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Professors' Organization to Investigate Erosion of Academic Freedom

UNC-Chapel Hill 'Koran requirement' uproar cited

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By JON SANDERS

RALEIGH — The American Association of University Professors has announced the formation of a committee to study incidents after the Sept. 11 terrorist attacks that may limit academic freedom.

The special committee will be led by Robert M. O'Neil, director of the Thomas Jefferson Center for the Protection of Free Expression. O'Neil has previously served as president of the University of Virginia and the University of Wisconsin.

Cases prompting the AAUP's concern were, according to *The Chronicle of Higher Education* news of Sept. 11, 2002:

- The uproar over the University of North Carolina at Chapel Hill's Summer Reading Program requirement of Michael Sells' book, *Approaching the Qur'an: The Early Revelations*
- The controversy that erupted over Colorado College and the University of Colorado's invitation of a Palestinian activist, Hanan Ashrawi, to speak at events intended to commemorate the Sept. 11 terrorist attacks
- Violence between pro-Palestinian groups and pro-Israel groups at San Francisco State University

- A proposal from a Minnesota legislator to remove state support from the University of Minnesota Press in wake of its publication of *Harmful to Minors: The Perils of Protecting Children from Sex*, by feminist Judith Levine, a book that posits that sexual encounters during childhood are positive and that the current societal fear of pedophiles is unfounded, a projection of parents' own erotic desires
- The Missouri legislature's removal of \$150,000 in appropriations to the University of Missouri after the station director of the university system's public TV station in Columbia banned personnel from wearing flag pins on camera, and also in response to work published by a professor in Kansas City, Harris Mirkin, wrote "The Pattern of Sexual Politics: Feminism, Homosexuality, and Pedophilia"

'Controversial speech and teaching'

According to the *Chronicle*, the committee will study "responses by academic leaders and politicians to controversial speech and teaching; restrictions proposed by the federal government on university research that is considered sensitive but not classified, particularly in microbiology and bioterrorism; renewed concerns about conducting classified research at universities; and restrictions on foreign scholars and students."

The cases listed above fall under the first category of study, "responses by academic leaders and politicians to controversial speech and teaching."

One incident in North Carolina is receiving the AAUP's scrutiny, the UNC-CH "Koran book" controversy. AAUP General Secretary Mary Burgan used the UNC-CH issue in her Sept. 6 *Chronicle* op-ed as an example of, "in a number of ways, how much the independence of public colleges and universities may be in jeopardy."

Another incident involving "controversial speech" in a UNC institution, however, so far hasn't appeared on the AAUP's list.

As reported in *Carolina Journal* and elsewhere, UNC-Wilmington officials plundered Criminal Justice Prof. Mike Adams' email after receiving a complaint from a student, Rosa Fuller, about Adams's response to her campuswide email blaming the Sept. 11 attacks on the United States, the world's "main source of oppression." Adams replied to all the recipients of the original email from Fuller, saying it was "an intentionally divisive diatribe."

Ironically, Adams duly noted that "The Constitution protects your speech just as it has protected bigoted, unintelligent, and immature speech for many years" and concluded with a hope that "your bad speech serves as a catalyst for better speech by others."

Nevertheless, not only was Adams' privacy invaded by campus officials going through his email correspondence, but also Adams was criticized publicly in a university classroom by UNCW counsel Harold M. White Jr.

Adams told *Carolina Journal* that no one at the AAUP has contacted him about the invasion of his privacy by university officials.

Thor L. Halvorssen, director of the Foundation for Individual Rights in Education (www.thefire.org), a nonprofit education foundation that works to protect individual rights on college campuses, welcomed the AAUP's special committee.

"FIRE encourages the participation of all university-focused groups in the defense of academic freedom and freedom of speech," Halvorssen said. "We note with alarm and incredulity that, for the most part, the AAUP has been noticeably absent in the defense and even the discussion of these issues in the last two decades. We do hope they speak up for faculty and student rights and that they do so without regard to the politics of those involved."

"Where have they been the last 20 years?"

Cases that FIRE has gotten involved in (including Adams's) are not discussed by the AAUP. A few of those cases include:

- Orange Coast College suspended Prof. Kenneth W. Hearlson when Muslim students complained about his lecture in his contemporary politics course when he argued that silence on crimes against Christians and Jews in the Middle East was consent to terrorism.
- An Arab-speaking international student at San Diego State University was formally admonished by that institution after he overheard two Arab students laughing about the Sept. 11 attacks and challenged their positions on it.
- Duke University shut down Prof. Gary Hull's website after he posted an article on it calling for a strong military response to the terrorist attacks. Duke later reinstated the web page, but required Hull to add a disclaimer that the views expressed in the article did not reflect the views of Duke, something the university had not previously required of any professor's web pages.
- University of New Mexico President William C. Gordon announced he intended to "vigorously pursue" disciplinary action against Prof. Richard Berthold for the professor's bad joke in a class about the terrorist attacks that "Anyone who can bomb the Pentagon has my vote," for which he apologized.
- A professor at Pennsylvania State University was informed in a letter from the university's vice provost for academic affairs, Robert Secor, that the comments on the professor's web site were "insensitive and perhaps even intimidating" — and Penn State policy considers "intimidating speech" ground for dismissal.

Those examples are only a few of the cases of speech restriction on universities that FIRE has worked on since Sept. 11.

Nevertheless, the AAUP has so far not expressed any interest in highlighting any of them as examples of academic freedom's erosion after Sept. 11.

Halvorssen welcomes the AAUP to the debate even though the group's interest in it seems to be in only a few cases involving the political left.

"It is very sad that the AAUP is only concerned about free speech and academic freedom rights in cases with an unmistakable ideological hue," Halvorsen said.

"It's great that they are finally going to become involved, but where have they been for 20 years? Where were they when FIRE was fighting with the UNC administration in the case of Mike Adams? In the case of Orange Coast College's Ken Hearlson?"

Sanders is assistant editor for Carolina Journal.

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