



THE AFCON

SENTINEL



Volume II, Number 2

A Quarterly of the Academic Freedom Coalition of Nebraska

June 20, 1998

AFCON OFFICERS

Mel Krutz
President

John Bender
Past President

Kathryn Stofer
Secretary

Cathi McMurtry
Treasurer

David Moshman
Policy Coordinator

Tom Black
Newsletter Editor

Mission:
To promote academic freedom, defined as intellectual freedom, and including freedom of belief, freedom of expression, and access to information and ideas in educational and research contexts.

What is Academic Freedom, and Why Should We Promote It?

By David Moshman

Let me consider two questions: 1. What is academic freedom? 2. Why should we respect and promote academic freedom?

What is Academic Freedom?

Academic freedom, I suggest, is intellectual freedom in academic contexts. More than a right of college faculty, academic freedom applies to students as well as faculty at all levels of education. Academic freedom is not just a matter of rights, moreover, but a social context that encourages intellectual functioning. This includes four interrelated components:

1. *Freedom of belief: the right to believe whatever you chose, even if your reasons are inadequate, and even if your beliefs are demonstrably false.* This right, in my view, is absolute. Others may try to convince you to change your beliefs, but whether you're convinced is for you to decide.

2. *Freedom of expression and discussion: The right to express your beliefs and the opportunity to engage in discussion, even if others deem your beliefs to be absurd, dangerous, offensive, or otherwise objectionable.* Certain time, place, and manner restrictions may apply (for example, rules about raising one's hand in class) but they should be clear, narrow, viewpoint-oriented, and carefully justified.

3. *Free access to information and ideas: The opportunity to seek input.* At the very least, access should not be restricted except for compelling and viewpoint-neutral reasons (for example, to protect privacy by restricting access to individual student records.) Ideally, access would be actively facilitated, even if this increases the availability of sensitive information or disfavored ideas.

4. *Freedom of inquiry: The opportunity to create new knowledge through processes of discovery and reflection.* Inquiry should not be impeded except for compelling and content-

neutral reasons (such as the protection of human research participants.) Ideally, inquiry would be actively encouraged, even if there is concern about where it might lead.

Why should we respect and promote academic freedom?

1. *To protect First Amendment rights.* Educational institutions should respect the legal rights of their employees and students. The First Amendment applies only to public institutions, however, and does not encompass all aspects of academic freedom.

2. *To maximize the quality of education by creating a social context for intellectual development.* Psychological research shows that intellectual freedom promotes intellectual development and thus furthers a central goal of education—the construction of higher levels of understanding and reasoning.

3. *To maximize the quality of research by creating a social context for the pursuit of truth.* Respect for intellectual freedom enhances the conceptual progress of an intellectual community.

4. *To enhance governance by creating a social context for full and free discussion of campus matters.* Intellectual freedom is a condition of genuine discussion and thus of genuine governance.

5. *To enhance multicultural education by creating a social context of respect for cultural diversity.* Respect for intellectual diversity, including cultural and religious diversity, is central to both academic freedom and multicultural education. A multicultural community, moreover, requires intellectual freedom to identify shared values, to mediate differences, and to reflect on controversial issues.

(continued on page five)

MESSAGE FROM THE PRESIDENT: Mel Krutz

Our Tenth Anniversary Year—Are We There Yet?

Remember when we were kids in the back seat of the car on our way to Grandma's or the zoo, or somewhere else special. The refrain our fathers (fathers usually drove in those days) heard over and over and over was, "Are we there, yet?" It's a question that needs to be repeated even moreso, in pursuit of intellectual freedom in Nebraska. Are we?

It doesn't seem so—well, actually that's hedging. The answer is "No." Recent Nebraska issues and incidents, only some of which were mentioned in the last newsletter, reveal undoubtedly only the visible surface of Nebraska's challenges—the proverbial tip of the iceberg. There are many more out there that we hear about, some rumored, some clearly described, some without objection, and some casually mentioned.

One of these is Catcher in the Rye, reported to have been objected to in a mid-Nebraska town. Another, reported in front page, color-photo coverage in the Lincoln Journal Star (April 13) is the book A Need to Kill, a journalistic approach to the Joubert case, which was challenged in the Lincoln Public Schools. We sent a letter to the editor of the Lincoln Journal Star about the issue, which the Journal Star chose not to print. That letter is reprinted on this page.

It isn't that those involved in the challenging and censoring are necessarily unaware or autocratic. Often their motives seem right, at first glance. We all desire to protect our youth from bigotry, profanity, grief, horror, tragedy, despicable actions, and unthinkable and untenable events. Goodness knows these are things we'd like to put out of mind at all ages. Except that we can't. And except that pretending they aren't there, **censoring them out, teaches our youth not to face reality, and worse yet, not to be prepared with a sensible, a defensive, or a well-grounded moral, ethical, or ideological response.** Some things that they and we will encounter in life are not avoidable, yet readiness to face them or to respond is vital.

While the book, A Need to Kill was being challenged in Lincoln, the evening news (May 3) aired a particularly sensationalistic and bloody suicide. Viewers were outraged. Producers verbalized apologies. Media boardrooms held soul-searching discussions. Parents wished neither had to be available in the media at all.

But they were, and both the book and the tragic suicide became necessary occasions for discussion with our children, both in home and larger settings. But

were they held, or were the issues carefully avoided, censored out?

How valuable a discussion of these events would be in an open academic environment where a careful consideration of their many contingencies could be considered, such as in assemblies, classrooms, and conferences with professionals as discussion leaders (counselors, teachers, school psychologists) including parents, as well as with parents only, at home.

It is such examination and weighing and balancing which leads to reason, and to moral and ethical resolutions and conclusions. That is basic. That is imperative. That leads to the ability to cope and to mature.

When we in Nebraska get "there" not only will the journey to our children's maturity be more secure, our youth will **be better prepared to arrive at solutions and responses to issues and events we cannot even imagine today.** Intellectual freedom, which necessitates open discussion, presents a means to be prepared for **present and future** eventualities, when **parents are no longer "there"** in the driver's seat.

That is what education is about. That's why **intellectual freedom is a necessity, not a choice.** And AFCON, too.

Letter to The Editor of The Lincoln Star Journal

The mothers of the sons who read A Need to Kill have good reason to be alarmed, as do we all. The atrocities of Joubert are reprehensible. He enacted evil and sheer horror. Good always has had to be on guard against evil.

Many issues are inherent in their concerns, and others have evolved because of them that merit looking at. To name a few:

1. The horrors of the Joubert events
2. The repulsiveness of even wanting to think about the crimes.
3. The fear of the community.
4. Concern of parents for their children.
5. Family values and morality.
6. The protection we want to give all children.
7. The need for children to be prepared for the world they inherit.
8. The value of vicarious rather than actual confrontation with evil.
9. The perceiving of a response to untenable circumstances, as preparation for avoidance of it.
10. The influence and effect of media's treatment of the issue.
11. The power of marketing in the book jacket design of A Need to Kill.
12. The hype and popularization of the book because attention has been drawn to it.

Removing the book will not address any of these, and no one will have grown. Consider the ages of the children Joubert sought out. Do we not want children these ages to be aware, and secure in how they can protect themselves? Rather than to remove it from the public Jr. High Schools, consider the value of school as a forum for discussion of the issues involved. Children in discussion with parents, teachers, and psychologists at PTA, or in classrooms, and continuing discussions in homes, all would go a long way toward resolving concerns, developing thinking children, identifying morality and values,

MINUTES of the AFCON Board of Directors

March 14, 1998

Update on issues:

Bellevue West—ACLU-Nebraska is monitoring the principal's removal of articles from the school newspaper. Students were reportedly discouraged from appealing the principal's action to the school board.

Neither AFCON nor concerned parents, who requested a hearing, have received a response from the principal or the school board of a northeast Nebraska school, regarding a number of issues. Student and parent complaints were repeatedly ignored, thereby effectively censored. Requests for action from the Nebraska School Board Association, prior to their contact with AFCON, also received no response from the school's administration or school board. AFCON suggested mediation. Still no action was taken. AFCON sent information from the State Department of Education to the parents about how to form a PTA, which is the next step the parents plan to try.

In another northeast Nebraska high school, after a decision to exclude gender issues, the Superintendent clarified the official position on multicultural inservice presentations to now include alternate sexual preferences and life styles.

The AFCON Board discussed Nebraska State School Board materials on writing standards and student assessment policies.

The AFCON policy

statement, "Decisions About Curricular Content and Instructional Methods," was sent to each state senator.

Black and Krutz attended an NSEA-sponsored meeting to coordinate the meetings and events of several state-wide educational organizations.

Black is exploring AFCON's becoming an affiliate of NSEA and participating in the NSEA's Summer Leadership Conference.

AFCON leaders are developing academic freedom presentations in conjunction with April NPA and NCMA conferences and the ALA/NEMA conference this Fall.

The AFCON Board continues fund-raising efforts in selling T-shirts, and notecards.

Bender and Krutz wrote letters to the editors of the Omaha World-Herald, the Lincoln Star Journal, and Chancellor James Moeser in support of UNL's handling of the freedom of expression issue in the Hibler case.

Krutz appointed Gerry Cox, Ruth Ann Lyness, and Deb Tuma Nerud to an AFCON Tenth Anniversary Celebration Committee.

April 25, 1998

The Board invited Joseph Stimpfl to be a member-at-large of the Board.

The Board discussed a variety of AFCON letterhead stationery prepared by Black. He also sent a new masthead for the quarterly newsletter. The Board approved the

new name "The AFCON Sentinel" and the replacement of the First Amendment by the AFCON mission statement on the first page of the newsletter.

Jeff Lofthus reported he has updated the survey on challenge and censorship incidents in the public schools. He will send it to the schools in the Fall of 1998.

Krutz is exploring possibilities for an AFCON presentation at the ALA/NEMA conference October 21-23, 1998. The presentation may include "A Tangled Issue," a section by Jeff Lofthus, and a possible attendance by Mark Pettit, author of A Need to Kill.

Update on issues:

Lincoln Public Schools has received a formal request to review A Time To Kill and will convene a review committee in May.

Concerned parents in a northeast Nebraska high school have decided to pursue starting a PTA there.

In another northeast Nebraska high school, teachers received a follow-up statement identifying procedures they should use to respond to students with questions about controversial issues such as abortion, alternate lifestyles, or same sex marriages. AFCON was concerned that the procedures might put the inquirers into a position in which they became the focus for having asked, rather than a position of sensitivity to those students' needs.

The Anniversary Committee is pursuing celebration possibilities of the event in conjunction with Fall conferences of AFCON's constituent organizations.

May 9, 1998

Moshman reported an incident at Wesleyan involving death threats to a student who supported a dialogue between those of varying sexual orientations. He will draft a policy statement on academic freedom and sexual orientation for the next AFCON meeting.

The Board approved adding "Quarterly" to the newsletter masthead and numbering the volumes according to the calendar year with issues in March, June, September, and December.

Because of a request to the Lincoln Public Schools to remove the book A Need to Kill from the Junior High Libraries, Krutz contacted the author, Mark Pettit, on the possibility of his speaking in Lincoln on the issue.

Krutz sent two proposals for AFCON sessions at the ALA/NEMA October 21-23 conference. One for a 90-minute session on Hazelwood and its effect on controversial academic issues, including a possible reader's theater presentation of "A Tangled Issue." A second 50-minute session of the Censorship Survey by Jeff Lofthus.

Work continues on an AFCON session on July 30 at the NSEA Leadership Conference in Lincoln. It

Joe Raiola on Censorship and MAD Magazine: Part 2

Joe Raiola, associate editor of MAD magazine, spoke on Bill Gaines, MAD magazine, and censorship at the Nebraska Library Association pre-conference, October 29, 1997.AFCON

"In 1952, Bill Gaines was the first to put out a comic to make fun of comics. It sold for ten cents. In 1955 he made it MAD MAGAZINE, and with this key word, MAGAZINE, he circumvented the comic book code. It has changed our culture dramatically."

What MAD Is, Was, Has Done

"No one knows where Alfred E. Neuman came from. Originally he was Melvin K... The picture came from a dentist's ad in the 19th century.

"Every elected U.S. President has been on the cover; Ford was excluded because he was not elected.

"MAD had a long history of being against smoking. Bill Gaines hated smoking and spoke on health care long before it became a national issue.

"MAD was sued once—in the 1960's by Irving Berlin for satirizing his songs. The U.S. Supreme Court protected the right of satirists to satirize. MAD presented the first major spoof of membership ads—a record club.

"A deer as a hunter was a spoof of an NRA ad of women and children toting guns. The NRA sent thousands of letters to members and threatened to boycott MAD's advertisers. EXCEPT, MAD is one of three magazines not supported by advertising.

"The Alfred 'pissing in the snow' cover was not considered obscene, but the three-troll cover with the central figure holding its hands over parts NOT there was. The 'Rush Limbaugh nude' was not a good seller, but the NYPD nude was. 'George Washington Crossdressing the Delaware' was good seller. 'A Fish Tale' was the only cover with

full frontal nudity. When it appeared after Bill's death two years ago, MAD received letters from 12 angry parents. It was a reprint from a Super Special 15 years ago. One third of the readers of MAD are over thirty. It isn't a magazine for kids. It never talks down to its readers.

"MAD's 30th year issue of George Bush's burning a MAD flag was never published because the Gulf War broke out and the staff was afraid people might misinterpret it.

"MAD is circulated in 14 or 15 countries and printed in 9 or 10 languages. Once the magazine's content leaves the U.S., MAD has no control over what another country does with it. A German edition did a full nudity of Madonna, and a Netherlands' edition had the Pope receiving a fellatio. MAD reflects the culture in which we live. One issue showed Lorena Bobbitt with 'You cut it off, what do you do with it?' Twenty years ago, the story wouldn't even have been in the news."

Question and Answer Session

1. Q—Do you want to make people laugh? —or make a point? A—"It depends: we have a wide range from maybe just a good old fart joke to a good sharp stinging satire. We don't steer away from any issue."

2. Q—Do you have criteria for what you will use? A—"MAD will not (it's unofficial) make fun of people's religion (of fanatics, yes,) of crime victims, or diseased people. To Mel Brooks, 'Comedy is when you slip on a banana peel and break your spine; tragedy is when I get a paper cut.' Comedy hurts. You can't do comedy without offending someone."

3. Q—Compared to other magazines in the media is MAD reflecting or shaking the culture? A—"All do both. That is the price we pay for the First Amendment. It protects lousy newspapers; unfunny jokes; lousy, crude entertainment."

4. Q—How much credit belongs to MAD for shaking and reflecting the culture? A—"It depends on the time of the culture. We couldn't have had 'Airplane,' 'Naked Gun,' etc., without

MAD shaping the minds and view of comedy. It reflects more than it shapes."

5. Q—Has the line moved? A—"Yes, it has and is constantly shifting and never stops. What was outrageous 20 years ago is tame today. To be viable, a magazine has to reflect the culture media, to reflect that shifting line. The internet issue is now in the U.S. and in Nebraska. It has opened a tremendous freedom. How much freedom do we want? How much farther do we want to go in ourselves, our children, our society? MAD made the decision to get more edge."

6. Q—About the line moving and the attitudes changing. They had all these things in the Old Testament. Have we really changed or has the media just made it more prominent? A—"The issues are the same, but the change is in how we reflect the issues or how they are reported. For example, Micky Mantle's being drunk was not reported, but today everything about a sports star is reported."

7. Q—What topics MAD addressed got the most reaction from the readers? A—"Hard to say. The back cover two years ago, 'The Zit' (Tom Buck,) had a very large response, especially from mothers. MAD has made one settlement in history. It unknowingly used a name and address of a girl in Grand Rapids, and there was really a girl there by that name."

8. Q—Why is it reported; why do we keep buying it? A—"There is a market for crap. That is the disturbing thing."

9. Q—Is MAD on the web? A—"It has a web site on AOL. You may send for MAD's free newsletter 'The Joy of Censorship,' P.O. Box 64, High Falls, NY 12440."

Next issue: A panel with Joe Raiola, Rabbi Dresden, the Reverend Phillips, and Dr. Otis Young.

—Cathi McMurtry

What is Academic Freedom...

(continue from page 1)

6. To realize the moral right of individuals to function as rational agents. In general, people are entitled to direct their own engagement in intellectual activities. Students have a right not to be indoctrinated; faculty have a right not to be used as agents of indoctrination. We are not the Borg.

7. To establish and maintain the mutual respect among peers that constitutes the moral basis for an academic community. Respect for intellectual freedom is a commitment we make to each other that constitutes us as a community dedicated to the generation, communication, and application of knowledge. From there, the discussion goes wherever we take it.

Presented at the Nebraska Wesleyan Faculty Forum, May 1998, by David Moshman, Educational Psychology Department, UNL, Lincoln, 68588-0345. dmoshman@unlinfo.unl.edu

Request from the Editor

It is difficult to learn about issues affecting academic freedom, about censorship and challenge incidents in Nebraska's public institutions. Many First Amendment challenges are reported only in local or regional papers or not reported at all.

I ask our readers to send documented news about any such activities which occur in the universities and colleges, community colleges, elementary and secondary schools, educational service units, libraries, and community agencies in your area.

In order for our newsletter to truly represent the interests of AFCON—academic freedom in **Nebraska**, we need your help in acquiring items to print for the enlightenment of us all.

Tom Black
610 West Park
West Point, NE 68788-1624
tb35925@navix.net

National News Briefs

Readers who have access to computer internet services and who have the time to "surf the 'net" have unique opportunities to keep abreast with up-to-the-minute news on hundreds of First Amendment and other Bill of Rights issues throughout the United States, and beyond. Probably, the first impression they receive is how numerous and varied are the censorship and challenge activities

For example, searching just some of the web sites on this early June day, the following incidents are in the news:

A Wisconsin school district told its students they cannot view "controversial materials" on line during school hours. A student had accessed the net on feminist literature, witchcraft, Buddhism, and Gilbert and Sullivan's *Pirates of Penzance*.

The Istook (U.S. Representative from Oklahoma) "Religious Liberty," the Flag Desecration, and the Victims' Rights are three proposed U.S. Constitutional Amendments facing Congressional debate and vote.

An estimated 10,000 Christian clubs existing in the nation's public schools, prayers at high school graduation ceremonies, school vouchers for private and parochial schools, censorship of a student's valedictorian speech, and denial of a student's wish to wear a kente cloth during his graduation illustrate continued controversies surrounding interpretations of the First Amendment.

Refer to these web sites for details:

American Civil Liberties Union
<http://www.aclu.org>

Readers may sign up for automatic e-mail receipt of three sources of news:
ACLU Newsfeed, Action Alerts, and Cyber-liberties

People for the American Way
<http://www.pfaw.org>

Sign up for the Right Wing Watch-Online, Attacks on the Freedom to Learn-Online, and PFAW/PFAWF Press Releases

The Freedom Forum
<http://www.freedomforum.org>

The Anti-Defamation League
<http://www.adl.org>

The American Library Association
<http://www.ala.org>

The Christian Coalition
<http://www.cc.org>

Concerned Women for America
<http://www.cwfa.org>

The Family Research Council
<http://www.frc.org>

Focus on the Family
<http://www.fotf.org> ... to name a few

Many of these organizations provide free services that send breaking news on First Amendment and Civil Rights issues automatically to your e-mail address.

AFCON

515 North Thomas Avenue
Oakland, NE 68045.

Mailing
Address
Label

ACADEMIC FREEDOM COALITION OF NEBRASKA

HELP AFCON PROMOTE ACADEMIC FREEDOM

As a member of AFCON you can help us

- ◆ support applications of the First Amendment in academic contexts, including schools, colleges, universities, and libraries.
- ◆ educate Nebraskans about the meaning and value of intellectual freedom, intellectual diversity, mutual respect, open communication, and uninhibited pursuit of knowledge, including the role of these ideals in academic contexts and in democratic self-government.
- ◆ assist students, teachers, librarians, and researchers confronted with censorship, indoctrination, or suppression of information or ideas.
- ◆ act as liaison among groups in Nebraska that support academic freedom.

MEMBERSHIP (For applications write Cathi McMurtry, 515 N. Thomas Avenue, Oakland, NE 68045)

Organizational Membership (\$100) entitles organizations to one seat on the AFCON Executive Committee and one vote in the election of officers and at the annual meeting; provides a newsletter subscription for the board member to share with the organization's information director and reduced conference rates for members of the constituent organization.

Organizational Affiliation (\$25) provides newsletter subscription and reduced conference rates for its members.

Individual Membership (\$10) provides newsletter subscription, eligibility for office and for chairing standing committees, reduced rates for AFCON conferences, and one vote at annual meetings.

Student Membership (\$5) entitles full-time students to the same privileges as provided by the Individual Membership.

**AFCON ORGANIZATIONAL MEMBERS, PLEASE DUPLICATE THIS NEWSLETTER FOR YOUR
MEMBERS. INDIVIDUAL MEMBERS, PLEASE PASS THIS NEWSLETTER TO A FRIEND AFTER YOU
HAVE READ IT. ENCOURAGE HIM OR HER TO JOIN AFCON**