are available to college students free of charge and to the general public at a nominal cost through amazon.com. Electronic editions are also available for free download as PDF files at [thefireguides.org](http://thefireguides.org). ♪

# The Last Word



FIRE's *Guide to Free Speech on Campus* has been downloaded as a PDF file **18,229** times, sent free of charge to **1,282** students, and purchased **218** times from amazon.com.

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