

Censorship and Protest at UNC-Chapel Hill: Past and Present

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December 5, 2007

Word Count: 2,062

Brenda Denzler, editor of UNC – Chapel Hill Employee Forum’s monthly *InTouch* Newsletter, was almost in tears after UNC-system President Erskine Bowles expressed his support of the Forum’s right to free speech.

According to Denzler, Bowles spotted her and Forum Chair Ernie Patterson at a gala in November. He told them that the Forum should be able to publish “whatever it wants,” and that state employees should have the right to negotiate with their employers.

“I thought I was going to cry, but instead I got up and danced,” she said.

Denzler has had a busier year than expected. Defending the First Amendment rights of the newsletter, which she said was censored by UNC Administration last summer, has not been easy.

“They [UNC Administration] don’t have the right to take control of us, and that is basically what they did – they took control of our newsletter and they shouldn’t have done that,” she said.

The Forum calls the issue censorship; the administration calls it an editing decision.

Either way, it is now part of a history of disputes between UNC employees and students pushing to change the status quo, and a resistant administration.

Denzler, who holds a doctorate in religious studies from Duke University, has been working for UNC School of Medicine’s TEACCH program for autistic children since 2001. She first became aware of the Forum, which exists to give a voice to UNC employees, by reading the Forum’s *InTouch* Newsletter she received monthly by email.

In 2004 she was elected to be a Forum delegate and began serving on the group’s newsletter committee; she became *InTouch* editor at the beginning of 2007. However, she said she did not fully realize the Forum’s importance until now.

InTouch is posted online and an announcement about its availability is emailed to university employees each month. In addition, it is published as an insert in one summer issue of the *University Gazette* Newspaper. According to its mission statement, the *Gazette*, which is published by the UNC Office of University Relations, is for “Carolina’s faculty and staff.”

However, Forum Vice President David Brannigan said it has proven to be nothing more than the “mouthpiece” of the administration.

“They just use it to ring their own bells,” he said.

Last July *Gazette* Editor Patty Courtwright refused to print one of the articles that had been submitted for the newsletter. It was about the results of collective bargaining research conducted by UNC graduate student Raj Ghoshal.

Courtwright, who was following directions from University Relations Director Nancy Davis, claimed the article was an opinion piece. She said it was “inconsistent with the *Gazette*’s mission to help support the University’s overall goals,” and the article’s sentiments could be wrongly perceived as University opinion.

In order to address Courtwright’s concerns about perception, Denzler suggested adding a disclaimer above the article stating that it did not represent university opinion; also, Ghoshal altered the article to make clearer that it was based on research and not opinion. Still, Courtwright refused to publish it.

“We tried to work with them [administration] as much as possible, but they wouldn’t budge,” Denzler said.

On Sept. 5 the Forum appealed to UNC Chancellor James Moeser for support. It passed a resolution calling on Moeser to order the *Gazette* to publish the article and recognize that the *Gazette* decision was censorship.

About two weeks later Moeser responded, writing that he supported the *Gazette*’s decision and reasoning, which was that it was an opinion piece and covered a pending legislative issue about which the University cannot comment.

The more resistance the administration displayed, the more Denzler was convinced that Moeser was ultimately the cause of the administration’s stubbornness. According to her, “...the mission for our campus is set by the chancellor’s office...ultimate editorial control resides there.”

So, she published a satirical op-ed piece in the October issue of *InTouch*. Denzler thanked Moeser for ironically helping “...to illustrate the need for collective bargaining...” Soon after, Denzler received a supportive email from a state senator.

Whereas Denzler was once neutral on the issue of collective bargaining, she now believes it may be necessary to ensure that workers’ voices are heard. In her article, she said that Chancellor Moeser had “leant his support to state workers everywhere by helping to highlight the importance of repealing [N.C. Statute] 95-98.”

UNC students and others get involved

As they have done in past conflicts between campus employees and administration, UNC students took up the workers’ cause. In October UNC Student Action with Workers organized

campus rallies and got more than 500 signatures on a petition demanding that the university publish the article and apologize for censorship, among other demands.

SAW delivered the petition to Bowles' office on Friday, Oct. 26. On Tuesday, Nov. 6, SAW received his response, in which he expressed his support for the Forum's right to free speech and to publish an article about collective bargaining.

SAW Coordinator and junior Salma Mirza said the letter was positive but did not directly address SAW's demands.

"That's the next step," she said.

The conflict has attracted campus and community support, although it has not visibly affected the administration's stance.

Charles Stone, Jr., former UNC Professor of Journalism and Mass Communication and Censorship, advised the Forum in the conflict's early stages. He encouraged them to push for the article's publication because although newspaper editors have the right to refuse to reject article submissions, Courtwright's reasoning made it clear that she had ulterior motives.

The Gazette has published opinion pieces about legislative issues in the past. In fact, the *InTouch* issue for which Ghoshal's article was submitted featured an opinion piece about another pending legislative issue: the campus smoking ban.

Stone said that every news article and publishing decision is inherently subjective, and therefore, every article could be considered opinion.

Al McSurley, long time Chapel Hill NAACP civil rights lawyer, has offered legal advice to the Forum. He said a privately owned newspaper has the right to decide what is published, but because UNC is a state entity, the *Gazette* is publicly owned and neither its editors nor the administration have that prerogative.

"The Gazette is not a private newspaper...Black and White, rich and poor, union and non-union members all pay the salaries of the deciders who put out that paper...the *Gazette* is as much a forum for the robust exchange of ideas as the Pit [a central campus student gathering area], a political science classroom, Memorial Hall, or any other public forum on campus," he said.

Brannigan pointed out that Moeser has vocally defended freedom of speech on campus of debate of "controversial issues" several times as chancellor.

"But now, Moeser has shown his true colors," he said.

History of protest at UNC

UNC workers and students have had to defend their free speech rights and rally for change many times in the past. Prominent examples include protests of the statewide Speaker Ban of the 1960s and the UNC Lenore Dining Hall employee strike and student protests of 1969.

According to William J. Billingsley, author of *Communists on Campus: Race, Politics, and the Public University in Sixties North Carolina*, the historical context in which campus disputes occur is paramount in understanding their significance.

In 1959, to discourage Charlotte textile mill workers from organizing, the North Carolina state legislature enacted N.C. General Statute 95-98, making collective bargaining illegal for state employees. That law still exists today, and its repeal has been the focus of many progressive North Carolina labor organizations since then.

At the start of the 1960s the “red scare” was rekindled with the Cuban Missile Crisis and other influences. Simultaneously, an increasing number of white UNC students began questioning segregation’s legitimacy.

As dialogue and debate across campus increased, both sides of the political spectrum invited speakers to promote their ideals.

Billingsley writes that although progressive and radical student groups existed, the majority of the “...student body was politically conservative and locked in Southern tradition.” Nevertheless many people in North Carolina, an extremely conservative state, viewed UNC as a center of progressive idealism.

Some progressive student groups, such as Students for a Democratic Society, drew attention with anti-war and anti-segregation rallies. Influential conservative forces, such as then radio talk-show host Jesse Helms, used these images to exaggerate the existence of radicalism at UNC, claiming that racial liberalism at UNC left too much room open for a potential communist threat. In reality they did this to protect the institution of segregation.

According to Billingsley, this statewide embellished perception of Chapel Hill played a large role in the passage of the Speaker Ban Act on June 26, 1963. The Act barred people known to be members of the Communist Party, or who had invoked the Fifth Amendment during congressional investigations of communist activities, from speaking on campus.

After several years of vehement protest from students, faculty and community activists, the Speaker ban was ruled unconstitutional in a Greensboro Federal court and lifted on February 19, 1968.

In October of the same year, some employees of UNC Lenore Dining Hall wrote to their employers requesting improved working conditions. Workers had many grievances, including insufficient wages, managerial mistreatment and “inaccurate job classifications.”

Two months later, UNC Black Student Movement, which had allied with the workers, demanded that the university improve working conditions. At that time, the dining hall staff was all-Black, and less than two percent of the student body was Black.

Despite these efforts, dining hall management and university administration refused to meet with the dining hall workers. This led to about 100 dining hall employees going on strike on Sunday, Feb. 23, 1969. The administration still refused to meet with them, so the strike continued for about a month.

On Monday, March 2, and Tuesday, March 3, 1969, the BSM led a sit-in at the dining hall with other progressive student groups, which inadvertently led to some students pushing and shoving and subsequent dining hall disorder. The administration closed Lenore until Thursday morning, when North Carolina Governor Robert W. Scott sent in National Guard and highway patrol troops to ensure that it operated without problems.

The administration and governor's reaction to the student protests mobilized more students and campus community members. Some faculty members signed a petition calling on the administration to recognize the workers' requests. As the strike went on, some faculty members, feeling that the school's academic freedom was under threat from the governor, became vocal employee advocates.

On March 21, 1969, the strike ended with Scott acquiescing to employee demands. This included a raise, better practices and appointment of a Black supervisor. However, only weeks later, the university outsourced dining hall management.

On November 7, 1969, the vast majority of dining hall workers went on strike for reasons almost identical to the strike earlier that year. The second strike galvanized even more support from students and faculty and ended on Dec. 9, 1969.

The Lenore Dining Hall strike and the Speaker Ban protests of the 1960s were two of the first and most prominent of many civil rights and labor conflicts to develop at UNC. Others have included several unsuccessful unionization and collective bargaining campaigns, and grievances of current and former employees.

One conflict that has reached the front page of the *Daily Tar Heel* several times this academic semester is between two former UNC School of Dentistry lab technicians whom were laid off in January 2007, along with 19 others, and UNC Administration. The former lab technicians filed a lawsuit against UNC for "age discrimination." The trial commenced yesterday in Raleigh and will continue today.

"That [dental employee lawsuit] is just another example of worker discrimination at Carolina," Mirza said. As Coordinator of SAW, she helped organize protests last year when the dental technicians were initially told they would be laid off.

Mirza said SAW will continue to press campus administration and Bowles to cooperate with Forum demands; in February it will host a teach-in and invite Moeser and Bowles to “learn about collective bargaining.”

Denzler is thankful for UNC student efforts, and says she has changed.

“Experience can be radicalizing,” she said.

According to her, there are some individuals whom are likely to take the issue to trial. Although she would support it, she personally plans on continuing the fight solely as editor of *InTouch*.

“It’s an important job...as for me, I’ve got another issue of the newsletter to get out,” she said.

Human Sources

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- Patty Courtwright, Editor of the Gazette
- Brenda Denzler, Writer/Editor, UNC Autism Dept.; Employee Forum Secretary, Chairman of Public Communication Committee
- David Brannigan, UNC Grounds Employee, Employee Forum VP
- Raj Ghoshal, UNC Sociology Grad Student
- Al McSurley, Chapel Hill/Carrboro NAACP civil rights lawyer
- Salma Mirza, UNC Student Action with Workers Coordinator

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