Congress shall make no law
respecting an establishment of religion,
or prohibiting the free exercise thereof;
or abridging the freedom of speech,
or of the press;
or the right of the people peaceably to assemble,
and to petition the Government
for a redress of grievances.

— First Amendment
We're printing nothing so we'll have something to print in the future

We like to think that the era when a stereotypical "crusty old dean" regularly cracks down on student freedom is long past. In 1965, such a dean, Dean of Students H.W. Higginbotham, forced Thresher Editor Hugh Rice Kelly out of office for refusing to talk to him about why Kelly left the paper's faculty advisor out of the Thresher staff box.

Now, a series of events leads us to believe that Rice's free student press is threatened again. This issue, run without editorial content, represents what a paper might be like if the voice of free student expression is silenced.

Last week, Brown senior Marty Beard distributed 4,000 copies of a letter of apology to 1997 Hansen alumna Allison Fine. The letter was written as part of her punishment, last May, Assistant Dean of Student Judicial Programs Patricia Bass found her and one other student guilty of both harassment and sexual harassment for publishing a parody newspaper called "The Rice Trasher" that contained a fake article written about "Alice N. Whine." (As organizations, the Thresher and the "Trasher" are not related in any official way.)

The most relevant charges, libel and defamation, were not applied to Beard and her co-editor, because it was obvious that they had not committed them. Instead, the students were found guilty of the University's sexual harassment policy.

What they published, although distasteful, was well within the limits of what is permitted under a free press in the United States of America. Federal courts have said that harassing speech is different from offensive speech. At state universities, it is unconstitutional to restrict speech based on Equal Employment Opportunity Commission rules, upon which Rice basing its sexual harassment policy.

Rice can sanction students under its harassment policy because that policy is included in the agreement all students sign when they come to Rice, effectively abrogating our right to freedom of speech under the First Amendment.

But Rice claims to have higher standards than those of the typical private corporation. Rice's policy of "freedom of speech and action" affirms the spirit of the First Amendment: the only specific restriction placed on it is that free expression cannot block University functions or access to campus. In 1995, President Malcolm Gillis dedicated his matriculation address to the ideal of making Rice "safe for ideas."

The standard applied in this case does just the opposite. Almost anything we could have run in this issue, whether an article criticizing the football coach or a negative review of a student play, could arguably be seen as harassment. A student who calls his roommate a "deadbeat" for not cleaning his room is guilty of harassment if the roommate "feels harassed."

Bass seems to have ignored Rice's commitment to free expression in applying sexual harassment policy, without precedent, to a student publication. Students have a right to know how and why this happened. And they would be right to question a disciplinary structure in which investigator, prosecutor, judge and jury are the same person, and in which due process is not well defined.

Beard faxed with either suspension or writing an administration-approved letter of apology, chose the latter. But Beard's letter is aimed at the Thresher as much as it apologizes for her role in printing the unaffiliated "Trasher." "We have the right, then, to wonder about exactly what the administration's "approval" of the letter entailed. Beard's letter so confuses her "Trasher" with the Thresher that it describes the "Trasher" staff as "among the best at Rice."

"Her letter suggests Thresher editors met "bowfieak with key administrators," a blatant invitation to prior review of Thresher content. She also offers to write an addendum to the Thresher style manual about sexual harassment and to hold harassment seminars for Thresher staff.

Why the Thresher? We did nothing wrong. Last year, the Thresher uncovered a letter written by an administrator asking the Student Association to censor the Thresher, and last spring the administration appointed an adviser to student media. Over the summer, it designated an ad hoc committee to study the Thresher's relationship to the University.

This week's blank Thresher is meant as an alert, because we believe the University has plans to influence our editorial content. But it is important to stress that we are acting not for our sake, but for the sake of freedom of expression at Rice.

Hundreds of students protested Hugh Rice Kelly's expulsion in front of Lovett Hall in 1965, because they thought free speech was important. Free speech exists at Rice not out of the kindness of the administration, but because students like Kelly stood up for it, and because other students stood up for him. It is our turn to stand up now.
523-7770

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Fall 1997

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This fall, please join us at the Rice University campus on September 28th for our presentation and refreshments in Atwood Hall at 7 p.m. in the Keck Student Center Room 106. Three stops on our tour: Inters and Co-ops at the Houston Area Career Fair and Minority Job Expo on Friday, from 12-8 in the Keck Student Center and Hall.

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