

*"It is an affront to treat falsehood with complacency."* Thomas Paine

# CAMPUS REPORT

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## WIKILEAKS & THE ACADEMY

*By: Malcolm A. Kline*

*At issue is the question of whether the First Amendment was served by the disclosure, or if America's national security was threatened.*

Late last year, a law school professor weighed in on the WikiLeaks controversy over the reams of government documents, some confidential, which were published on the Internet. At issue is the question of whether the First Amendment was served by the disclosure, or if America's national security was threatened.

Not too surprisingly, the professor—Geoffrey R. Stone of the University of Chicago—comes down in favor of the former conclusion but gives a surprising nod to the latter. "If we grant the government too much power to punish those who disseminate information useful to public debate, then we risk too great a sacrifice of public deliberation; if we grant the government too little power to control confidentiality 'at the source,' then we risk too great a sacrifice of secrecy and government efficiency," Stone stated before a congressional committee on December 16, 2010. "The solution is thus to reconcile the irreconcilable values of secrecy and accountability by guaranteeing *both* a strong authority of the government to prohibit leaks *and* an expansive right of others to disseminate them." [Italics in original testimony]

In testimony before the U. S. House Judiciary Committee, Stone elaborated upon examples of government policies where discretion would be in order. "The example traditionally offered was 'the sailing dates of transports' or the precise 'location of combat troops' in wartime," Stone told the lawmakers who made it to the hearing. "The publication of such information would instantly make American troops vulnerable to enemy attack and thwart battle plans already underway.

"Other examples might include publication of the identities of covert CIA operatives in Iran or public disclosure that the government has broken the Taliban's secret code, thus alerting the enemy to change its cipher. In situations like these, the harm from publication might be sufficiently likely, imminent, and grave to warrant punishing the disclosure."

Stone attempted to provide some historical context for the lawmakers. "During the Civil War, the government shut down 'disloyal' newspapers and imprisoned critics of the president's policies," Stone pointed out to the committee. "During World War I, the government enacted the Espionage Act of 1917 and the Sedition

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# WIKILEAKS & ACADEMY

*Continued from front page*

Act of 1918, which made it unlawful for any person to criticize the war, the draft, the government, the president, the flag, the military, or the cause of the United States, with the consequence that free and open debate was almost completely stifled.”

“And during the Cold War, as Americans were whipped up to frenzy of fear of the ‘Red Menace,’ loyalty programs, political infiltration, blacklisting, legislative investigations, and criminal prosecutions of supposed Communist ‘subversives’ and sympathizers swept the nation. Over time, we have come to understand that these episodes from our past were grievous errors in judgment in which we allowed fear and anxiety to override our good judgment and our essential commitment to individual liberty and democratic self governance.”

“A dump did begin of the Iraq and Afghan war logs, but once reporters pointed out the danger to local cooperators from being named in the logs, WikiLeaks halted the dump and withheld some 15,000 items out of 91,000 Afghan records,” Thomas Blanton, the director of the National Security Archive at George Washington University, stated before the Judiciary Committee last December in that same hearing.

Blanton, nevertheless, urged lawmakers to go slow on WikiLeaks, to put it mildly. “Most pertinent to our discussion here today is our experience with the massive overclassification of the U.S. government’s national security information,” Blanton said. “Later in this testimony I include some of the expert assessments by current and former officials who have grappled with the secrecy system and who estimate that between 50% to 90% of what is classified is either overclassified or should not be classified at all.”

“That reality should restrain us from encouraging government prosecutors to go after anybody who has unauthorized possession of classified information: such encouragement is an invitation for prosecutorial abuse and overreach—exactly as we have seen in the case of the lobbyists for the American Israel Public Affairs Committee.” The U. S. government attempted, but failed, to convict the lobbyists of receiving classified documents.

Ironically, the attorney for the lobbyists, while also warning of overclassification of documents, was equally forthright in maintaining the need for national

security in classifying the reams of information the government handles. “It makes sense to start with the obvious and important—this nation needs a strong law that makes criminal, and treats as seriously as possible anyone who spies on our country; we need to address just as seriously a purposeful disclosure of national defense information (‘NDI’) with the intent to injure the United States or assist an enemy of our country; and there has to be a prohibition for the mishandling of properly-classified information (which may or may not be NDI),” Abbe David Lowell testified at the December committee meeting.

“Bill Keller, executive editor of the [New York] *Times*, says that the Founding Fathers, in opening the Bill of Rights with the First Amendment, ‘rejected the idea that it is wise, or patriotic to surrender to the government important decisions about what to publish,’” Gabriel Schoenfeld, a senior fellow with the Hudson Institute, told the committee. “This absolutist view of the First Amendment is widespread among journalists.”

“They say that the words of the First Amendment are unequivocal: ‘Congress shall make no law . . . abridging the freedom of speech, or of the press.’ ‘No law’ means ‘no law,’ are what journalists and their defenders repeat over and over again.”

“But the framers were hardly the apostles of libertarianism that they are today made out to be by Mr. Keller and many others. More than anything else, the First Amendment was conceived of by the framers as a continuation of the Blackstonian understanding embedded in British common law, as a prohibition on prior restraint of the press. Censorship was what the framers aimed to forbid. But laws punishing the publication of certain kinds of material after the fact were something else again. Joseph Story, the preeminent 19<sup>th</sup> century interpreter of the Constitution put this understanding most forcefully when he wrote that the idea that the First Amendment was ‘intended to secure to every citizen an absolute right to speak, or write, or print, whatever he might please is a supposition too wild to be indulged by any man.’” Joseph Story never met Julian Assange, the founder and CEO of WikiLeaks.

**Malcolm A. Kline** is the Executive Director of *Accuracy in Academia*.

# SQUEAKY CHALK

by Deborah Lambert



## TO READ OR NOT TO READ?

What does Shakespeare have to do with a reality show? Quite a lot, it seems, since a high-profile “reality show producer is teaming up with an independent movie company and AOL to make humorous videos based on CliffsNotes,” according to the Wall Street Journal.

Designed “to bring classic works of fiction to the masses,” Joseph Castelo, president of Coalition Films, reports that the five-minute videos of classics ranging from Hamlet to The Odyssey are scheduled to debut online this fall, just in time to start providing last-minute teaching assistance to high school students, cramming for their tests.

It all started when Mark Burnett, creator of TV blockbusters like “The Apprentice” and “Survivor,” acquired the rights to CliffsNotes from its publisher, along with Coalition Films. Along came AOL, needing video content, and lo and behold, a new concept was born.

The regular videos will be five minutes long, while one-minute versions will be available on mobile phones, as an “emergency refresher for a test,” said Burnett. As a father of teenagers, Burnett knows that even CliffsNotes “can be dry,” so he hopes the one-minute comedy videos will “help kids remember key points and maybe inspire them to actually read the books too.”



## LIFE AND DEATH OF TEACHERS

New York City’s longtime former chancellor of the public school system let loose with some fighting words during a recent speaking trip to London, according to the New York Post.

“It’s easier to prosecute a capital-punishment case in the U.S. than terminate an incompetent teacher,” Klein said during an interview with the Sunday Times of London, explaining that “five to ten percent are not remotely capable.”

In his strongest comments since resigning from his post late last year, Klein, who served as chancellor for the past eight years, “boasted he had streamlined legal procedures to make it easier to fire teachers and end the ‘dance of the lemons’—the shuffling of bad teachers from school to school.”

However, during his speaking engagement at a British conference, Klein “slammed teachers’ unions for allowing the bad apples to sour the system.” “The union is going to protect incompetent workers—that is their job,” noted Klein, adding that “unions are unhappy with the growth of high-performing charter schools because it threatens their ‘guaranteed client base.’”

Klein now works for News Corp., parent company of Fox News and The Wall Street Journal, as CEO of the newly created Education Division that will be considering possible acquisitions of state-of-the-art education platforms to present advanced/customized learning opportunities for the newly digitized 21<sup>st</sup> century.



## FACEBOOK ENVY?

So you think that Facebook is one great big online outlet filled with happy campers? Perhaps quite the opposite is true.

In fact, a new study shows that “peering into the lives of your peers” is making some people “unhappy with what they see,” according to CBS News.

In a paper titled “Misery Has More Company Than People Think,” published in the January issue of the Personality and Social Psychology Bulletin, several studies on “how college students evaluate moods” showed that “subjects constantly underestimated how dejected others were—and likely wound up more dejected as a result.”

“What you put on display is how great your life is—the cars you drive, the vacations you go on. Nobody’s life is that perfect, and so, whenever you start to compare your life to those images, you’re going to be depressed,” according to psychologist Dr. David Swanson, who told CBS News that many people end up feeling their “life is lacking.”

Technology expert Katie Linendoll added that since the composite that makes up most Facebook profiles is based on the most positive aspects of their lives, they’re usually far from accurate, so “we end up comparing ourselves to a one-dimensional version of someone else’s life.”

Linendoll suggested that people should remember that the next time they log onto Facebook.



# SQUEAKY CHALK

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## PAGAN RIGHTS

In an unusual twist on the quest for rights, someone named E. Saunders, the parent of a pagan daughter, recently unleashed some invective at her local school system, saying that “public school can be nothing short of a nightmare for pagans,” according to Associated Content. Ms. Saunders said she dreaded the beginning of each school year since it meant dealing with another bout of prejudice against pagans like her daughter. Saying that her daughter only had two “pagan tolerant” teachers during her entire school career, she offered some tips for pagan parents, including the solution she decided on, which was home schooling for her daughter.

She also suggested that “If your child is the sort who insists on being ‘out of the broom closet’ or ‘pagan and proud’ and wants to take their issue to the school board, then that might be a route you could consider.”



## KINDERGARTENER BANNED FROM CLASS EVENT

In an incident that stands the term “environmentally friendly” on its head, a six-year-old boy was “shut out of a class drawing to win a stuffed animal,” because “he had an environmentally unfriendly sandwich bag in his lunchbox,” according to Canada’s National Post.

You can’t say the family wasn’t warned. When parents Marc-Andree Lanicault and his wife Isabel Theoret were making lunch for their son Felix, he kept saying, “No Mommy, you can’t do that. Not a Ziploc,” his father recalled.

The boy choked back emotion, saying that none of the students who had plastic lunch bags would be

able to enter the contest for a free teddy bear. “Felix reacted as if someone had slaughtered a pig for his ham sandwich,” noted his father, CEO and founder of the high-tech company, INBOX International. But since the Tupperware was in the dishwasher, his parents ended up packing Felix’s lunch in the dreaded Ziploc bag.

Things quickly went downhill from there, since the six-year-old was banned from the drawing. When his father questioned the teacher afterwards, she confirmed that the school policy excluded any child from taking part in the drawing if they brought lunch in a plastic bag.

“You know, Mr. Lanicault, it’s not very good for the environment,” said the teacher, adding that “we have to take care of our planet, and the bags do not decompose well.”

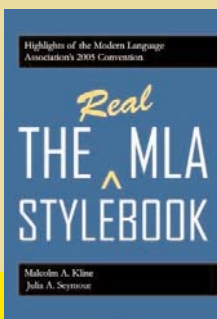


## ACADEMICALLY ADRIFT

Last year, frustrated parents of low-achieving K-12 kids, cheered the new films, “Waiting for Superman” and “The Lottery” that told America what it wanted to know about the system, i.e., that it badly needed attention from parents and community leaders concerned about what students were and were not learning in low performing schools.

This year, it’s higher education’s turn to face facts. And to help them do so, a new book highly respected by the right and the left has decreed that today’s college students are academically adrift and need a wake-up call.

John Leo recently wrote in “Minding the Campus” that he couldn’t recall “a book on higher education that arrived with so much buzz, and drew so much commentary in the first two days after publication. The



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# SQUEAKY CHALK

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book is *Academically Adrift: Limited Learning on College Campuses*, by Richard Arum, and Josipa Roksa (University of Chicago Press). Arum is a professor of sociology and education at New York University and Roksa is an assistant professor of sociology at the University of Virginia.

Inside Higher Ed said that the book claimed “that many college students graduate without actually learning anything.” “After looking at data from student surveys and transcript analysis of 2300 students around the country, the authors concluded that 45 percent of students ‘did not demonstrate any significant improvement in learning’ in their first two years of college, and 36 percent showed the same lack of significant progress over four years.

“Students improved on average only 0.18 standard deviations over the first two years and 0.47 over four years.” What this means, Inside Higher Ed reported, is that “a student who entered college in the 50th percentile of students in his or her cohort would move up to the 68th percentile four years later—but that’s the 68th percentile of a new group of freshmen who haven’t experienced any college learning.”



## BANNED FROM SCHOOL FOR SPIT-BALLS

High school freshman Andrew Mikel isn’t the first student to feel the wrath of public education’s zero tolerance policy, but he certainly got a taste of the punishment meted out for disregarding it.

In early December, 2010, the Spotsylvania, Virginia student was “suspended for the school year and placed in a ‘diversion program by police for blowing

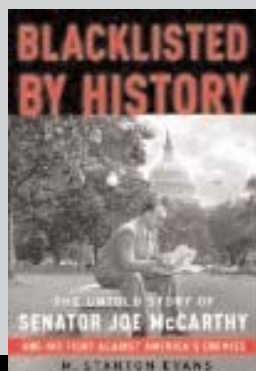
soft plastic pellets through a pen at three classmates,” according to educationnews.org.

Reporter Brian Fitzpatrick disclosed that Andrew’s father, also named Andrew, works at the Rutherford Institute, and reported to World Net Daily that when his son shot what amounted to a “spitwad,” the school classified it “as a weapon, expelled my son from school the rest of the year, filed assault charges on him with the sheriff’s department, mandated that he take ‘substance-abuse counseling’ and ‘anger-management counseling,’ and must do 24 hours of community service.”

After reviewing the school board’s decision, Andrew’s grandfather Jim Mikel noted that the hearing was anything but fair, primarily because the school’s assistant principal Lisa Andruss apparently went on the attack, making it clear that “she wanted my grandson expelled, and also wanted criminal punishment to the fullest extent of the law,” citing the school’s “zero tolerance policy” as her reason.

When Fox News asked Spotsylvania Police Captain Liz Scott if there was a difference between “weapon and misdemeanor assault” and “blowing spitwads at fellow students,” she said no, since his “record” included “shooting rubber bands” in junior high, and he was suspended in 8<sup>th</sup> grade “for bringing a comb to school that resembled a pocket knife.”

According to Rutherford Institute president John Whitehead, this incident demonstrates how “oppressive zero-tolerance policies have become.” Not only do they curtail student freedom, but they also have the effect of “criminalizing childish behavior.”



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# HOROWITZ PROVIDES TEACHABLE MOMENT

by Torey Hall



At the Conservative Political Action Conference (CPAC) on February 12, 2011, David Horowitz addressed a full ballroom at the Marriott-Wardman Hotel on the clear and present danger of the Muslim Brotherhood.

By way of background, Horowitz reminded the audience that a few years ago, the FBI investigated a terrorist front group in Texas called The Holy Land Foundation and they uncovered a document which laid out the Muslim Brotherhood's goals for America.

The goal of this organization as stated in the plan is simply "to destroy American civilization." The Brotherhood seeks this end while claiming to be democratic with a small "d". Maybe you are familiar with some of the Brotherhood's main "democratic" branches: The Islamic Society of North America and the Council on American Islamic Relations (CAIR) — to name two.

Horowitz explained that the Muslim Brotherhood endorses the ideas of "political Islam." "Political Islam is a totalitarian movement that seeks to establish Islamic Law through the seizure of states by stealth or electoral means and by terror where necessary," he explained.

"There are hundreds of millions of believers in political Islam and it is a growing force within the Islamic world as well," Horowitz told the audience at CPAC. "These people also believe that the death penalty for leaving the faith is a form of democracy and religious freedom," Horowitz argued. "There is nothing new here."

"Communists and totalitarians also work through

the electoral process and through violence when necessary. They called their police states 'people's democracies.' The Soviet Constitution was described by its leaders and members of the progressive movements that defended it around the world as the most democratic constitution in the world."

*Torey Hall is an intern at the American Journalism Center, a training program run by Accuracy in Media and Accuracy in Academia.*



## INDEFENSIBLE CUTS

By Richard Thornburgh



The military has a lot less money to fund the same number of programs with the same number of projects and people, an analyst at the Heritage Foundation said at the weekly blogger's briefing there on February 15, 2011. Mackenzie Eaglen, Research Fellow for National

Security Studies, looked into current spending plans for the 2011 fiscal year and pointed out major, necessary projects the military has planned from their estimated and already guaranteed budget.

Not only is the proposed budget severely less than planned for (President Obama promised \$548 million), but manufacturing will be shut down and cost Americans their jobs, Eaglen notes.

*Richard Thornburgh is an intern at the American Journalism Center, a training program run by Accuracy in Media and Accuracy in Academia.*

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# DIRECTOR'S CORNER

By *Malcolm A. Kline*



March, 2011

Dear Reader,

Threats to shut down WikiLeaks, the controversial repository of confidential government documents, have had little seeming effect on the organization. “60 Minutes” profiled the group’s founder the weekend before Super Bowl Sunday. Even the Fox News Channel heralded a WikiLeaks release in mid-January on the Geraldo Rivera show. What also remains unchanged is the nature of the group itself and the mass media’s reluctance to come to grips with it.

“Approximately 2,000 of the more than 250,000 cables are all that have been revealed as of late December—about a month into this third major release of documents this year—by the publications chosen by Julian Assange, the founder and head of WikiLeaks,” Roger Aronoff, the editor of Accuracy in Media, wrote in a January AIM Report. “The publications which have the documents are The New York Times, The Guardian, El Pais, Le Monde and Der Spiegel.”

“It is estimated that there will only be daily releases through January, followed by periodic releases.” That estimate proved to be pretty much on target. “The U.S. and its Western allies are engaged in a war with radical Islam, and the primary currency in that war is intelligence,” Aronoff notes. “The release of these documents has forced a re-evaluation of how this intelligence has been shared, should be shared, and will be shared, both among nations, and agencies within the U.S. government.”

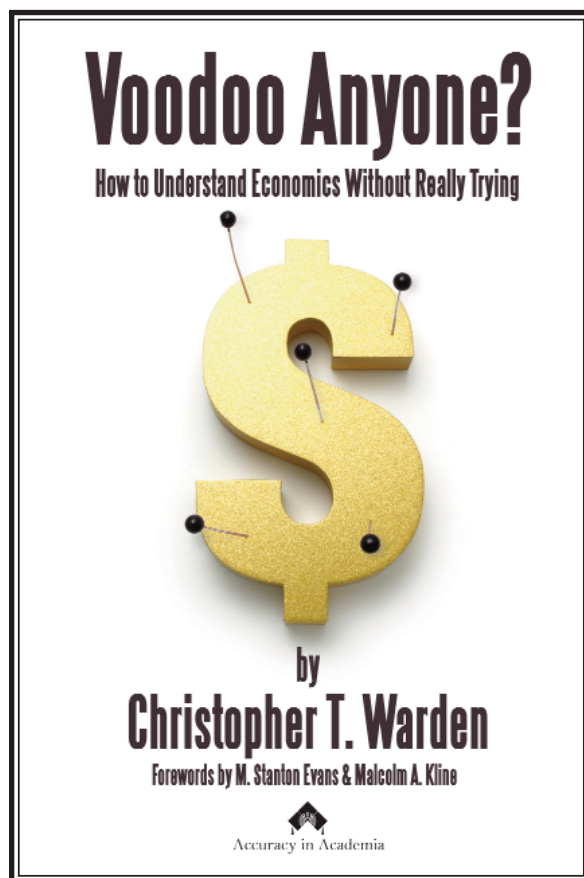
Meanwhile, the aforementioned New York Times remains seemingly oblivious to its impact, as do the multitudes of media outlets which follow its lead. Our sister organization, Accuracy in Media, is there to remind them.

At Accuracy in Academia, we cover the academics who weigh in on such issues as public intellectuals or simply at their lecture hall podium. Neither of our organizations could exist without your support, for which we are most grateful.

All the best,

A handwritten signature in black ink, appearing to read 'Mal Kline', written in a cursive, flowing style.

**Mal Kline**  
Executive Director



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