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## Liberals, conservatives for student rights

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From the [Life & Mind Desk](#)

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WASHINGTON, March 11 (UPI) -- Civil libertarians from across the political spectrum gathered at the National Press Club Tuesday to welcome a series of guides to student rights on campus.

"The Guides will become indispensable tools to challenge and end the censorship, kangaroo courts, double standards ... and arbitrary practices that prevail at too many of our college campuses," said Thor L. Halvorssen, chief executive officer of FIRE, the Foundation for Individual Rights in Education, which is producing the series.

The Philadelphia-based watchdog group was founded in 1999 by University of Pennsylvania historian Alan Charles Kors and Boston civil rights attorney Harvey A. Silverglate.

The first three books in the series -- on due process, mandatory student fees, and religious liberty -- are available in paperback and can be downloaded by students at [thefireguides.org](#). FIRE's guide to free speech on campus and its guide to first-year orientation and thought reform will be available in May.

Joining FIRE in welcoming the series launch were liberals such as American Civil Liberties Union President Nadine Strossen and conservatives such as Edwin Meese, U.S. attorney general in the Reagan administration.

Silverglate served as counsel for students who took over University Hall at Harvard in 1969. Meese successfully prosecuted University of California students in 1964 for invading the administration building.

In 1993, Kors defended a Penn freshman whom the university had charged with racial harassment in the notorious "water buffalo" case. Eden Jacobowitz, who was trying to write a paper in his dorm room, asked some black sorority sisters who were singing, chanting and stomping outside his window to "please keep quiet." Twenty minutes later, the noise still louder, he shouted: "Shut up, you water buffalo!" the English rendering of behema, a Hebrew word meaning a thoughtless or rowdy person.

Kors recalled the yearlong struggle with the school's administration.

"What most astonished the University of Pennsylvania in particular and the academic world in general during that case was the discovery of how marginalized universities were in their view of liberty compared to the broad spectrum -- left and right -- of American political opinion.

"You could not tell the difference between an editorial in the Washington Post or the Washington Times." For the first time on CNN's "Crossfire," he said, Pat Buchanan and Michael Kinsley "agreed that something was totally out whack in American higher education."

As Kors and Silverglate wrote "The Shadow University: The Betrayal of Liberty on America's Campuses" (1998), "hundreds and hundreds" of people contacted them about their plight at institutions of higher learning. They became aware that universities had "placed themselves out of the mainstream of the beliefs of a free society." This realization

led to the founding of FIRE.

Kors said FIRE resolves 90 percent of its cases by telling administrators what the terms of the public debate will be. "Media scrutiny has been an extraordinarily powerful weapon. ... Abusers of authority in a free society are unable to defend in public what they do in private. ... Students must know that they are not alone."

The historian said liberty must never be an issue of left or right, or of short-term calculation. "A nation that does not educate in liberty will not long preserve it, and indeed will not even know when it has lost it," Kors said.

Silverglate, a litigator, said students are at a tremendous disadvantage because they don't know their rights. Frightened undergrads find themselves up against the full weight of the university, which is advised -- usually secretly -- by its general counsel and other lawyers. The guides empower students with knowledge and tactical advice, Silverglate said.

Strossen said the prerequisite for exercising one's rights is knowing what they are. She said FIRE, like the ACLU, has been effective because of its "absolute neutrality." It is dedicated to the exercise of freedoms regardless of who is exercising them. She also praised FIRE's practice of working in coalitions, without litmus tests or demands for orthodoxy.

Meese said students are usually intimidated by university administrators, a sentiment also expressed by Roger Pilon, vice president for legal affairs at the Cato Institute. "Censorship, speech codes, and political correctness are the absolute antithesis of what institutions of higher learning ought to be all about," Meese said.

David A. French, author of FIRE's "Guide to Religious Liberty on Campus," said students, faculty and administrators are all quite ignorant of religious freedoms guaranteed under the First Amendment. "Often religious students are demonized and passed as bigots, narrow-minded and less than fully educated," he said.

Jordan Lorence, author of the guide on student fees, said that the very people who in 1964 were arguing for freedom of speech at U.C. Berkeley, are now suppressing it. "They seem to have the wrong notion that the human impulse to suppress only existed in conservatives or traditionalists. Those viewed as more enlightened don't impose their beliefs -- they re-educate."

Lorence said many state universities are now the functional equivalent of the state churches of colonial times. Mandatory tithing is imposed through student fees. Speech codes are tantamount to the old laws against blasphemy, and "diversity training" is analogous to the promulgation of religious doctrine.

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