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## Dissenters Find Colleges Less Tolerant of Discord Following Attacks

By Michael A. Fletcher  
 Washington Post Staff Writer  
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Hijacked airliners had already plowed into the World Trade Center and the Pentagon when University of New Mexico Professor Richard A. Berthold offered his freshman history class what he now calls an unfortunate attempt at humor.

"Anyone who would blow up the Pentagon would have my vote," Berthold, 55, told his class. Three hours later, with the World Trade Center reduced to rubble and firefighters desperately battling the Pentagon blaze, Berthold repeated his line to another class.

Rather than laughs, his comments triggered an overwhelmingly angry reaction that continues to reverberate despite his repeated apologies. Thousands of students, alumni and others -- some who knew people killed in the Sept. 11 attacks -- complained to university administrators. Students rallied for Berthold's removal. Several legislators and business leaders called for his job. Berthold also received death threats, causing him to stay off campus for a week.

The university, meanwhile, has launched an investigation likely to end in disciplinary action against the professor. "There are a lot of things you can't say with impunity, even on a college campus," said Provost Brian Foster.

Berthold is among a growing number of professors and other college staff members facing censure for making

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controversial comments or taking visibly symbolic positions in the weeks following the terrorist attacks. Supporters and opponents of U.S. policy have faced reprimands in the sensitive atmosphere that has prevailed since the attacks.

University officials say the reprimands are warranted, given the mood of the country and the special responsibility borne by professors. But free-speech advocates say the public rebukes are casting a chill over the sometimes raucous debate that has historically typified the nation's campuses.

"With the nation's attention focused on one topic as it is now, we can see that universities are no friends of free speech," said Thor L. Halvorssen, executive director of the Foundation for Individual Rights in Education, which is dedicated to protecting free speech on college campuses. "Our campuses are being taken over by the tyranny of the touchy-feely."

At the College of the Holy Cross in Worcester, Mass., a department head told a secretary to take down a flag she had hung in her office in honor of a friend who died on one of the hijacked airliners. The department head thought the display was inappropriate. Only after the matter made it into a local newspaper, triggering an angry public reaction, was the secretary allowed to fly another flag on her desk.

City University of New York faculty members who participated in a forum earlier this month where some speakers blamed U.S. foreign policy for the attacks were denounced by CUNY Chancellor Matthew Goldstein for making "lame excuses" for the terrorists.

Robert Jensen, a journalism professor at the University of Texas at Austin, was publicly upbraided by university President Larry R. Faulkner for publishing an op-ed piece that said the Sept. 11 attacks were no more despicable than "the massive acts of terrorism" committed by the United States in Iraq and elsewhere. Faulkner, while acknowledging Jensen's right to free speech, retorted in a letter that the outspoken professor has become a "fountain of undiluted foolishness on issues of public policy."

Jensen, a self-described activist who has tenure at the university, said the public rebuke had little effect on him. "But the question is how do students and junior faculty respond to such a public humiliation?" he said.

"If the climate of worry about the terrorist attacks means there can be no controversy on campus, it is a very unhealthy thing," said Ruth Flower, director of public policy for the American Association of University Professors. "There are some things here that harken back to McCarthyism. But this is different, because it is not the government telling the public what it can and cannot say. This is more a matter of public sentiment dictating behavior."

The Sept. 11 attacks and the ongoing war on terrorism have galvanized American public opinion as have few events in recent history. Polls have found overwhelming public support for the airstrikes in Afghanistan, and some free-

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speech advocates say the mood is squelching dissent.

Several writers of opinion pieces critical of President Bush's leadership or U.S. foreign policy have been roundly criticized or have even lost their jobs. Some advertisers and local television stations dropped ABC's "Politically Incorrect" after host Bill Maher referred to some past U.S. military actions as "cowardly."

College professors now worry that the new conformity is having a corrosive impact on campuses, eroding their historical place as hotbeds of debate and dissent. During the Vietnam War, college campuses were at the heart of the anti-war movement. But many speech advocates say campuses are now far less tolerant of controversy.

"Obviously, the current situation has people really on edge," said Harry A. Silverglate, author of "The Shadow University," a book that examines incursions on campus free speech. "But it seems now the place where you see the most obvious censorship is on college campuses -- the precise place where you would expect to see the least."

In an effort to promote campus diversity, two-thirds of the nation's colleges and universities have adopted speech codes, which generally prohibit language that offends people along racial, ethnic or gender lines. But the codes have proven difficult to enforce because of their inherent conflict with the First Amendment.

"What is the role of the university, to engage in therapy?" Halvorssen said. "Are they therapeutic institutions, or places where students get together, share ideas and, yes, insult each other and ultimately find their way?"

Still, many administrators and students say some speech limits are necessary to ensure that campuses remain welcoming and nurturing places to all students. Moreover, officials said, professors have a responsibility to stimulate debate as well as to be responsible mentors.

When Berthold made his comments to his morning classes at the University at New Mexico, "students were still wondering if Albuquerque would be a target," said Foster, the university provost. "There was an enormous amount of fear and puzzlement about this."

In a letter outlining its investigation, the university called Berthold's comment not a question of free speech but an ethical violation. The school said the professor failed to adhere to his role as an "intellectual" guide.

A week after the terrorist attacks, Ken Hearlson began his freshman American government class at Costa Mesa, Calif.'s Orange Coast College by wondering aloud how the Muslim world could condemn the terrorist attacks in New York but not the suicide bombings that regularly take place in Israel.

Hearlson said his intention was to spark a lively discussion among the 200 students in his class. But the discussion soon digressed into a heated debate between the professor and four Muslim students, who refused to equate Palestinian actions with terrorism.

The next day, the students complained to school administrators that Hearlson had singled them out as "terrorists" and "Nazis" -- which Hearlson denies.

"He is very biased against Muslim students and very open about it," said Salha Abdelmuti, a California native whose parents are of Middle Eastern descent. "The week after, everybody in the class had us in a circle after class and was yelling at us. Some of them were saying, 'Go back to your country.' I was getting pretty emotional. I just started crying."

After the students complained, Hearlson got a phone call from the university president, who told the professor that he would be put on leave with pay while the school investigates the incident.

"No due process. Nothing," said Hearlson, 57, who has taught at the school for 18 years. "Nobody has ever been hurt at that school by a debate, best I can tell. Students should hear things in a classroom that they may never hear again. If you disagree, you can stand up and do so as long as you don't commit violence."

But Orange Coast officials disagree. They said the terrorist attacks have created a special atmosphere that must be abided, even in the classroom.

"This is not an academic freedom issue. It is an issue of classroom comportment and how he treats students," said Jim Carnett, a college spokesman. "It is beyond the bounds of academic freedom. And with what's been occurring beyond the boundaries of our campus, you can't ignore that."

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