



DEPARTMENT OF ENGLISH

THE UNIVERSITY OF TEXAS AT AUSTIN

PAR 108 • Austin, Texas 78712-1164 • (512) 471-4991

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Professor Douglas Laycock
School of Law
University of Texas at Austin
Austin, Texas 78712

Dear Professor Laycock:

I would like to thank you for granting my request to review your correspondence with Professor Kurt Heinzelman regarding E306 and his references to me in these letters. One is of course reluctant to do anything that will protract this E306 dispute, which has already consumed so much energy in my department and so much space in the press. Still, because of the nature of Professor Heinzelman's letter to you, I have decided, in this instance at least, to respond. A review of some of his remarks suggests that Professor Heinzelman's grasp of matters of record is weak, and that his odd narration of events perpetuates precisely the sort of "polemical skewing" he claims to abhor when practiced by others (Kurt Heinzelman letter, 30 Oct. 1990, p. 4, cited henceforth by page number parenthetically).

I cannot, for instance, understand why Professor Heinzelman would foster the belief that Rothenberg's Racism and Sexism "was never adopted," and that Lower-Division English Policy Committee members merely "considered using it" (p. 4). I was at the committee meeting when the book was initially adopted, and the Minutes of the meeting explicitly record the adoption:

A motion was made and seconded for adopting Racism and Sexism as the primary text for the pilot year of E306, "Writing About Difference." The vote was 4 in favor, 0 against, and 1 abstension. (LDEPC Minutes of 3 Apr. 1990, p. 2; see also "Officials Cancel E306 Textbook," Daily Texan, 27 June 1990.)

I think that Professor Heinzelman's denial of the book's adoption is especially crucial. By saying that the book was never adopted, he unfairly implies that those who objected to the LDEPC's adoption of the Rothenberg textbook did so pointlessly and with questionable motives.

I turn now to Professor Heinzelman's charge that the LDEPC's "accusers were two in number, the very same LDEPC faculty members who had voted against the whole program in the first place" (p. 3). As one of the persons referred to here, I must correct this misapprehension. We did not begin

by opposing "the whole program." The abstention listed above was mine, for example, and that abstention was grounded in my belief that the LDEPC "had insufficiently discussed . . . textbook adoption policy for E.306" and that the LDEPC had unwisely moved "to adopt one text for every section of freshman English" (Duban letter of 4 Apr. 1990, an appendix to the LDEPC Minutes of 3 Apr., 1990). In fact, my effort to be open-minded about the course, but still to insist on "pluralism" with respect to textbook adoption, surfaced again in the English Department meeting of 8 May 1990:

Jim Duban observed that some teachers are simply more comfortable with one text than with another and wondered why it would not be possible to include Rothenberg in a list of texts approved for adoption. He expressed concern that we were depriving AI's of a choice in textbook adoption and setting a precedent that might ultimately result in limitations on textbook choices for faculty teaching upper-division courses. He urged that Rothenberg be kept, but that choice also be made available. (Department Minutes, 8 May 1990, p. 3; emphasis added.)

As the passages show, I merely defended, and continued to defend, "pluralism." That, in fact, is what John Ruszkiewicz and I had in mind as members of the LDEPC when Professor Ruszkiewicz's motion to rescind the Rothenberg textbook was modified:

J. Ruszkiewicz then read his fourth motion: That the LDEPC rescind its choice of Racism and Sexism as the approved anthology for E 306 and approve--in its place--a list of anthologies that offer a wider spectrum of issues and a more balanced perspective on contemporary social issues.

The motion was modified [at Duban's request, as I recall] to read "That the LDEPC adopt Racism and Sexism among the choice of other texts. Another member [Duban] again voiced his concern for plurality and questioned the potential for future abuse when required texts are mandated. (LDEPC Minutes, 17 Apr. 1990)

Professor Ruszkiewicz even moved to offer a pilot section of the new version of E306 and then, "if . . . [that section were to prove] successful," to "implement the proposed E306 on a regular basis" (LDEPC Minutes, 17 Apr. 1990). Thus, neither Ruszkiewicz nor I was "against the whole program in the first place."

Similarly objectionable is the following assertion of

Professor Heinzelman: "Everyone knows that it is easy to object to any text on some grounds. The LDEPC received, I gather, no help at all in finding an alternative to Rothenberg" (p. 4). Professor Heinzelman gathers incorrectly, all the while narrating the assertion with an unwarranted sense of authority. The fact is that Professor Ruzskiewicz, a former director of freshman English, offered a bibliography of eight anthologies--Barnet et al., Hirschberg, Vesterman, Otte et al., Hunt, Atwan, Madden et al., and Colombo et al.--that "present a range of social/political issues for classroom discussion" (John Ruzskiewicz letter, 6 Apr. 1990, an official appendix to the LDEPC Minutes, 3 Apr. 1990). The fact is that Professor Ruzskiewicz actively "helped" the committee by finding eight alternatives to Racism and Sexism. The fact is that Professor Ruzskiewicz and I supported a motion to provide alternatives to Racism and Sexism. The fact is that the motion to adopt additional choices of textbooks was defeated: 2 for, 4 against, 0 abstentions.

In other places, too, Professor Heinzelman's narrative offers unreliable accounts of events and interactions that call into question his posture as a detached outsider (p. 2). This is especially the case with respect to his highly selective and evasive narration of events surrounding a certain phone conversation that I had with Susan Heinzelman on Friday, July 27:

You [Doug] say that your wife was meanly treated for signing, as Chair of Sociology, a letter that seemed to oppose multiculturalism. My wife, a member of the LDEPC, received a late-night phone call from a senior colleague in her own department who threatened her with a libel suit. None of this is acceptable behavior.
(p. 9)

Professor Heinzelman is here compressing and distorting the circumstances surrounding that call.

The background of my phone call is as follows: after having been one of only six professors of English (out of a total of fifty-six U.T. faculty members) to sign and publish a "Statement of Academic Concern" protesting the new E306, I was shown a petition being circulated for signatures--quite widely, I was told--prior to its imminent publication in the Daily Texan. That petition contained the following language: "We deplore the unprofessional manner in which the opponents of the new syllabus for E306 misrepresented the substance and aims of the course." The proximity of such words as "unprofessional" and "misrepresented" seemed to me to imply that the signers of the "Statement of Academic Concern" had intentionally lied. Neither I nor any of my colleagues in dissent had done so. Moreover, since I was one of the few members of the English Department

whose name appeared on the "Statement of Academic Concern," and since I had received public attention for having by that time resigned from the LDEPC, I assumed that people would perceive me as a target of the accusation. I deemed the innuendo of a lie to be libelous and damaging to my reputation.

Devoid of such context, Professor Heinzelman's narration conveys the impression that I called his wife, without any justification, to threaten that member of the LDEPC. But the case was very much otherwise: one of my colleagues had told me that Professor Ramon Saldivar had given him a copy of the petition, and that both Susan and Kurt Heinzelman were actively seeking signatures--that they had, in fact, approached him to sign the petition. Believing the petition to be libelous, I reluctantly called Professor Saldivar that evening, and left a message on his tape recorder requesting that he telephone me upon his return. After waiting and receiving no response from Professor Saldivar, I decided to deal directly with the other people reportedly seeking signatures for the petition.

I phoned the Heinzelman residence, and Susan Heinzelman answered. I believe that I proffered an apology for the late hour of my call. I asked if I could possibly speak simultaneously to Kurt Heinzelman and to her about an important matter, by means of two phones, if possible. Susan Heinzelman told me that Kurt Heinzelman was not well that evening and could not come to the phone. She was not, however, disinclined to hear my concern; in this sense, I did call Susan Heinzelman, as one of the principals directly involved in what I deemed a libel against me. In speaking with her, I was thus addressing my concerns to her and her husband.

Rather than addressing her role as a member of the LDEPC, I in fact read her the language of the petition, told her that I had been informed of her efforts to gather signatures for the petition, and said that I thought their petition accused me of having lied. I urged her to desist from propagating a libel because my reputation is important to me and because I would have to take whatever steps were necessary to protect it. I was giving notice of my intentions. Although she did not deny that the petition, as written, could be read by others as applying to me, she sought to assuage my concern by assuring me that the object of the petition was actually Professor Alan Gribben, and not me. I told her that, to my knowledge, none of the faculty dissenters to E306 had either sought to misrepresent the facts or had done so.

At the end of the conversation, Susan Heinzelman did agree to contact each signer of the document and inform him/her that I regarded the petition as libelous and

damaging. The published version of the petition appeared in the Daily Texan on 8 Aug. 1990 and was signed by "Susan Heinzelman [,] Ramon Saldivar [,] Professors of English [, and] . . . 41 others, 26 from the Department of English." Significantly, the published version deleted the word unprofessional--one of the words I objected to as libelous. Also, the published version of the petition spoke only of "certain opponents" rather than of "the opponents" as a group. Nonetheless, I remain disappointed that the original petition was circulated in the English department and about the campus.

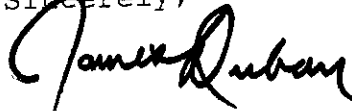
Interestingly, Professor Kurt Heinzelman's cut-and-paste narration demeans the character and integrity of still other persons on campus. For instance, Professor Heinzelman blames U.T. President Cunningham and U.T. Provost Fonken for comprising an arbitrary and uninformed "tribunal" (p. 9) that caused the postponement of E306. Nowhere does he mention in his letter to you that on 23 July 1990, College of Liberal Arts Dean Standish Meacham announced his decision to postpone E306 (see "Dean Postpones E306 Revision," Daily Texan, 24 July 1990).

In any event, all of this is regrettable, but not surprising given the pattern of "argumentation" espoused by some supporters of the new E306: they choose not to respond to the fact that the E306 "Tentative Syllabus" turned out to mandate virtually no review of grammar and other concerns that are usually central to freshman English. Nor do they address the fact that the syllabus instructs students to deal with only eighty-one pages of the approximately eight-hundred-page Ruszkiewicz and Hairston Scott, Foresman Handbook for Writers. (Of those eighty-one pages, forty-seven deal with bibliography and documentation. And with the exception of eight pages concerning the avoidance of sexist language, the other twenty-six pages of Handbook readings do not directly involve the complexities of editing, paragraphing, transitions, or punctuation.)

And rather than debate my opinion that the new E306, by limiting the students' choice of topics, would "render impertinent . . . incontestable differences in taste, imagination, and intellectual preference" ("A Modest Proposal: Teach Writing in Writing Courses," Daily Texan, 9 Aug. 1990), advocates of the new E306 too often narrate the debate in such a way as to deflect attention from the vital issues of choice, pluralism, and difference. Although Professor Heinzelman questions your knowledge of the English Department and what it does, he himself is simply wrong when he tells you that "students are taking 306 . . . because they have not been taught carefully enough to understand and to use themselves the very modes of argumentation that constitute the textuality of the nation's civic discourse" (p. 7). These numerous students--who have failed to place out of E306--are taking the course to become better writers.

Finally, regarding your correspondence with the AAUP and with Professor Heinzelman, you should be commended for your insight and your fundamental concern for undergraduate literacy.

Sincerely,

A handwritten signature in black ink, appearing to read "James Duban". The signature is written in a cursive style with a large, prominent initial "J".

James Duban
Professor of English

cc: Barbara Bergmann