



THE

AFCON

SENTINEL



Volume XVII, Number 1

A Quarterly of the Academic Freedom Coalition of Nebraska

March 16, 2013

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Purpose:

To promote academic freedom, defined as intellectual freedom in educational and research contexts. This includes freedoms of belief and expression and access to information and ideas.

MESSAGE FROM THE PRESIDENT—Frank Edler

The first thing I'd like to do as your new president is to express a note of gratitude and thanks to Laurie Thomas Lee for her excellent leadership over the past year. I especially appreciated her detailed summary of AFCON's involvements and accomplishments at our annual meeting on November 3, 2012. We forget at times how much we accomplish together over a year. I also want to thank Dr. Robert Haller not only for being our keynote speaker at our annual meeting but also for his wonderful portrayal of Hartley Burr Alexander. A note of thanks is also extended to my fellow panelists: Mark Lukin and David Moshman. Although Alexander has been neglected, he's certainly alive in Lincoln, Nebraska!

I've discovered, much to my delight, that he's alive elsewhere too. His grandson, Thomas M. Alexander who teaches philosophy (what a surprise!) at Southern Illinois University at Carbondale, has written several essays on his grandfather such as "Hartley Burr Alexander: Humanistic Personalism and Pluralism" and "The Life and Work of Hartley Burr Alexander," both published in *The Pluralist*. It looks like we may be on the cusp of a Hartley Burr Alexander renaissance! He is certainly deserving of one; however, there may be another side to Alexander that has not been considered. The remainder of this message consists in a short essay on Alexander's view of free speech in wartime.

For the purposes of our annual meeting, we connected the life of Hartley Burr Alexander and the development of academic freedom at the University of Nebraska. On the surface, this connection seems free of conflict. Looking at Alexander's life, we would – without hesitation – say that Alexander believed in academic freedom. There is no question that he was a champion for his mentor Harry Kirke Wolfe who was fired from the University of Nebraska in 1897 for speaking what he saw as the truth; namely, cer-

tain department chairs were inflating student enrollments in order to get more money for their departments.

The larger question is the following: did Alexander believe that academic freedom should be preserved during wartime? Not just academic freedom but freedom of speech as a First Amendment right? Did he agree with the harsh repressive measures that federal and state agencies employed against German-Americans, Industrial Workers of the World (IWW), socialists, pacifists, and anyone who criticized the government? The question, as Gary Gerstle has put it, is the following: "Was the use of force justified in achieving a community of shared values and common purpose?" [Gerstle, "The Protean Character of American Liberalism," in *The American Historical Review*, Vol. 99, No. 4, (Oct., 1994), p.1053]. During the war, anyone who showed any hesitancy or even a halting attitude in patriotism, anyone who said the situation admitted of a difference of opinion, anyone who criticized the Wilson administration, the war, the Allies, or even the Red Cross was suspect of disloyalty and could be charged under the Espionage and Sedition Acts. Almost every federal court in the land accepted the broad interpretation of the Espionage Act known as the "bad tendency" approach. As Geoffrey R. Stone has shown, Rose Pastor Stokes, for example, was given a ten-year prison term for making the following statement to a woman's club: "I am for the people and the government is for the profiteers" [Geoffrey R. Stone, *War and Liberty. An American Dilemma: 1790 to the Present* (New York and London: W.W. Norton and Company, 2007), p.55]. The government argued that her statement was an attempt to cause disaffection in the military because what she said "had the tendency to 'chill enthusiasm, extinguish confidence, and retard cooperation' of mothers, sisters, and sweethearts" (Ibid).

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Upcoming Events

AFCON Board Meetings, 3 months, 3 second Saturdays
Loren Eiseley Library, 1530 Superior, Lincoln, Nebraska; 10 AM

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In the hysteria that began after the declaration of war and grew stronger as the war progressed, many believed that winning the war necessitated that everyone had to be one hundred percent American in all their actions. Harry Kirke Wolfe's case did not involve academic freedom in a wartime situation. Moreover, Wolfe's case did not involve a crisis in the definition of Americanism. No one, as far as I can determine, has done an adequate study of Alexander during the period of American neutrality nor during the period of American involvement in World War I.

My acquaintance with Hartley Burr Alexander began a number of years ago when I gave a paper at a conference sponsored by UNO; the paper focused on the professors' trial held at the University of Nebraska in late May of 1918. Sixteen professors and one staff member were put on trial for disloyalty. The trial took place in the Law Building of the university; members of the Board of Regents were the jury; a law professor, Henry H. Wilson, was floor manager. Wilson functioned as a kind of prosecutor even though he said he wouldn't before the trial began. Lawyers hired at the time by the Nebraska State Council of Defense helped Wilson in his role as prosecutor. State Council members, especially Richard L. Metcalfe, editor of the *Omaha Nebraskan* and head of the Council's secret service committee, and George Coupland, former regent of the university and vice president of the State Council, bullied the Board of Regents into conducting a trial by using the false accusation (based on hearsay evidence) that the university harbored a nest of faculty and staff who were pro-German pacifists and socialists or disloyal critics of the Wilson administration. The result of the trial is that three professors were fired without reprieve (Professors Erwin Hopt, George W. E. Luckey, and Clark Persinger). Two more were fired but were given the chance to defend themselves before the Board of Regents after the trial was over (Fred M. Fling and Minnie Throop England).

My interest in the trial focused not only on the question of academic freedom but also on the larger question of freedom of speech during wartime. As I

was writing my paper, I ran across Alexander's letter to the editor of *The Nation* magazine that bore the title "The Nebraska Decision." It was published in the July 6, 1918, issue of the magazine immediately following the Board of Regent's June decision to fire five professors. Alexander's letter is dated June 24. I confess that his letter has always puzzled me – even from the very first sentence that reads as follows:

The Regents' trial of professors of the University of Nebraska accused by an authorized State body of failure in public duty brings to the fore one of the most delicate and difficult of the problems which democracies face (The Nation, "The Nebraska Decision," vol. 107; No.2766; July 6, 1918, p.14).

I bristle almost immediately when I read the phrase "authorized State body" in reference to the Nebraska State Council of Defense. The State Council was indeed established by an act of the Nebraska state legislature, but state legislatures literally ran amuck after the United States declared war on the Central Powers on April 6, 1917. In many states the Espionage and Sedition Acts far exceeded their constitutional powers, and Nebraska was no exception. The enforcement of these acts eliminated freedom of speech, freedom of the press, and freedom of assembly. The State Council also coerced people to pay liberty loans on the basis of the Council's discretion. The Council could haul anyone before the secret service committee without legal representation and without legal reprieve. Of course, the members of the State Council had no power to actually do this, but they did it anyway. The State Council placed itself above the Constitution and beyond the reach of the courts [Robert N. Manley, "The Nebraska State Council of Defense and the Non-Partisan League," in *Nebraska History*, vol.43, No. 4 (Dec., 1962), pp. 240, 244-245].

To illustrate the aggressiveness of the State Council, here's an excerpt from the letter the council sent to the university's Board of Regents on April 19, 1918, about a month before the trial began:

Nebraska's leading educational institution should and must be one

hundred per cent aggressively American. Behavior which is negative, halting, or hesitating by anyone on the University staff, in support of the government, should not be tolerated and especially all teaching which is covertly insidious in its influence upon the minds of the students should be made impossible (UNL Archives, Board of Regents Papers, RG 1/1/1, Box 23, File 200, Letter from the State Council of Defense to the University of Nebraska Board of Regents, April 19, 1918).

The State Council went on to say that because many other colleges and universities were firing disloyal professors and staff, the University of Nebraska should do the same: "The boards of many universities and colleges of the country have taken vigorous action to purge themselves of such pernicious influences and on behalf of the patriotic people of the University and the State we ask you to do likewise and make our State University full-hearted in support of the government" (Ibid). The University of Michigan, for example, had discharged six professors in the German Department for "suspected disloyalty" prior to the professors' trial in Nebraska [Clifford Wilcox, "World War I and the Attack on Professors of German at the University of Michigan, *History of Education Quarterly*, Vol. 33, No. 1 (Spring 1993), p.62].

As Alexander says in "The Nebraska Decision," the professors at the University of Nebraska were charged with "failure in the public duty of expression" ("Nebraska Decision," 14). He goes on to say that the press and the public want college teachers to be leaders in the community; they "must voice public sentiment" (Ibid). I assume he means that they must say what the public believes is patriotic; they must say that the war is right and that it was being fought for the right reasons; they must say that the government is right in pursuing its war policies. Or risk being fired. Or risk being thrown in jail for sedition.

What puzzled me was Alexander's attitude toward all this. In "The Nebraska Decision" he seemed to be merely *describing* how the role of the

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professor was changing, and it was unclear to me at the time what his own attitude was in relation to this change. Now that I've had a chance to read the letter again several times (along with several other of his wartime essays), I see that he goes on to say the following: "This new conception of its duties will profoundly affect the status of the profession of college teaching – and almost certainly to its eventual benefit" (Ibid). It seems to me very clear that Alexander thinks the new role of professors to be leaders of the community by expressing the public's sentiment is a good thing. This will certainly make professors into political leaders.

But why does he think that this change will be good? He says that the new professor "will no longer be regarded as a sinecure for the socially incompetent" (Ibid). This is surprising. Does Alexander really think that the professorships of the past have simply been an office for the socially incompetent? He seems to be affirming the worst public stereotypes of college professors as individuals who aren't strong enough or competent enough to be successful in the "outside" world. The cliché "those who can't do, teach" comes to mind.

The distinction that Alexander blurs over, however, is the distinction between a professor who is actively involved with social issues in the community by using his or her impartial knowledge and expertise in favor of social reform versus a professor who is simply mimicking the patriotic slogans that the public wants to hear. The fact that Alexander conflates the two is disingenuous. It is clear that the University of Nebraska professors were on 'trial' not because they weren't active in the community; rather, they were put on trial because they weren't showing themselves to be one hundred percent Americans; that is, they weren't actively repeating patriotic slogans enough in public, or they had opinions that differed from the popular sentiment.

Most astounding is the benefit he cites that truth will not be affected by this new role of the professoriat in its duty to express public opinion. In his own words: "Nor need it be anticipated that the interests of truth will be

hurt" (p.14). Why? He knew full well how easily professors could be made into propaganda mouthpieces for the government or public opinion.

For example in his essay "The Failure of Intellectuals" in *The Nation* (May 11, 1918), Alexander faults European intellectuals for becoming "merely the propagandists of a narrow nationalism" (p.564). Indeed, he mentions the infamous manifesto of October 4, 1914, signed by ninety-three German intellectuals claiming that the German army had not brutalized the Belgian citizens of Louvain. Alexander states that the manifesto "was also the most damning of all to the pretensions of intellectualism" (p.564). But weren't the German professors doing precisely what Alexander believes the new professoriat should be doing? Weren't they voicing German public sentiment? Weren't they saying that Germany's position on the war was right and that what the army was doing was right? Did Alexander think that German professors were the only ones who could be corrupted by propaganda?

Alvin Johnson who graduated in the same class with Alexander and who later taught at the university from 1906-1908, lamented in his autobiography entitled *Pioneer's Progress* the gush of hysteria and hate that overcame Americans after the United States entered the war:

All through the country solid citizens drunk with hate were ramping gloriously. To hell with the Huns – and everything Hunnish – German names, the German language, Goethe and Lessing – to hell with them! German was ripped out of the high school curricula.... I winced for shame of America, my own beloved America (p. 265).

Johnson seems to forget his own complicity in promoting the hysteria of one hundred per cent Americanism.

In May of 1918, the same month in which the professors' trial started as well as the trial for the lynching of the German-born Robert Prager in Illinois, he wrote a short piece for the *New Republic* entitled "To a Slacker." The "slacker" in question was not a young man avoiding the draft; rather, it was a :

philosopher too old to serve in the military. Johnson accused him of slacking because in his teaching and elsewhere he did not address the Great War

But now when life thrusts forward new problems, the most formidable problems of history, what do you do? You immerse yourself in the old problems that could grow older... (p. 19).

According to Johnson, this philosopher was taking refuge "in academic irresponsibility" (Ibid). In other words, he was not doing what the new professor should be doing which is to voice public opinion and encourage patriotism.

Alexander responded to Johnson's essay with a letter. Although Alexander was not the philosopher that Johnson was addressing in his essay, he felt as though he was being addressed indirectly

I read "To a Slacker" with some responsive self-searchings. To some small extent I am in the class you are calling before the bar – a philosopher, by profession, at least. (UNL Archives, Alvin Johnson Papers, RG 15/8/13, Box 1, General Correspondence (A-D), letter from Alexander to Alvin Johnson, May 15, 1918)

He questioned Johnson as to whether he was being fair to philosophers. He assured him that there were at least a few philosophers "who would not infinitely prefer action – military first, economic second, -- to the appearance of shameful uselessness into which we are forced" (Ibid).

Alexander went on to inform Johnson that he had applied to the government for a military position shortly after President Wilson broke off diplomatic relations with Germany early in February of 1917. He was rejected not just for medical reasons but also because he had no military training. Clearly he felt

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left out: “I did and do have a feeling of having been cheated out of the reality of a struggle that seems to me to call first of all to those who think and see clearly” (Ibid).

What is clear from Alexander’s pre-war and wartime essays in *Liberty and Democracy* (1918), is that he believed the United States should have joined the Allies in declaring war against Germany if not in 1914 then certainly in 1915. He began his essay “America’s Self-Revelation,” originally published in *The Hibbert Journal* in November of 1916 shortly after the reelection of President Wilson, by inquiring why the United States had not responded more forcefully to the “bullying of Serbia,” “the rape of Belgium,” and the sinking of the *Lusitania*. He lamented the fact that time after time the president had not taken any action “when the feeling of thousands of Americans were deeply outraged by the drunken barbarity of Germanic warfare” [Hartley Burr Alexander, *Liberty and Democracy and Other Essays in Wartime* (Boston: Marshall Jones Company, 1918, Nabu reprint), p.152]. He argued on the basis of racial nativism (although this is not the only basis from which he argued for his Americanism) when he identified the outraged Americans as Anglo-Saxons who are the “children of the makers of the United States” and who “represent the ideals in which the nation was founded and the traditions which it has created” (Ibid). Anglo-Saxons are important because they embody adventurousness and the pioneer spirit that shaped America; indeed, they embody the “spirit of the quest” which is “of the blood and of the race” (Ibid, 156, 159).

According to Alexander, the nation is now “tainted with an inner monstrosity”: the nation has developed into something other than what the Anglo-Saxon founders intended and has moved away into traditions that no longer represent the ideals of the United States. He mentioned his visit in 1915 to his boyhood village of Syracuse, Nebraska, which had been populated mostly by Anglo-Saxons.

Now he finds that there are many Germans and only “two old men, retired from activity, of American [Anglo-Saxon] stock” (Ibid, 157). But even as a boy, the Germans were coming in, and Alexander “saw the Anglo-Saxons steadily giving way before them – with their closer thrift and, as we felt, inferior way of life” (Ibid, 157). Clearly, the Germans and other immigrants represented a threat to his Anglo-Saxonism.

Unfortunately, Alexander presented exaggerations that border on propaganda rather than empirical observations. For example, he stated that “everywhere the foreigner finds representation of his ‘interests’ easy” whereas “in our representative government it is the Anglo-Saxon alone who is never represented” (Ibid, 160). This is a remarkable statement given the fact that only a page or so earlier he maintained that “On the whole they [Anglo-Saxons] control the literate expression of the country, and doubtless they represent its greatest property interests” (Ibid, 158). At best his essay “America’s Self-Revelation” is an argument for a renewed form of Americanism; at worst it is a justification for the repressive measures that will be taken against all dissenters.

The clearest place where Alexander stated that the freedom of speech guaranteed by the Constitution should be restricted in wartime is in an essay called “The Limits of Tolerance” published in *The Dial* on October 11, 1917. In this essay he clearly stated that “In time of war the latitudes of difference which we permit in the midst of peace are stringently narrowed...” (p.326). Even more troubling, perhaps, is his reliance on Rousseau’s notion that the individual must conform to the general will of the people. In the above essay, he stated that

Its members [the members of a minority] should remember not only that they owe all citizenship rights to the state, but that they owe to it their essential humanity as well... (p. 326).

This is rather surprising, if not shocking. The Declaration of Independence

does not say that our inalienable rights of life, liberty, and the pursuit of happiness are given to us by the state; rather, it is the function of the state to secure those rights for us as citizens.

I cannot say with any certainty whether Alexander agreed with the repressive measures used to enforce the order and harmony of the new super-patriotic Americanism. However, he was a member of the Patriotic League of the University of Nebraska, along with professors J. E. Le Rossignol, George E. Condra, W. G. L. Taylor, Fred Morrow Fling, Guernsey Jones, and Minnie Throop England, among others (University Archives, Board of Regents Papers, Minutes of the Executive Committee of the Patriotic League,” RG1/1/1, Box 23, File 200). This was an organization that the *Christian Science Monitor* referred to as “the militantly patriotic group” of the university faculty (*Christian Science Monitor*, “Nebraska Faculty Inquiry Revived,” August 21, 1918, p.9), and it worked closely with the State Council of Defense. To date I cannot find any evidence that Alexander protested against any of the repressive measures taken by the federal and state governments. He did protest when university students after America entered the war stole the plaque next to the Schiller tree on campus, the tree that Lawrence Fossler, long-time professor of German, had planted in Schiller’s honor in 1905 (Robert E. Knoll, *Prairie University* (Lincoln and London: University of Nebraska Press, 1995), illustration 44).

In 1970 Attorney General John Mitchell invoked the Espionage Act against Daniel Ellsberg who was seeking to publish the “Pentagon Papers.” Although the Nixon administration tried to block the *New York Times* and the *Washington Post* from printing the documents, the Supreme Court ruled in favor of Ellsberg because the government did not show sufficiently that it was in the national interest to prohibit publication. More importantly, it was not until 1969 in

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in *Brandenburg v. Ohio* that the bad tendency interpretation of the Espionage Act was finally overruled. As Geoffrey R. Stone has stated, *Brandenburg* “provides

broad constitutional protection to dissent that calls the government sharply to account—even in time of war.” (Geoffrey R. Stone, *War and Liberty*, pp. 122-126). Let me end with a quote from Hartley Burr Alexander that is chiseled on the state capitol

wall: The salvation of the state is watchfulness in the citizen.” Is it watchfulness to make sure everyone is conforming to a certain form of Americanism or is it watchfulness to protect our fundamental liberties?

Summaries of AFCON Board of Directors’ Meetings—Peggy Adair

January 12, 2013—

Present: Peggy Adair, Frank Edler, Bob Haller, Laurie Thomas Lee, Cathi McMurtry, David Moshman, Linda Parker, Rod Wagner.

MINUTES: Minutes of the AFCON board meeting held on October 13, 2012, were approved upon a motion by Moshman, second by Parker, and a voice vote. Minutes of the AFCON board meeting held on November 3, 2012, were approved upon a motion by Moshman, second by Wagner, and a voice vote. Adair will prepare an annual report of grant expenditures to submit to the Kurz Family Foundation. Adair will update the AFCON board directory and will distribute it to board members via email.

TREASURER’S REPORT: McMurtry presented the treasurer’s report dated January 11, 2013 with a balance on hand of \$3,509.41.

PRESIDENT’S REPORT: Edler thanked Laurie Thomas Lee for her leadership as president of AFCON in 2012.

AFCON ELECTIONS: The nominating committee will continue to seek a candidate for president-elect after Adair prepares the updated AFCON board directory.

POLICY AND PROCEDURES: Parker suggested AFCON develop a “President’s Packet” to be handed from one president to the next to help the transition go smoothly. The packet shall contain such things as “what to do when,” information on necessary 501(c)(3) actions, how and when to reserve the Eiseley Library room, annual meeting information, AFCON by-laws, website protocol, etc. Parker offered to start this process and will email the board with her draft.

WEBSITE: Parker will add a “contact us” button and RSS feeds to the website. Parker will also add links to other organizations such as the ACLU and Nebraska Library Association. Parker volunteered to check the web email for the time being. The website protocol was approved upon a motion by Moshman, second by Lee and a voice vote.

SENTINEL: Deadline for submissions for the next issue of the *Sentinel* is **February 25, 2013**.

LEGISLATION: The board discussed strategy for student expression legislation. The board agreed by consensus to wait until the 2014 legislative session to re-introduce a student expression bill. The board will work on building relationships with the new senators in the 2013 session, and will develop a plan for 2014. Haller offered to meet informally with Senator Haar and some of the new senators.

Parker noted the NLA will be meeting on January 30. Adair will prepare talking points regarding the student expression bill, will email the talking points to the board to review, and will have the talking points available for the January 30 NLA meeting.

POLICY COORDINATOR: Moshman suggested Greg Lukianoff, the author of *Unlearning Liberty*, as a possible speaker for the annual meeting.

HAZELWOOD AT 25: Adair will check into purchasing “cure Hazelwood bracelets” from the Student Press Law Center.

ANNUAL MEETING: The board discussed ways to make the responsibilities for producing the annual meeting less burdensome for the president-elect; delegation being the main theme.

Parker will check into providing USB

drives as annual meeting gifts, with information on the drives about court cases, student expression sites such as the Student Press Law Center, etc.

CIVIC LEARNING: Haller reports that UNL has been named a “Civic Learning Leadership Institution.” However, all activities related to civic learning appear to be extra-curricular only. (Haller reported after the meeting there is a certificate students can earn by taking certain courses and by engaging in service learning.)

SOCIAL STUDIES STANDARDS: Haller reported there is little we can do to influence the social studies curriculum as it pertains to academic freedom unless we have a social studies mole. He will work on finding one. Or two.

MEMBER ORGANIZATION REPORTS:

Nebraska Center for the Book: The Nebraska Book Festival will be held April 5 and 6, 2013, at the Thompson Alumni Center at UNO. Information can be found at <http://bookfestival.nebraska.gov>

UNL Faculty Senate: Lee reported that academic freedom has been cited (and maybe sighted) as a cause célèbre in some of the many ongoing tugs-of-war between the UNL Faculty Senate and administrators.

Nebraska Library Association: Parker reported one does not have to be a librarian to join the organization and dues are based upon income, prompting several AFCON members to forego their cushy AFCON salaries so they can join NLA on the cheap.

Next meeting of the AFCON BOARD OF DIRECTORS will be **Saturday, February 9, 2013**, at Eiseley Library, Lincoln, Nebraska.

VISIT OUR NEW WEBSITE!
www.academicfreedomnebraska.org

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Summaries of AFCON Board of Directors' Meetings (Continued from Page 5)

February 9, 2013—

Present: Peggy Adair, Tom Black, Dwayne Ball, Nancy Comer, Frank Edler, Laurie Thomas Lee, Lora Leibrandt, Cathi McMurtry, David Moshman, Linda Parker, Rod Wagner.

MINUTES: Minutes of the AFCON board meeting held on January 12, 2013, were approved upon a motion by Moshman, second by Parker, and a voice vote.

TREASURER'S REPORT: McMurtry presented the treasurer's report dated January 11, 2013, with a balance on hand of \$2,823.42. The treasurer's report was filed for audit.

A motion was made by Parker that persons who are designated "honorary members" by the AFCON board are not required to pay individual dues. Motion was seconded by Adair. Discussion followed, after which the motion was withdrawn by Parker. Moshman will review the AFCON constitution to come up with a proposal for amendment language that will reflect the desire by the AFCON board to offer a membership category for members of long standing. Amendment language will be placed on the agenda for the AFCON annual meeting.

Adair recommended discussion on raising individual AFCON dues to twenty dollars per year be placed on the agenda for the AFCON annual meeting.

PRESIDENT'S REPORT: Edler shared with the board articles about former Valdosta State University (Georgia) president Ronald Zaccari, who was successfully sued by former student Hayden Barnes. Zaccari ordered Barnes to be expelled from the university after Barnes used Zaccari's name on a poster protesting a \$30 million parking garage project. Zaccari was held personally liable for his action by the U.S. Court of Appeals for the Eighth Circuit, which awarded the plaintiff \$50,000.

Edler also shared an article regarding McMaster University (Ontario) librarian Dale Askey who is being sued for libel by Edwin Mellen Press for negative opinions Askey expressed online about Edwin Mellen Press while Askey was a Kansas State University librarian. The case is currently in litigation.

LEGISLATION: Moshman discussed LB540, a bill introduced by Senator Ernie Chambers that forbids the Nebraska Board of Education from requiring students and/or teachers to recite the pledge of allegiance. AFCON supports LB540; however, Moshman has noted some concerns about the bill as introduced. Moshman drafted a letter expressing his concerns to the senator, in Moshman's capacity as spokesperson for both AFCON and ACLU-Nebraska. Discussion followed. McMurtry made a motion to approve the revised draft of the letter for submission to Senator Chambers. Motion was seconded by Wagner. Motion carried on a voice vote.

Adair presented to the board a list of legislative bills that have some connection with academic freedom. Adair discussed the bills and provided the legislature's website to the board (www.nebraskalegislature.gov) so AFCON members can read and follow the bills.

NELAC JOURNAL: The next edition of the *NELAC Journal* will focus on censorship, free expression and academic freedom. Clark Kolterman has invited members of AFCON to submit articles for publication in the *Journal*. Moshman, Wagner, Parker, Edler and Adair volunteered to submit articles. Adair will contact Haller to see if he wishes to submit an article. Submissions are due by March 1, 2013.

AFCON PLANNING: It was getting late. The brains were getting foggy. Following are some of the issues and ideas the AFCON board discussed:

Long Range Issues

Information technology and academic freedom

Internet filters in schools are a big concern, because they are "preventing education every day."

Self-censorship occurs among teachers at schools, but data on the extent of self-censorship is lacking.

Parker offered to come up with ideas on goals and strategies.

Membership and outreach to other organizations

While we will always be a coalition of membership organizations, we may

want to place more emphasis on soliciting individual members.

Adair and Parker offered to come up with ideas on goals and strategies.

Innovative ways to challenge *Hazelwood*

Moshman suggested the book he recently reviewed, *Keep them Reading*, has practical ideas for teaching students in an atmosphere of free expression.

Adair reported the Student Press Law Center's "Cure Hazelwood" bracelets cost \$9.00 for 50 bracelets.

ANNUAL MEETING: Moshman will contact the authors of *Keep Them Reading* to see if one or both may be available to speak at the AFCON annual meeting. Parker, Lee and Leibbrandt will research various resources for flashlights and flash drives imprinted with the AFCON logo, for distribution at the annual meeting and other AFCON outreach events. Board members were asked to think about other organizations that may want to co-sponsor the AFCON annual meeting.

OTHER ORGANIZATIONS' ANNUAL MEETINGS: Edler asked board members to find out when other organizations hold their annual meetings, so AFCON may be able to hold a workshop, host a table, or otherwise work together to increase visibility.

Leibbrandt reported NLA/NSLA hold simultaneous annual meetings each year in October.

Comer reported NSRA annual meeting will be in Kearney February 22, 23 and 24.

Adair will check with Kolterman to determine the NELAC annual meeting timeframe.

NEXT MEETING: The next meeting of the **AFCON BOARD OF DIRECTORS** will be **Saturday, March 9, 2013**, at Eiseley Library, Lincoln, Nebraska.

VISIT OUR NEW WEBSITE!
www.academicfreedomnebraska.org

An Anti-Censorship Handbook for Educators

—by David Moshman

The first academic freedom book of 2013 is, I'm glad to say, an excellent one. Its subtitle is "An Anti-Censorship Handbook for Educators."

There are many titles that could precede a subtitle like that. Teacher advocates might look for something like "Defend Your Rights: An Anti-Censorship Handbook for Educators." Civil libertarians might expect something like "Protecting the First Amendment: An Anti-Censorship Handbook for Educators."

But the actual title is both unexpected and perfect: *Keep Them Reading: An Anti-Censorship Handbook for Educators*.

Teacher advocates and civil libertarians will like this book but the authors are, first and foremost, English teachers writing for English teachers. And what English teachers want above all is to get students to read and keep them reading.

Neither ReLeah Lent nor Gloria Pipkin, the authors of *Keep Them Reading*, grew up with a dream of becoming an intellectual freedom activist. They studied to be teachers, and as English teachers in the 1980s they were concerned with finding books that would interest their students and promote reading. But serious teaching and serious reading can generate serious trouble.

The transformation of the authors into intellectual freedom activists is chronicled in their compelling *At the Schoolhouse Gate: Lessons in Intellectual Freedom* (2002). Biting the forbidden fruit of young adult literature, they came to understand that to

get students to read means defending their right to read against those who would limit curricular and student choices

Neither Lent nor Pipkin still teaches English in classrooms but both continue to write and work on behalf of reading and intellectual freedom. In *Silent No More: Voices of Courage in American Schools* (2003), they edited a collection of essays by other teachers who also learned that in order to really teach they would have to defend their own intellectual freedom and that of their students.

Now Lent and Pipkin and have provided a highly readable, informative, and practical handbook for educators, especially English teachers and school librarians. Perhaps the central theme is this: Plan for censorship. It is part of human nature to censor what we fear. Understand and respect censors, and prepare for them.

How to prepare? Don't wait for a challenge. Get a policy in place, including clear and fair procedures and a written form that encourages those who object to a book to consider the work as a whole and requires them to state specific objections and requests. Educate everyone—teachers, administrators, parents, communities, and students—about the role and value of intellectual freedom in education.

Other suggestions? Always provide alternative books for individual students to accommodate personal or parental objections but never allow parents to limit the reading of children other than their own. Whenever possible, let students choose their own books and take responsibility for defending their own choices. Encourage them to read and write about censorship.

Although the authors don't suggest it, students might even profit from reading this book. They would see it at first as a book about censorship, which it is, but might come to see that it is most fundamentally a book about the love of books, and the need to protect them and to read them.

And if you love to browse, as I do, in lists of censored books, you'll find here a rich selection of old favorites and new evils. There are, of course, the classics such as *Brave New World*, *The Catcher in the Rye*, and *The Adventures of Huckleberry Finn*.

There are also old friends I met on previous censored book lists, such as the Captain Underpants series, beginning with *The Adventures of Captain Underpants*. I haven't kept up with all the sequels but my favorite title remains *Captain Underpants and the Invasion of the Incredibly Naughty Cafeteria Ladies from Outer Space*.

And then there are books new to me from authors new to me, such as Carolyn Mackler's *The Earth, My Butt, and Other Big Round Things*. I may not be in the demographic this book is aimed at, but I immediately wondered: Who wants to censor this book, and why?

Thus *Keep Them Reading* kept me reading about reading. If enough teachers read it, it will help keep children and teens reading for years to come.

---This column originally appeared in the *Huffington Post* on February 1, 2013-----

AFCON SPEAKER'S BUREAU (As of December 2007)

Peggy Adair: "Banned Books, Black Arm-bands, and School Prayer: The Evolution of Children's First Amendment Rights in America"
padair@tconl.com

Dwayne Ball: "Threats to Academic Freedom at Universities"
adball@neb.rr.com

Bob Haller: "Civics Education and the Practice of Freedom" and "How Books Can Harm You: Lessons from the Censors"
mshortt@inebraska.com

David Moshman: "Principles of Academic Freedom"
dmoshman1@unl.edu

John Bender and David Moshman: "Student Freedom of Expression/Student Rights"
jbender1@unl.edu
dmoshman1@unl.edu

Laurie Thomas Lee: "Implications of the USA Patriot Act"
llee1@unl.edu

Presentation of the Readers' Theatre production of A Tangled Web: Student Freedom of Expression.

(a cast of adults and students)

ADDRESS FOR THE AFCON WEB SITE

<http://www.nebafcon.org>

Check it out and learn Who We Are and about Our Activities; read our Constitution; learn how to Join Us; see the where and when of our Meetings; meet our Members and Officers;

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The editor of the AFCON SENTINEL invites all AFCON individual and organizational members to send news about academic freedom issues in Nebraska or editorial comments for inclusion in this newsletter and/or announcements of organizational meetings for the UPCOMING EVENTS column.

Due date for submissions to the JUNE 14, 2013, issue is MAY 27, 2013.

Send to Tom Black, editor, 610 West Park, West Point, NE 68788 or wpc6296@cableone.net

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HELP AFCON PROMOTE ACADEMIC FREEDOM

As a member of AFCON, you can help us

- ◆ support applications of the First Amendment in academic contexts, including elementary and secondary 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 ideas.
- ◆ act as liaison among groups in Nebraska that support academic freedom.

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