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Jacob Neusner

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JACOB NEUSNER

SCHOOL OF HISTORICAL STUDIES
THE INSTITUTE FOR ADVANCED STUDY
OLDEN LANE
PRINCETON, NEW JERSEY, 08540

OFFICE: 609 734 8167. FAX: 609 924 8399

Member
THE INSTITUTE FOR ADVANCED STUDY

12 21 89

Dr. Marvin Goldberger, Director
The Institute for Advanced Study

Dear Murph,

I was somewhat puzzled by your invocation of the hoary ghost of "academic freedom" in rejecting the NEH's regulation and its money. The newspaper story did not specify how you thought the freedom of IAS to make its choices was abridged by NEH's Congressionally-manded supervision of the process. There are, after all, diverse regulations which govern the use of Federal funds; the scientific community has lived with these rules for generations and prospered, both intellectually and otherwise. What Congress wants NEH and NEA to do is supervise the regranting agencies, to make certain that the pertinent Federal rules and regulations are observed. Congress has not asked the Endowments (or permitted them, as a matter of fact) to instruct subgrantees on making, or withholding, specific grants. Its nearly unanimous wish was only that the Endowments make certain the rules *applicable throughout* are properly carried out. The appropriate analogy seems to me not the metaphor you invoke (which struck me as facile, because it was not spelled out and applied, merely propelled) but one that would refer to Federal audits, making certain grants were used for the purpose for which they are given. And rejecting funds for that, you would be laughed at.

As a Member of the National Council on the Arts, involved beginning to end in the controversy that led to the compromise introduced by Congressman Yates and accepted as fair and correct by the vast majority of both Houses of the Congress, I am genuinely interested in the affects, upon the Arts and Humanities institutions, of this rule. All of us at every stage in the making of public policy were concerned not to create a U S ministry of culture, and none of us can concede, at least without substantial contrary evidence, that in carrying out the Congressional mandate we have done so or taken a step toward doing so.

No one would contest your right to apply for, or reject, Federal funds (or funds from any other source), but many partners in the formation of public policy concur that NEH and NEA should supervise the re- and sub-granting process, as much as NSF supervises those matters that it deems consequential. I think, however, that you have to make a better case than the rhetoric the newspaper reports indicate you have made: all I hear from the published report is name calling, not reasoned argument, let alone appeal to concrete cases or other evidence of precisely how your or anybody's "academic freedom" has been abridged in any way. When NEH tells you who may or may not receive a grant, or what subject is or is not forbidden, or how a given topic must be treated, then I think *Lernfreiheit* is abridged, and I will be on the barricades before you. None of these things has happened or is going to happen; all that has happened is that a mechanism to assure public accountability has been devised, as best as our frail, human judgment could do it. If you can think of something better — better than nothing that is — I shall be honored to carry your device to Washington and present it, with my enthusiastic concurrence, to both Congressman Yates and Senator Pell as well as to Chairmen Frohnmeyer (for our Endowment) and Cheney (for the Humanities Endowment). Otherwise, you have not helped anybody very much, and I thought your statement haughty.

Respectfully,

cc: Chairman Cheney
Senator Pell
Congressman Yates

