



Foundation for Individual Rights in Education

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September 9, 2002

President Andrew A. Sorensen
University of South Carolina
206 Osborne Administration Building
Columbia, SC 29208

Sent via U.S. Mail and Facsimile (803-777-3264)

Dear President Sorensen,

As FIRE prepares its report to the nation on the state of liberty at American universities in the aftermath of September 11—an issue that should concern everyone across the spectrum of belief and opinion—we note with dismay that we have not heard from you. We assume that your silence represents your decision not to pursue this matter further with us, but before taking this issue public—as a matter of your responsibility—we offer one final opportunity to engage in private discussion.

On July 3, 2002, I wrote on behalf of FIRE to welcome you to the University of South Carolina. I also wrote to inform you about a grave threat to freedom of speech and conscience that you inherited, through no fault of your own. That threat is posed by official “Guidelines for Classroom Discussion” in a seminar (required for a degree, no less) taught by Professor Lynn Weber last spring. I sought to elicit your assurance—assurance that your predecessor had been unwilling to make—that no professor at USC will be allowed to mandate in the classroom, on pain of a lowered grade, what is orthodox in word or belief.

We at FIRE had hoped that Professor Weber’s institution of mandatory ideological orthodoxy in her class would be as shocking to you as it was to us, or, at the least, that the spirit of our inquiries (enclosed) and the gravity of the concerns merited a response. We asked only that the University fulfill its fiduciary and, indeed, constitutional obligations to defend its students’ right of free conscience. Let me put the issue to you directly: if a professor of Middle Eastern studies or international relations had some “patriotic” version of those Guidelines, restricting expression and belief, at a public university, would you tolerate it? If a professor of religious studies promulgated Guidelines mandating belief or disbelief in God, would you tolerate it? If a professor of public policy

promulgated Guidelines mandating belief in the efficacy of free markets and the inefficacy of governmental regulation or central planning (or the reverse), would you tolerate it? These, like the dogmas insisted upon by Professor Weber, are all matters of rightful debate and contestation at great centers of learning. What is the difference? If forced to do so by your unwillingness to engage these issues, we shall be raising these questions as publicly as possible.

Although the academic year and the course in question have ended, FIRE's concern for the rights of USC's students is undiminished. With a new school year beginning, USC's students need and deserve assurances from your administration that they will not be forced to swear fealty to a narrow set of ideological assumptions or to acknowledge specific and contested ideologies as inalterable truths? At USC, under your presidency, may the process of intellectual inquiry only begin after the acceptance of a prescribed orthodoxy? Without your assurance that such Guidelines are unacceptable at your University, the pall cast over learning at your institution will be chilling. Will free inquiry exist on your watch?

We hoped that this issue would be settled through discussion (as has been the case at numerous institutions). Although that hope remains unrealized, we remain confident that your commitment to your fiduciary and constitutional responsibilities—to ensure that your students have all the rights of free thought and expression that they are due—will guide you to make the honorable decision.

When FIRE contacted you regarding the threat of mandatory sexual harassment workshops at your previous institution, the University of Alabama, you stated publicly that the workshops would not be mandatory. Indeed, in your February 27, 2002 letter to State Senator Larry Dixon, you eloquently noted that you **“truly believe that a university should be a place where free expression of various points of view should be encouraged and nurtured.”** To this end, will you repudiate Guidelines that inhibit or prevent “free expression of various points of view” in the classrooms of your University?

These issues simply will not go away, and they will continually be submitted to the court of public opinion, and to every other appropriate forum, until USC demonstrates that it understands the importance of students' rights—under both the AAUP Guidelines to which you subscribe, and the Constitution of the United States— to reasoned disagreement.

FIRE has requested only that USC reaffirm its students' right to have their own beliefs and to make up their own minds about fundamental issues and principles. This right should be self-evident and regarded as essential by any institution devoted to the search for knowledge. USC's hesitation in supporting this foundational principle of education is profoundly troubling, and it does not bode well for the state of liberty on your campus. USC surely does not want to suffer the indignity of being forced by public opinion or court order to uphold the principles of free expression, free thought, and reasoned dissent—principles that USC should defend without pause and, certainly, without asking. As the

nation commemorates September 11, universities will be called upon to be centers of the most unfettered debate. Will you unchain your students?

We look forward to your response.

Sincerely,



Alan Charles Kors
President

cc:

Joan H. Stewart, Dean, College of Liberal Arts
Lynn Weber, Chair, Women's Studies Program
Governor James H. Hodges, University of South Carolina Board of Trustees
Mack I. Whittle, Jr., Chairman, University of South Carolina Board of Trustees
Herbert C. Adams, Vice Chairman, University of South Carolina Board of Trustees
Arthur S. Bahnmuller, University of South Carolina Board of Trustees
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Encl.



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Alan Charles Kors
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July 3, 2002

Harvey A. Silvergate
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President Andrew A. Sorensen
University of South Carolina
206 Osborne Administration Building
Columbia, South Carolina 29208

Thor L. Halvorssen
EXECUTIVE DIRECTOR

Greg Lukianoff
DIRECTOR OF LEGAL AND
PUBLIC ADVOCACY

Dear President Sorensen,

BOARD OF ADVISORS

Welcome to the University of South Carolina. Prior to your tenure as president, the Foundation for Individual Rights in Education (FIRE) wrote to your predecessor, his staff, and the Board of Trustees regarding the threats to students' freedom of speech and conscience in a seminar taught by Professor Lynn Weber. We wish that your predecessor had resolved this matter prior to your arrival, but, alas, we never received a response from him. We have great confidence that, now that you are there, you will address our concerns, which we trust that you will share.

David Brudnoy
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We have attached our April 25 letter to USC. As you surely will agree, given your own values, the AAUP *Joint Statement on Rights and Freedoms of Students* (1967), the AAUP *Statement on Graduate Students*, and USC's own statement of *Students' Rights and Freedoms within the Academic Community*, there is no place in higher education for classes that require fealty to any particular ideology as a precondition of succeeding in or passing the class.

FIRE has asked USC to reaffirm that its students are free to reason and speak on behalf of their own conclusions and beliefs, and that they have a right to use their own critical minds on fundamental issues of fact, principle, and personal commitments. These rights should be self-evident and essential at any institution devoted to the search for knowledge. I look forward to hearing from you and to a satisfying resolution to this matter.

Sincerely,

Alan Charles Kors
President

cc:

Joan H. Stewart, Dean, College of Liberal Arts
Lynn Weber, Chair, Women's Studies Program
Governor James H. Hodges, University of South Carolina Board of Trustees
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