

Judiciary Boards Now Fully Manned

Cornell University officials have announced the members of two boards created by the Board of Trustees to facilitate enforcement of new regulations designed to prevent disruption of public order.

Eight persons were named to serve one year on the University Hearing Board (UHB) whose main function is to set private hearings for persons charged with violations, take testimony, examine witnesses and reach a judgment.

Four persons were named to the University Review Board (URB) which will hear appeals from the University Hearing Board decisions.

Names of the faculty members were reported by Robert D. Miller, dean of the University faculty. Names of students were received from Mark Barlow Jr., vice president for student affairs. The graduate student names were received from Michael Teel, chairman of the Graduate Coordinating Council.

Faculty members of the UHB are Joseph L. Rosson, electrical engineering; Lyman G. Parratt, arts and sciences; Kurt L. Hanslowe, law, and Jean Parrish, arts and sciences. Student members of the UHB are Betsy Cairns, Arts '71; Matthew Rabach, ILR '71, and David Thompson, Arts '71. The graduate student member of this board is Eugene J. Bazan, city and regional planning.

Faculty members of the URB include Robert S. Pasley, law, and Richard G. Warner, agriculture. The student member of the URB is Kenneth Vittor, ILR '70. The graduate student member of the review board is James Harner, biometrics.

Three non-faculty members of the hearing board are Gary A.

Lee, director of the Office of Scholarships and Financial Aids, representing the Administration; Henry L. McPeak, supervisor of the electronics facility, Materials Science Center, representing non-academic staff members, and Lorraine A. Kulpa, assistant librarian at the Law Library, representing the academic non-faculty members.

The faculty members on the boards will serve temporary terms until regular members can be elected by the faculty in about six weeks, Miller said.

In announcing the names of the graduate students, Teel said: "This action should in no manner be interpreted as recognition by a graduate group of the validity of those boards ... due to the illegitimacy of regulations which specifically apply to students but are not made by them."

The UHB may set penalties ranging from reprimand to expulsion in the case of students and dismissal in cases involving employees. In cases involving faculty, a professor has the option of asking, instead of an appeal to the review board, that regular trustee procedures for dismissal of faculty members be invoked.

Report Done

The Faculty Committee on Academic Freedom and Tenure has completed its investigation of infringements of academic freedom that may have occurred on the Cornell campus in the 1968-69 academic year. The investigation, requested by the Faculty Council, has produced a majority and a minority report. Both are reprinted in the Faculty section of the Chronicle, beginning on page 4.



CORNELL CHRONICLE

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Thursday, October 9, 1969

Assembly Drafting Committee Considers Senate Proposals

The Constituent Assembly's Drafting Committee for a University Senate is now considering Senate proposals prepared by its subcommittees. These proposals will be discussed and amended by the

full drafting committee prior to submission to the Assembly for adoption.

It is expected that more than one proposal will be brought to the Assembly floor, that these

proposals will be perfected on the floor by "friends of the proposal," and that the Assembly will then choose among them. The alternative chosen will then be open for amendment by the full Assembly.

One proposal has resulted from discussions by the drafting committee in nine meetings, four of which were of the full drafting committee and one of which was an open meeting. It will be published to the Assembly this evening.

The draft of this proposal is presented in this issue of Cornell Chronicle on page 2 for the consideration of the Cornell Community. At least one more open meeting will be held to discuss the proposal prior to its formal submission to the Assembly.

It is anticipated that two further drafts based on different assumptions of the role of a University Senate will be presented to the Assembly. These drafts have not yet had the benefit of full discussion by the drafting committee.

They will also be published both to the Assembly and to the Cornell Community after they have been discussed.

The background and explanation for "Committee Draft Four for a Cornell University Senate" was adopted Tuesday night by the drafting committee which is comprised of more than 60 members of the Constituent Assembly.

The background and explanation is on page 3.

President Corson Reaffirms University Position On COSEP

President Dale R. Corson has reaffirmed the University's intention to continue and strengthen the Committee on Special Educational Projects (COSEP) program.

In a letter sent on October 2 to Miss Charisse Cannady, acting coordinator of the COSEP Counseling Service, and Professor James Turner, director of the Center for Afro-American Studies, President Corson said:

"The Robertson Committee Report was presented to the Trustees at their meeting on September 5 and a decision was made to release the Report for public distribution. The Report received little discussion at the meeting and no action was taken on any of the recommendations in the Report. The Trustees expect to devote the major portion of the afternoon of

their meeting on October 17 to a discussion of COSEP and of the Black Studies Program. They wish to hear your views and you both have been invited to participate in the discussion.

"Over the summer, I had several discussions with members of the COSEP Committee and with faculty members interested in the COSEP Program concerning the COSEP organization and changes we should make for the coming year. Since the beginning of the fall term, I have had further conversations, particularly with Miss Cannady, concerning the appropriate organization for the Program.

"I have reached the conclusion that we should establish a central COSEP Office which we have not had previously, with a Director — somewhat after the model of the International Student Office. Such an office will not be part of the Dean of Students' operation, but in my discussions with Miss Cannady we have not yet reached a conclusion on where the Office should be attached in the administrative structure of the University. The COSEP Office should be the point where coordination of the entire COSEP Program takes place. This includes working with the colleges in recruiting students, with the Admissions Office for the admission of students, with the Financial Aids Office on matters of scholarship help and jobs, and with other offices having an interest in the Program. The Office would also be the central point for non-academic counseling and would also have responsibility for coordinating academic advising with the various colleges in which COSEP students are registered.

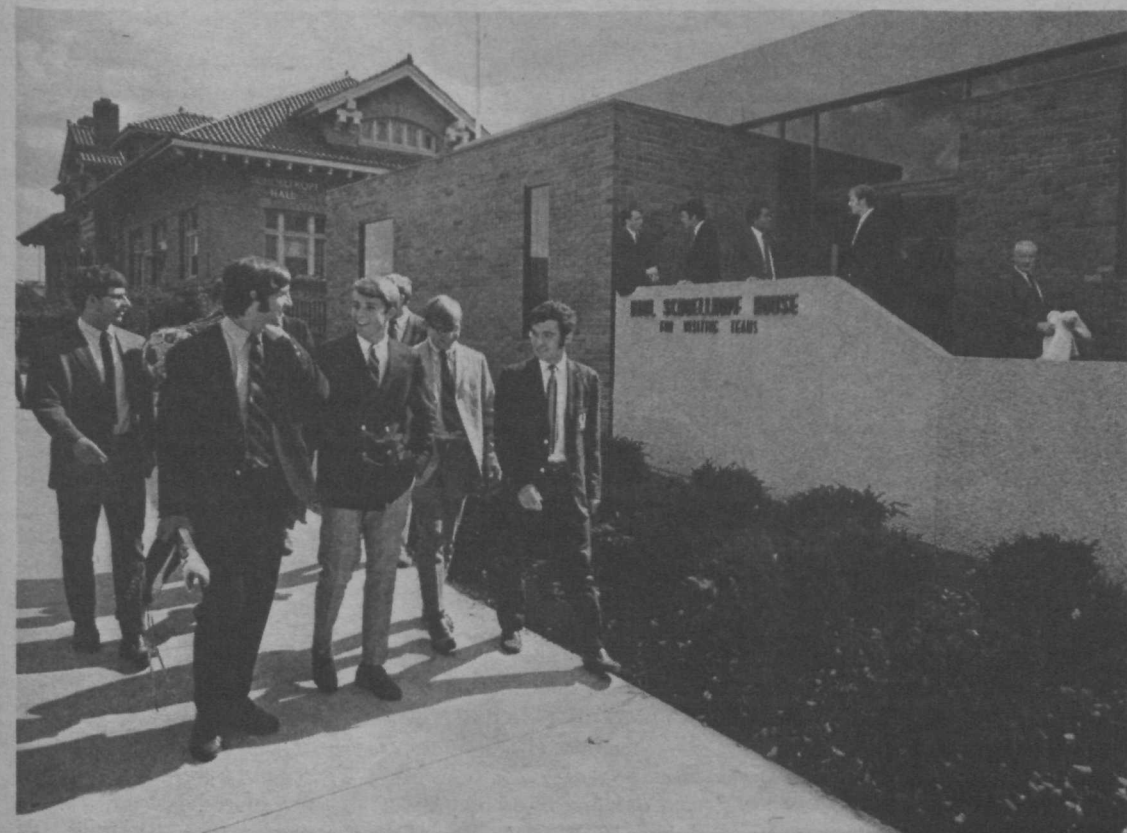
"I have also concluded that we should continue the COSEP Committee. The function of the Committee is to serve as a formal liaison between the

COSEP Report

Acting Provost Robert A. Plane has indicated that a report from 15 members of the Cornell Committee on Special Educational Projects (COSEP) has been received by University President Dale R. Corson and transmitted to Trustee members of the Robertson Committee and to members of the Executive Committee of the University Board of Trustees.

This COSEP report is reprinted in this issue of Cornell Chronicle beginning on page 12.

New Visiting Team Facility To Be Dedicated



SCHOELLKOPF HOUSE — The Cornell soccer team strolls past the new visiting team facility which will be dedicated Saturday at 11 a.m. The \$300,000 building is named the Paul Schoellkopf House for Visiting Teams in honor of the late Buffalo industrialist, Paul A. Schoellkopf, and is a gift of the Schoellkopf family.

Continued on Page 15

Constituent Assembly Drafting Committee Proposal For A Cornell University Senate

PREAMBLE

The Cornell University Community, desiring to govern itself in a manner reflecting the diversity of its membership, hereby creates the Cornell University Senate.

The Cornell University Senate is to be a principal legislative and policy making body of Cornell University in matters which are of general concern to the University community. It shall be the sole legislative body in matters of justice and public order and on the university calendar. It shall make policy and appropriate legislation on particular aspects of campus life. The Cornell University Senate is also directly concerned with (1) innovation in, and the quality of, education at Cornell; (2) the review of, and recommendations on the University's planning for the future; and (3) the review of, and recommendations on, those policies which have intrinsic social and political implications. While powers of decision in some of these matters remain in the hands of the Trustees, the Administration, the Faculty or the students; the University Senate may recommend appropriate action or policy in any matter which it deems to be of general community concern.

The following articles specify the powers, composition and mode of operations of the Cornell University Senate:

ARTICLE I

Powers and Functions

The University Senate shall:

1. Have sole legislative powers over campus codes of conduct, the campus judiciary system (subject to trustee by-laws for dismissal of a faculty member), and the academic calendar;

2. Make policy and appropriate legislation on non-academic matters of campus life of concern to the University community;

3. By majority vote have the power to suspend new University Faculty legislation with which it takes issue unless and until a second affirmative vote of the Faculty on such legislation is obtained;

4. Have the right to require written and/or oral reports from all persons or committees having jurisdiction over more than one college on matters appropriate to the Senate;

5. Examine the short and long range plans of the University including the broad allocation of University resources and make recommendations thereon;

6. Make recommendations on matters it deems appropriate—including specific recommendations for changes in existing legislation—

- a. To the Faculty to be placed automatically on the agenda of an early meeting of the University Faculty.

- b. To the Administration and/or Trustees on items to which an explicit and

expeditious response is required.

- c. To the community at large.

7. Establish such committees as appropriate to carrying out its powers and functions, make its own rules and have staff to serve the body as a whole as well as its committees.

ARTICLE II

Membership

The Senate shall have 100 voting members as follows:

1. 45 students: divided among undergraduates and graduate students in proportion to their numbers. Undergraduates are to be elected in proportion to the number enrolled in each school and college and including one student elected from the COSEP Program or its successor and one student elected from among those registered in the Afro-American Studies Courses. The graduates are to be elected in accordance with procedures to be devised.

2. 45 Faculty members, elected from the various colleges and schools in proportion to the sizes of their faculties. In colleges electing two or more delegates, voting shall be college-wide according to the Hare System. In colleges electing four or more delegates, at least % of the delegates shall be non-tenured faculty. One of the faculty delegates shall be on the faculty of the Afro-American Studies Program elected in a manner specified by the Afro-American Studies Program.

3. One alumnus elected by the Alumni Association

4. President.

5. Provost.

6. One Vice President elected by the Vice Presidents.

7. Two non-exempt employees.

8. One exempt employee.

9. Three non-professorial academic:

- a. One librarian.

- b. One Research Associate

- c. One at large

10. Ten administration officers, ex-officio, with all privileges except voting

11. The Deans of the various schools and colleges, ex-officio, with all privileges, except voting.

12. Up to five individuals who, at a given meeting or meetings of the Senate, may be authorized by the Credentials Committee with all privileges except voting.

The Senate shall provide in its by-laws for the filling of vacancies and for recall procedures.

ARTICLE III

Committees

The Cornell University Senate may establish such standing and special committees as it sees fit, however the initial structure to be set forth in its by-laws will include the following internal Committees:

1. Executive Committee (as specified in Article V).

2. Committee on Committees.

3. Nominations and elections Committee.

4. Credentials Committee.

5. Planning Review Committee (as specified in Article VII).

Also the Senate shall have the primary responsibility of establishing University wide boards and committees to insure the quality of campus life. The Senate shall reserve the right to receive, examine and make recommendations on the broad policies of these boards and committees. In its internal by-laws the Senate shall establish Committees including but not restricted to the following areas:

- a. The educational, cultural and social life of the living units and the community at large.

- b. The maintenance and operation of the Health Center, Student Unions and the Campus Store.

- c. Traffic and safety regulations.

- d. The athletic and physical education policies of the University.

Further, the Senate shall, where appropriate, encourage the establishment of informal or formal Trustee-Senate, Faculty-Senate and Trustee-Faculty-Senate committees or task forces.

When other governing bodies establish boards, of committees which require representatives of the community as a whole, the Senate should be looked to to select or approve such representatives.

Membership on the committees of the University Senate is distributed among the different groups in the Senate so as to reflect their particular interests. Committee membership will not be restricted to members of the University Senate, but could in all but a few committees include others who have not been elected to membership in the Senate.

ARTICLE IV

Terms of Office

Elected members of the Senate shall serve two-year terms for a maximum of two successive years from March 1 to the end of a succeeding February. Elections shall take place during January and February. Students expecting to graduate in the spring may vote but not run for the Senate. No less than one-half of the Senate shall stand for election each year.

Officers and standing committees shall serve from March 15 to March 14, and shall be chosen between March 1 and March 14.

No non-Senate member may hold the same office or serve on the same committee more than two years in succession.

ARTICLE V

Executive Committee

1. *Membership.* The Executive Committee shall have nine members elected by the Senate

from among its members, including at least three students and three faculty members. The Speaker shall preside over the Executive Committee.

2. *Functions.* The Executive Committee shall:

- a. Prepare the agenda for Senate meetings.

- b. serve as a rules committee.

- c. Provide procedures for selection of the following Senate Internal Committees.

- i Committee on Committees (shall determine types of committees, jurisdiction and membership)

- ii Nominations and Elections Committee.

- iii Credentials Committee.

ARTICLE VI

Officers & Staff

1. The Senate shall elect from its members a Speaker, who shall preside at meetings of the Senate and the Executive Committee. The sole function of the Speaker will be that of a "town meeting moderator."

2. The Senate may elect from its members such other officers as it deems necessary.

3. The administration of the University shall provide financial or other support for reasonable staff and facilities of the Senate.

ARTICLE VII

Planning Review Committee

This committee shall consist of nine members elected by the Senate plus the Provost, ex-officio. The chairman shall be a member of the Senate. All its members need not be members of the Senate. The committee shall receive the long and short range plans of the University including the broad allocations of University resources, shall discuss them with appropriate officers of the University, and, where it deems necessary, make recommendations on matters of concern to more than one college of the University.

Individual committees which fall under the cognizance of the Senate shall carry out their own planning activity in conjunction with appropriate university officials. Prior to submission of their plans to the Senate these committees shall submit them to the Planning Review Committee for its examination.

ARTICLE VIII

By-Laws

The Senate shall establish its own by-laws by a vote of 2/3 of those present and voting.

ARTICLE IX

Amendments

Amendments are proposed by an affirmative vote of at least 51 members of the Senate, and ratified by simple majorities of

- a. A meeting of the Board of Trustees.

- b. A meeting of the University Faculty.

- c. A referendum of all enrolled students on the campus and all

persons employed by Cornell University.

ARTICLE X

Ratification

Ratification shall be by affirmative votes of the Constituent Assembly, the University Faculty, the Trustees, and a referendum of all enrolled students on campus, and all persons employed by Cornell University.

New Rules On Late Payments

The names of Cornell students who fail to pay tuition, fees or other indebtedness to the University will be given to the registrar rather than to the proctor, under a revision of by-laws adopted Sept. 4 by the Board of Trustees.

Formerly, the names were given to the deans of colleges and to the proctor, according to Ralph A. Miller, assistant University treasurer. It was the proctor's job to contact students and notify them of their delinquency, Miller said. One reason for the revised by-laws, he said, was that the office of proctor has been abolished.

Under university rules, any student who fails to pay his tuition, fees or other indebtedness to the University within the prescribed time is subject to having his registration as a student terminated.

When the treasurer determines that a student account is in arrears, he must give written notice to the registrar. The registrar will make an appropriate entry on the student's permanent record and send a notice to the student and to the dean of the college or school in which he is registered.

Persons with outstanding indebtedness to the University which is in arrears will not be allowed to register or re-register in the University, receive a transcript of his record, have his academic credits certified, be granted a leave of absence or have his degree conferred.

The treasurer may grant an extension of time to complete payment of student indebtedness but late payment will require the payment of a special fee.

TAs Allowed "CC" Stickers

All teaching assistants are reminded by the Division of Safety and Security that they are entitled to receive parking privileges in the "CC" parking lot near the corner of Jessup and Triphammer Roads.

Teaching assistants should apply to the Board on Traffic Control, Room G-2, Barton Hall, for the appropriate sticker.

Background of Senate Draft From C.A. Drafting Committee

Two models for a University Senate, those at Princeton and Columbia, were considered in detail as contrasting alternatives, and have helped to clarify the thinking of the Drafting Committee as to the proper form for a Senate at Cornell.

Cornell's University Senate has

committees rather than by the Senate as a whole.

Cornell's plan for a Senate provides for *equal* representation of students and faculty, provides for specific, final legislative powers in some areas, plus broad powers, some general some specific, with great potential impact and effect. Given that this University has a functioning University Faculty body which is in the process of strengthening its administration and its decision-making apparatus, it was probably not possible, and of questionable desirability to assume that this body would be replaced by a University Senate. There are matters which are mainly of concern to faculty members, (their economic status, for example) and the awarding of degrees, that they would be unlikely to relinquish. Thus given the assumption of a continuing University Faculty, the present plan is designed to provide for a University Senate to deal with important community-wide issues with broad student participation.

Particular Provisions

Article 1: This article specifies those areas in which the Senate shall have sole legislative power, and, in addition, a number of ways in which the Senate is expected to participate in those functions where the final authority rests with other governing bodies. Powers of review and recommendation have traditionally been the principal means by which the Faculty itself has influenced University policy, and the power to receive written or oral reports from University administrators or from committees is intended to guarantee that the University Senate will have access to all necessary information in carrying out its functions. This includes access to budgetary information as needed.

Through its ability to place recommendations on the agenda of a University Faculty meeting, and its ability to suspend any action of the Faculty pending a second affirmative vote, the Senate participates in a system of checks and balances which are designed to guarantee that faculty legislation will remain responsive to the community as a whole.

It is expected that the "temporary veto" power of the Senate will make it exceedingly unlikely that hasty or marginally supported actions, or legislation which is clearly unacceptable to any major portion of the community, would be enacted. On those matters which belong clearly in the province of the Faculty, however, the Faculty has the power to make this final judgment.

With respect to other

governing bodies (Administration and Trustees) the Senate may require explicit consideration of any recommendation. It is expected that joint membership in committees and task forces will further facilitate communication and a proper balance of power between and among University constituencies.

Article II: Membership consists primarily of an equal balance of students and faculty (as stated above). Several additional members are included, however, to guarantee that their interests are represented, and that the Senate has some input from all constituencies in the community. Since it would be unrealistic to attempt to operate the Senate without close liaison and a continual input of information from the University and College administrations, 10 administrators and the deans of the colleges are included as ex-officio members without voting privileges (to attend as required).

In order to insure the representativeness of the body, and to provide for maximum contact between members of the Senate and their constituencies, representation is apportioned among schools and colleges, and the Hare system is to be used in faculty elections. The proposed formula represents a compromise between a small number of representatives elected at large from the entire University, and an unwieldy body with representatives from each department or small group of students.

In order to assure representation of important groups who might otherwise not be included, the formula requires that the undergraduate contingent include one COSEP student and one student from Afro-American Studies courses, and that the faculty shall include a minimum percentage of non-tenured members. As an additional means of representation for special interest groups on relevant matters, provision is made for up to five ex-officio members who may be temporarily seated by the Credentials Committee for one or more meetings.

Articles III through X describe the organization of committees and provide for certain initial committees with which the Senate is expected to begin its work. These committees may be changed later, and will generally include non-Senate members who are experts on the questions important to the committee.

These articles also specify terms of office, which are normally to be two years, with half of the Senate elected each year. This is expected to provide sufficient time for new members

Continued on Page 11

The Senate Concept: Participation Needed

(Following is a rationale for a University Senate written by Peter Auer, chairman of the Constituent Assembly Drafting Committee for a University Senate, who asks that the views be considered specifically his own and not necessarily representative of the committee.)

By PETER AUER

The concept of a University Senate grew out of the conviction that some continuing form of effective community participation was required in the decision-making processes affecting campus issues. This proposition assumes that a representative body duly elected by members of the community will afford an acceptable means of achieving this goal.

It is worth observing that, regardless of its role, the legitimacy of the Senate may be challenged at any time. The present proposal calls for a relatively small body of 100. On the one hand this cautions concern over the method of election. On the other, it should serve as a warning to the Senate not to confuse its voice with that of the community. As for elections, serious thought should be given to such alternatives as an Electoral College.

The nagging problem of legitimacy can be further alleviated if the Senate chooses not to rely entirely on its membership to settle all issues. Instead it should exercise its appointive powers liberally to form task forces and ad hoc committees from the community at large and as the occasion demands.

The findings of these groups should be given great weight. They should also have free access to all facts and information of concern to their task. In addition, sufficient resources in the way of staff and funds should be made available to these groups to guarantee their effectiveness.

Since it is anticipated that the arena in which the Senate operates is that where issues affecting the entire campus community are at stake, it becomes necessary to consider its relationship to other bodies already operating in this territory; namely, the Board of Trustees, the Central Administration, the University Faculty, and certain Student Organizations. One could add to this list any Employee Bargaining units which come into being.

The relationship of the Senate to the Board of Trustees in large measure should be recommendatory and advisory. Through its legislative actions and the creation of joint committees with the Board, the Senate can become a powerful influence over decisions reached by the Trustees. The Senate should also examine at various periods the composition of the Board with a view towards recommending changes in it.

It is assumed that the role of the Administration is to administer. The day-to-day, as well as the year-to-year, guidance of University affairs should be their charge. However, in the past, the lack of effective communication has made it difficult for the Administration to maintain its accountability with the community at large. The existence of the Senate should eliminate this problem.

The Senate should play a vital function in probing, questioning and scrutinizing the Administration. Working closely with the Administration through joint committees, if needed, it can take a leadership role in promoting matters that otherwise would not receive sufficient attention.

At the least the free exchange of information between the Senate and the Administration will serve to prepare the latter for making unpopular decisions. On a more optimistic note, the working relationship between the two will lead to mutual education and a more harmonious campus.

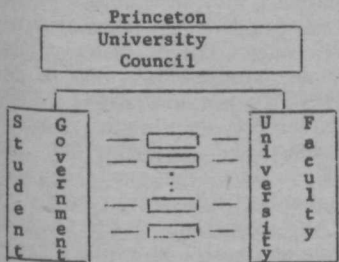
It is proposed that the Senate play a principal role in judicial matters and certain campus life matters of intimate concern to the entire community. Insofar as the University Faculty exercises a role in these matters, they would be asked to relinquish them in favor of the Senate.

The bulk of academic matters of concern to students, ranging from curricula to tenure appointments, are not properly community affairs and do not belong within the province of the Senate. They are traditionally dealt with at the academic departmental level, and that is the desirable place for student involvement.

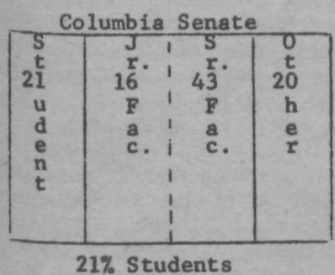
There should be few if any occasions for conflict between the Senate and the University Faculty, since for the most part the latter would limit itself to matters of its own concern. However, provisions have been made whereby in the event of a disagreement formal notice of this fact can be served by the Senate on the University Faculty.

The question of potential overlap of conflict between the Senate and certain existing Student Organizations has received little attention so far. However, there is little reason to believe that the Senate should preempt whatever is already functioning in an independent and healthy manner.

In summary, the Senate is conceived as an innovation in partnership. It should be viewed as the principal agency for community involvement in the governance of university affairs in partnership with existing bodies. It should not be considered the exclusive voice of the community, however. Its principal mission should be to make the University a better place, but no one should think it has a monopoly on this.

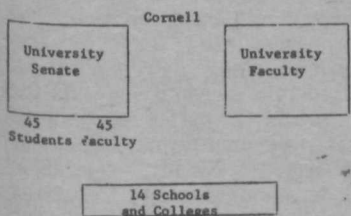


been drafted to fill a role different from that for either of the other models — because the conditions prior to the establishment of an all University body in each instance were substantially different. At Princeton there has been a history of successful



operation of a student government with committee structure parallel to that of the University faculty, also traditionally a successful and democratic University faculty.

In practice the Committees of the two bodies have met jointly and have harmoniously resolved most issues. Princeton's University Council has been superimposed on these existing structures, is a purely recommendatory body, and is



chaired by the University's President.

The Columbia situation is radically different. There was no effective representative government for either students or faculty prior to the establishment of the Senate. Thus the Senate fills a void for that University. It is the major policy making body in all matters including academic matters. However, this body is dominated in numbers and influence not just by faculty, but by *senior* faculty members. Only 21 per cent of the body is made up of students. In particular instances, important matters are dealt with finally by

Bulletin of the Faculty

(Publication of this Bulletin is supervised by the Secretary of the University Faculty, Ernest F. Roberts Jr., 304 Day Hall, 256-4843.)

Report of the University Faculty Committee on Academic Freedom and Tenure (1969)

The Committee at the request of the Faculty Council has investigated any infringements of academic freedom that may have occurred on the Cornell campus in the past academic year. As a result of the investigation, two reports have been submitted without any faculty action taken thereon. The majority report, reprinted immediately below, was signed by Sara Blackwell, Gordon Fisher, Stephen Parrish, Norman Penney, Thomas J. Reid, William Whyte and John Windmuller. The minority report, reprinted following the majority report, was signed by Andreas Albrecht and Bart Conta.

I. INTRODUCTION, DEFINITIONS AND STATEMENTS

A. Introduction

The genesis of this report was a letter from President James A. Perkins to Dean Robert D. Miller, dated April 29, 1969, requesting the Faculty Council to authorize "the fullest possible investigation of any infringement of academic freedom that may have occurred on the Cornell campus during this academic year, that such infringements be given the widest possible publicity, and that both the Faculty Council and (the President) be informed as to how our policies and procedures can be improved to guarantee further this central feature of our intellectual life."

The request, of course, followed upon the heels of a series of critical events and a number of public and private statements by Faculty members that academic freedom at Cornell was in grave peril. Several letters to that effect, including two by distinguished Visiting Professors, had appeared in The Cornell Daily Sun, and on Saturday, April 26, 1969, several senior members of the history and government departments had made public statements at Barton Hall on this subject. The Chairman of the Government Department had previously announced his resignation from Cornell and the Chairman of the History Department had resigned his chairmanship, both on this ground.

This committee set about its task initially by circularizing all members of the Faculty advising them of our endeavor and inviting communications to us. We received a number of letters and two appearances responsive to our circular. We also decided to seek out and request appearances from those members of the Faculty who had made public statements on academic freedom, particularly those who had announced their intention to leave Cornell. In response to this latter request we listened to Professors Walter F. Berns, Donald Kagan and Walter F. LaFeber. Others were invited to appear but declined, preferring to rest upon published statements which they had previously made. The reader should be aware that the manner in which we chose to elicit testimony and material may

have affected the emphasis in this report, particularly the reported instances of (felt) infringements upon academic freedom in the "Chronicle of Events" which follows.

At the outset the committee was faced with the problem of determining whether incidents claimed to involve infringements of academic freedom did indeed involve academic freedom at all. We consequently spent an enormous amount of time discussing the meaning and scope of academic freedom but still have not agreed upon this fundamental matter among ourselves. We therefore chose to open our report with several definitions of "academic freedom" and a brief discussion of the most important statements or pronouncements on the subject by the American Association of University Professors (AAUP), Cornell, and the National Student Association.

The "Chronicle of Events at Cornell during this academic year", which then follows, reflects the events or incidents which our informants cited to us as affecting academic freedom at Cornell this past year. The character of these events ranges widely from incidents that most of us would acknowledge as clearly impairing academic freedom to events which some think may not involve academic freedom at all. We may have overlooked some infringements and we may have included some events which should not be put in a chronicle of events having academic freedom implications. We chose to include virtually all the incidents which were cited to us, including the points that were made to us as to their effect upon academic freedom, without much, if any, assessment by us of whether they did, in fact, reflect infringements. This was partly because of our own differences of opinion but also because we felt that the reports of the events speak for themselves. Each reader can judge for himself what infringements there were and it is not clear to us that our divided opinion on a number of these incidents would add very much.

Finally, we conclude with a brief statement on the "range of views on academic freedom" and proposals which we hope will help us to further understanding of this very important problem.

Because our task was initiated May 1, the committee asked Professors Stephen M. Parrish

and John P. Windmuller to continue working on this report until its completion even though their terms expired June 30. Our newly elected member, Professor William F. Whyte, joined in our deliberations early in May.

B. Academic Freedom Defined

"Academic Freedom is that freedom of members of the academic community, assembled in colleges and universities, which underlies the effective performance of their functions of teaching, learning, practice of the arts, and research." (Fuchs, 1 Encyc. Brit. 57 (1963))

A number of academic authorities have assayed definitions of academic freedom: Arthur Lovejoy, one of the founders of the American Association of University Professors, offered the following early definition: "Academic freedom is the freedom of the teacher or research worker in higher institutions of learning to investigate and discuss the problems of his science and to express his conclusions, whether through publication or in the instruction of students, without interference from political or ecclesiastical authority, or from the administrative officials of the institution in which he is employed, unless his methods are found by qualified bodies of his own profession to be clearly incompetent or contrary to professional ethics." (Lovejoy, Academic Freedom, 1 Encl. Soc. Sci. 384 (1930))

Professor Robert MacIver has written that "Academic freedom is a right claimed by the accredited educator, as teacher and as investigator, to interpret his findings and to communicate his conclusions without being subjected to any interference, molestation, or penalization because these conclusions are unacceptable to some constituted authority within or beyond the institution. Here is the core of the doctrine of academic freedom. It is the freedom of the student within his field of study." (Robert M. MacIver, Academic Freedom In Our Time 6 (1955))

The definition which we feel most accurately reflects the kinds of concerns expressed to us was coined some years ago by Professor Fritz Machlup.

Professor Machlup, formerly president of the AAUP, after noting that "it is difficult or impossible to formulate an unambiguous definition of academic freedom," defines the term as follows: "Academic freedom consists chiefly in the absence of, or protection from, such restraints or pressures . . . as are designed to create in the minds of academic scholars (teachers, research workers, and students in colleges and universities) fears and anxieties that may inhibit them from freely studying and investigating whatever they are interested in, and from freely discussing, teaching, or publishing whatever opinions they have reached."

(Machlup, On Some Misconceptions Concerning Academic Freedom, 41 A.A.U.P. Bull. 753 (1955))

C. General Statements

General statements on academic freedom abound and most of us would be willing to subscribe to the more familiar ones as far as they go.

1. 1940 Statement of Principles of Academic Freedom and Tenure of the AAUP.
2. 1968 Land Grant Proposed Revision to 1940 Statement.

3. 1966 AAUP Statement on Professional Ethics.

4. 1967 Joint Statement on Rights and Freedoms of Students by the U.S. National Student Association and the AAUP.

5. 1960 Cornell University Faculty Statement.

6. 1965 Cornell University Faculty Resolution.

7. 1969 Barton Hall Assembly Resolution.

8. May 19, 1969 Statement of AAUP Cornell Chapter.

There are some common threads which run through these statements. Underlying them all is the notion that "freedom of inquiry and expression" are indispensable to the attainment of an academic institution's goals: transmission of knowledge, the pursuit of truth, the development of students and the general well-being of society. Earlier statements of the AAUP and Cornell dealt with freedoms and responsibilities of teachers. More recently, the freedoms and responsibilities of students have been the subject of concern. Teachers are entitled to freedom in research and publication, freedom in the classroom in discussing their subject, and freedom as citizens to express their opinions, within the constraints imposed by their position as academic officers and scholars.

The counterpart to the teacher's right to teach is the student's right to learn. Students have the right to free inquiry which includes freedom of expression in public discussion, the right to invite speakers of their own choosing, freedom from improper academic evaluation, and the right to participate in institutional affairs.

In several recent statements there appears a concern for the preservation of conditions conducive to the freedoms described and proscriptions against "acts of physical force," and disruption.

In the past, perceived threats to academic freedom have come mainly from outside the academic community: Attacks on the professor for views he has expressed on or off the campus accompanied by demands that the professor be discharged or otherwise punished. Powerful though some of these attacks have been, they have generally been met by the mobilization of support for the professor among his colleagues and students and the willingness of leading administrators to resist such pressures.

We have entered into a new era where some of the perceived threats to professors and other members of the academic community come from within. Pressures are increasingly being mounted by organized and politicized student groups with the support of some faculty and non-student activists. Faculties and administrations are thus facing a situation to which the principles and procedures developed in the past do not readily apply. We must seek to re-examine the principles of academic freedom as they apply to the current situation and in this re-examination we must be prepared to recognize the possibility of imbalances and weaknesses in existing statements and procedures.

Freedom of inquiry and expression remain paramount concerns, but it should now be clear that academic freedom is not the private preserve of the faculty or any other segment of

the University community. At the same time, because the faculty are especially trained and selected to investigate and "profess", their freedom of inquiry and expression has traditionally had a special importance. This is a shared concern with the potential for conflict when one person's "freedom" impinges upon the freedom of another. (There is an old saying that "your freedom stops at the end of my nose.") Everyone's freedom is dependent upon the solution of conflicts by orderly and rational means — i.e., the rule of law as opposed to the rule of force.

What is missing from these earlier statements? There are a number of pressing problems that are not adequately dealt with, but it should be stated at the outset, that history has proven statements alone to be woefully inadequate. The University community must understand, support and be prepared to defend the principles that underlie the statements.

An important need is the development of new machinery and procedures to handle these new challenges to academic freedom. There may have to be some kind of procedure to resolve disputes between faculty and students, particularly as to conflicts arising from the conduct of classes. The handling of faculty involvement in campus protest activity and acts of disruption is also a matter of pressing concern. The focus in the recent past has been upon the disciplining of students who exceed appropriate bounds. In line with the foregoing is the necessity for articulating and defining the relationship between academic freedom and a number of other concepts and concerns including "social justice," "racism," "civil disobedience" and the like. Ambivalence about these relationships has been a sore point of faculty discontent. Finally, there seems to be an inescapable link with the maintenance of order since the *sine qua non* is the preservation of the right of free expression and the solution of problems by rational discourse. Some disruptive and intimidating tactics are so close to the borderline as to be incapable of formal sanction. Yet they serve the purpose of impairing others' freedoms (causing self censorship, for example). The community must be brought to understand this phenomenon and join in its condemnation. The necessity to achieve this understanding and support of academic freedom suggests the need for a major educational effort devoted primarily to these problems. Finally, tolerance, understanding, and courtesy must be promoted and encouraged.

II. CHRONICLE OF EVENTS OF THE PAST YEAR ASSOCIATED WITH THE STATE OF ACADEMIC FREEDOM AT CORNELL.

Written or spoken testimony provided to the Faculty Committee on Academic Freedom and Tenure indicates that many Faculty members believe academic freedom at Cornell to be in jeopardy. Although the degree of infringement represented in the specific cases reported will not be judged by the Committee, it appears to range from that of outright denial of the right of public expression of opinion (which is documentable) to that

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of contributing in some measure to a cumulative climate that has inhibited certain members of the academic community. The latter state consisting of fears arising from actions and inactions of individuals and groups within the community is difficult to assay in tangible terms, but it is manifest especially in the claims by Cornell professors of their self-censorship of lectures and published materials.

The following account is a chronicle of the events perceived by various witnesses to underlie or represent the erosion of academic freedoms at Cornell.

1. McPhelin Affair.

While this incident occurred in the spring of 1968, so many witnesses cited this case and it does seem so significant, that this committee chose to include it in the chronicle as the first item. It was the first incident which we have found in which violence against University officials was used by demonstrators with no sanction later imposed.

This episode concerns: (a) the teaching by Professor Michael McPhelin of the introductory course, Economics 103, in which about 300 students were enrolled, during the Spring semester, 1968; (b) the reactions of certain black students to subject matter which they considered to be covertly racist, culminating eventually (after what they perceived to be the "run-around" from a number of administrators) in their request that the professor be dismissed on grounds of incompetence; (c) the associated occupation of the offices of the Department of Economics by mostly black, but including some white, students; and (d) the investigation of the students' complaints by the Special Cornell University Commission (reporting on April 26, 1968) consisting of nine members (three students, three administrators, and three faculty members) appointed by President James A. Perkins and Dean of the Faculty Robert D. Miller, as well as by two special observers (Professors Norman Malcolm and Walter J. Slatoff) appointed by Arts and Science Dean Stuart M. Brown (letter of May 22, 1968 to President Perkins).

A chronology of events related to the McPhelin affair is itemized on pages 12-17 of the Report of the Special Cornell Commission (April 26, 1968). Other events occurring after the submittal of that report but associated with the McPhelin affair are listed below.

a. On May 5, 1968, B.F. Cooper, M.J. Garner, and R.D. Rone delivered to Dean S.M. Brown a letter signed by them requesting that Professor McPhelin be dismissed on grounds of incompetence. The charge against Professor McPhelin, having been made orally and informally to Dean Brown and others as early as March 20, 1968, had been investigated by the Dean's observers, Professors Malcolm and Slatoff, in concert with the Special Commission (chaired by Professor Robin Williams), beginning on April 9, 1968. Through his observers and his study of the Commission's transcript of testimony, Dean

Brown made an analysis of the case which was transmitted to President Perkins in the Dean's letter of May 22, 1968. In his analysis, Dean Brown absolved Professor McPhelin of the charge of incompetence as a teacher and recommended that no action be taken against him. Further, the Dean stated that he was not prepared to say that Professor McPhelin was guilty of "racism," nor was he prepared to say that the professor was innocent of it. He did say, however, that Professor McPhelin and others at the University including himself were guilty of "racism" as the black students defined it which the Dean understood to mean "ignorance of and indifference to the plight of black people." The final sentence of Dean Brown's letter was: "My recommendation, Mr. President, is that we as an institution commit ourselves fully and at once to the solution of the great educational and social problems revealed by this incident and that no action be taken against McPhelin."

b. With regard to the April 4, 1968, occupation of the offices of the Department of Economics, Dean of the Faculty Robert D. Miller in his memorandum of May 16, 1968, to the University Faculty indicated that he, President Perkins and the Vice-President for Student Affairs Mark Barlow Jr., were in agreement that no judicial procedures should be invoked, and therefore no citations should be made, against the students involved. One important reason for not proceeding against the students was the reluctance of Department Chairman Professor Tom Davis, to have this done. In addition, Dean Miller expressed the viewpoint that the University should reaffirm "the rights and duties of professors and banishment of coercion from the campus."

Dean Miller also later pointed out to the Committee that the assassination of Dr. Martin Luther King, which occurred only hours after the occupation of the Economics office ended, may have caused many members of the community to think in terms of reconciliation rather than punishment.

c. On May 23, 1968, in a release to the press, President Perkins stated that he regarded the incident as closed. Among the "lessons from this event" which he listed was, "We must hold fast to our determination to maintain academic freedom on the one hand and orderly processes for the conduct of University affairs on the other." He explained that no action would be taken against Professor McPhelin and no formal charges would be brought against the students involved in the obstruction of the offices of the Department of Economics.

Various incidents concerned with the McPhelin case, its handling by the administration, and the perceived consequences of University officers' judgment of the case were cited by a substantial number of faculty members as evidence of the direct infringement of certain academic freedoms of both the professor and some students, and as contributing to the development of a freedom-eroding atmosphere. The alleged infringements cited are listed below in four categories:

a. Those involving the freedom of the professor.

1. Examination of the

content of Professor McPhelin's course by a commission of faculty members, administrators and students appointed by the administration. The commission went to great lengths to get student notes of McPhelin's lectures to ascertain what the statements claimed to be racist were.

2. Disruption of his class by some students on April 4, 1968 and denial of right to conduct class by his own methods.

3. Omission of one normally scheduled lecture concerned with a "sensitive" topic because he was "advised to stay off it." (Williams Commission Report, pp. 16-17.)

4. During the commission's hearings, the accused and accusers did not have the opportunity to confront each other; the professor was

deprived of his right to due process.

b. Those involving the freedom of the students.

1. No mechanism for recourse was provided to the dissenting students who wanted the "other side" to be presented; one witness suggested that perhaps the reading of a statement pertinent to the course subject such as the students proposed and eventually carried out (without permission) represents a mode of discussion that might be appropriate in a large class.

2. Failure of the professor to answer a student's question on one occasion (March 19, 1968) was construed to be an abridgement of the student's right to free inquiry.

3. The freedoms of the non-disrupting students were

violated by a minority of dissidents who disrupted the class on April 4, 1968, and, as a consequence, denied the majority the right to hear the regularly scheduled lecture.

c. Those involving the freedom of the entire academic community.

1. Obstruction of offices of the Department of Economics and the incidental violence, preventing that department from carrying out its normal operations; coercion and restraint of the department chairman and knocking down a campus patrolman.

2. Failure of the administration to institute formal charges against the students who occupied the offices, particularly those who used violence.

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Faculty Opinion...

Editor:

We believe that the question of whether classes cancelled on October 15 should be re-scheduled raises fundamental issues about the role of the University in time of crisis. For this reason, we are bringing to your attention the following statement that was made to the students in one of the larger courses in the University for which we are responsible, Human Development and Family Studies 115 (The Development of Human Behavior) which enrolls some 700 students and is taught in Bailey Hall.

"We, the staff of this course, have a special reason for opposing the Vietnam War. What this course, and indeed what the entire College of Human Ecology is all about — the full development of human beings in a humane context — is daily violated in Vietnam. What is more, the war corrupts these values in our own society in many ways: by diverting economic resources from meeting desperate human needs, by turning our most humane national traditions into empty words and falsehoods, and by betraying the finest of our youth. For all these reasons, and many more, we oppose this war.

"But one opposes war because he stands for something else — the institutions and the ways of peace. All too often in their determination to combat evil, men become indifferent and even destroy what they profess to cherish. This ironic course appears to us to be characteristic of the present moment in our history. Having at long last recognized so much that is wrong and hypocritical in our American way of life, we are ready to oppose and annihilate the forces of destruction without asking what it is these forces are destroying. And in our fervor, and willingness to use any means to fight evil, we aid the very processes of destruction we are seeking to arrest.

"What are the ways of peace? They are concerns for human welfare, for children, for families, for art, for learning, and for free inquiry. In fighting the forces of war we should not lightly abandon

the institutions of peace. In particular, we should not abandon them where it is not necessary to do so. On the contrary, especially in times of crisis they must be nurtured, practiced, and protected if they are to survive and flourish.

"What does all this mean for Cornell in mid-October? In our view, it means two things. First, we believe it is important to participate in the nationwide expression, by American youth and their teachers, of their informed and intensive opposition to the Vietnam War. To enable you our students, and us your teachers, to make this effort more effective, this class will not meet on Wednesday, October 15.

"But, we would stress that the purpose of expression on October 15 is not to make ourselves feel good, but to have impact on the rest of the nation, in particular, its policymakers in the Congress and the Administration. From this point of view, we are not impressed by the complaints of some that classes should be held so that there is something to protest against, so that they can feel that they have made a sacrifice. We presume that the protest next Wednesday is not against classes, but against the war. And feelings on this matter, in our view, have significance only in so far as they are translated into action.

"This means that our protest on October 15 will have little significance if all we do is not to attend classes. We urge the day be used for activity that can make a difference: by writing to your Congressman, by getting others to do so, by canvassing in local communities.

"But if one canvasses, it is important that this be done in a manner which enlists rather than antagonizes the public. You have to be informed not only on Vietnam, but about the people in the neighborhood where you are canvassing. And you must not jeopardize that effort by scattering your fire. This is not the place to plead the cause of the Chicago eight, the innocence or guilt of the Green Berets, the morality of the Viet Cong, or the evils of ROTC. The purpose is to get us out of Vietnam.

"Finally, and equally important, we believe that these are times not only for opposing but affirming. We have said that in mounting an attack on war we should not lightly abandon the ways of peace, and that among these ways are learning and teaching. Accordingly, while this class will not meet on Wednesday, October 15, it will be re-scheduled for another date next week.

"In making this decision we are aware that many of you may be against it. But we have our values to live with as well as your own. Learning and teaching stands high among these values for us. If we believe in them and practice them in times of peace, we should believe in them, and practice them, in times of war — and of war against war.

"There are those who argue otherwise — indeed, there is one member of our staff among them — who say that opposition requires a sacrifice, that we should be ready to give up one day of luxury to win the battle for peace.

"The rest of us disagree. We do not believe in sacrifice for its own sake, we do not believe education is a luxury, nor is it a matter of just one day. You know the plan: one day this month, two days the next, three days the next, and so on.

"We hold it a strange precedent that a strike against war should be defined operationally as a strike against learning and teaching, and we do not wish to encourage such a precedent. We are, therefore, not cancelling our class but holding it at another time.

"But the final choice, of course, is yours. We respect your right to make it, whatever it may be."

We urge our colleagues in the Cornell community to give consideration to the issues raised in the foregoing statement.

Urie Bronfenbrenner, professor; Roberta Golinkoff, teaching fellow; Carol McHale, teaching fellow; Judy White, teaching fellow; Ann Willig, teaching fellow; and Barbara Wolf, teaching fellow.

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d. Those concerned with fears and anxieties generated by the case and the tactics employed in its investigation.

1. Subsequent self-censorship by professors of their lecture and published materials to avoid disruption and violent confrontation. Specific instances of editing sensitive material out of an article and a lecture were given to the committee. At least one professor stated that he was conscious of black visitors to his classes which he perceived as a possible effort to check for "racism" in his course. There have been rumors of other such incidents, and one known incident involving the use of a tape recorder, but no others have come forward to provide specific information.

2. One witness objected to a meeting later conducted in the Arts College to discuss "how to avoid offending black students in the use of offensive terms."

3. One witness wrote that it would not be possible for a research unit such as the Cornell Center for Environmental Quality Management to examine the problems of the ghetto unless the black community ceased its censorship of participants; he felt that the precedents set by the McPhelin case impaired the chance of success of such research.

4. In his letter (May 4, 1968) to Dean Brown, Professor W.J. Slatoff (one of Dean Brown's observers in the Williams Commission's hearings) urged the necessity of safeguarding Professor McPhelin's academic freedom, but he also insisted "that at least equal energy and systematic effort be devoted first, to safeguarding the rights of black students not to have to suffer further indignities, and second, to trying to discover the ways in which 'institutionalized' or 'unconscious' racism or ethnocentrism operates within the university." Also, Professor Slatoff suggested "that the Department of Economics might commit itself to a reexamination of its curriculum and especially its introductory courses in light of recent discoveries about the nature of institutionalized racism."

These viewpoints, as extended in Dean Brown's letter (May 22, 1968) to the President, were cited as evidence that the administration is willing to bend academic freedom to accommodate social and political actions. Further, these viewpoints together with the various disruptive aspects of the McPhelin case were cited by a substantial number of professors as the bases of their fears and anxieties that led to their self-censorship since May 22, 1968. Others indicated that this case marks the initial erosion of freedoms, compounded by more recent events, which has led to their resignation from Cornell.

2. Removal of the Education Department from 320 Wait Avenue.

These events took place during the period December 6-14, 1968, and approximately coincided with the black students' demand that an autonomous College of Afro-American Studies be instituted at Cornell.

The house at 320 Wait Avenue was assigned to the School of

Education during the Malott administration. In recent years it has been used primarily to house educational research projects, programs supporting graduate fellows, and emeritus professors. The large conference room had been available to other groups, its use scheduled through the Education office. When the Education faculty was reorganized in 1968, those using the building included members of the Department of Education (College of Agriculture) and the Center for Research in Education. The Center moved to Rand Hall in the fall of 1968.

On December 5, 1968, Mr. Donald H. Moyer, Assistant to the Provost, notified Professor Helen L. Wardeberg, then acting chairman of the Department of Education, that Education personnel would have to find other quarters before fall, 1969, and preferably by the summer. This information was transmitted to the faculty to be displaced.

Also on December 5, 1968, members of the planning committee for the Afro-American Studies Program were told that the building would be available to the program by fall, 1969. The Afro-American Society (AAS) had held one or more meetings in the conference room; these meetings had not been scheduled through the Education office. The assumption was made that the Society would be able to continue meeting there.

On the morning of December 6, 1968, a notice attached to the entrance door at 320 Wait Avenue announced that the building was to be used by the Afro-American Society and that Education personnel (approximately 37 people) must be out of the building by noon. This notice fell to the ground and received little attention. Another appeared later. During the early afternoon, six members of the AAS entered the building. They vituperated and directly threatened with bodily harm Messrs. K.M. Hibbard and Gerald Friedman (Research Associates), Mrs. Gloria Dinicola (secretary), and two graduate students who were in the building at that time. These five people vacated the building, under duress. As other people who normally occupied the building (professors, research assistants, graduate students) returned after lunch, classes or other business, some were not permitted to enter the building but others were.

The Afro-American Society held a meeting in the conference room that evening (December 6, 1968); some black students were observed, from the outside, to be in other parts of the building. They left the building late in the evening. The following morning, however, a Cornell Sun staff member was assaulted and the film of a Sun photographer was seized outside the building. Earl Armstrong, then president of the Society, could not be reached by the Provost throughout the weekend. Early the next week, the Society characterized the "occupation" as unauthorized activity by a small segment of its membership. Nevertheless, later in that week (December 12 and 13), "demonstrations of the Society's needs" were engaged in elsewhere on the campus.

From the beginning of this series of events, Education faculty and graduate students were greatly concerned about the presence of unauthorized persons in their offices and

workrooms. Irreplaceable data were in the building, along with valuable equipment, including experimental equipment designed and constructed by the researchers. Some of the more "critical" materials were removed immediately (December 7) with the assistance of Vice Provost Kennedy. Education personnel were asked by the Provost's office to stay out of the building on a day-to-day basis. By December 12 the education faculty decided that there never would be an opportunity to work in the building again. So, on December 13 they requested the Provost's permission to move out all of their materials and equipment; this action was effected on December 14, 1968, again with the Vice Provost's aid.

3. Disturbances of the Southern Africa Symposium in Statler Auditorium.

These events constitute a minor and major episode involving scheduled sessions of the Southern Africa symposium sponsored by the Center for International Studies on the evenings of February 26, 1969, and February 28, 1969, respectively.

On February 26, 1969, the lecture of O.C.H. Krause, editor of the South African magazine, News Check, was interrupted at one point by a non-student who invited the audience to determine by a vote whether to terminate Mr. Krause's lecture. Another non-student opposed this proposal on the grounds that the apartheid philosophy of the speaker was "so fantastic" that he wished to hear the remainder.

On the occasion of the February 28, 1969, session, Congressman Allard Lowenstein had been prepared to discuss the topic, The Dynamics of Change in Southern Africa, as the main feature. However, at the dinner preceding the evening session, it was mentioned that an ultimatum had been issued to President Perkins that he would have to discuss the University's investments in South Africa or else the Afro-American Society would disrupt the lecture planned for that evening. Whether or not such an ultimatum was issued was not established by this committee. Nonetheless, President Perkins did intend to discuss Cornell's banking interests and the investment of funds in banks conducting business in South Africa just prior to Congressman Lowenstein's address.

As the President approached the podium at the beginning of the evening session, a black student secured the microphone, preventing the President from speaking. After a few remarks, the black student relinquished the floor to a white non-student member of the SDS, who was in the audience and who proceeded to review the names of Cornell Trustees with financial interests in South Africa. At about the same time that the black student had taken the podium, two other blacks, Afro-American Society members, assumed positions at either side of the stage.

A few minutes after President Perkins had been allowed to begin to speak, they entered the wings of the stage (out of sight) and returned momentarily, each carrying a piece of wood, a "2 by 4" approximately three or four feet in length, which they placed against the wall before returning to their original positions behind and to the sides of the President. Soon there-

after, one of the men walked forward, grasped the President's left shoulder and forcibly removed him from the podium to the loud beat to percussion instruments played by members of the Afro-American Society, seated near the front of the auditorium. President Perkins broke loose, walked to the east side of the stage behind the curtain, and was escorted from the building by members of the Safety Division. Upon seeing the President being grabbed, the Supervisor of Public Safety, Lowell T. George, walked to the front of the auditorium and was about to ascend the stage steps when one of the men threatened verbally and by gesture to hit him if he came on the stage. Then, Edward Whitfield, President of the Afro-American Society, stepped forward and spoke to Mr. George, trying to dissuade him from forcing his way onto the stage. Thereupon, Mr. George left the auditorium.

Because of the disruption, Congressman Lowenstein discarded his prepared lecture text and instead discussed the incident he had just witnessed, comparing the assault of President Perkins with his own experiences in South Africa.

A number of faculty members have cited the events of this meeting (February 28, 1969) as an instance of the denial of freedom of public speech, disruption of a scheduled meeting and the subversion of the planned purposes of a meeting, and have pointed out that all of these violations were effected by physical coercion. Further, the failure of the administration to announce any action against the offenders in this case has been interpreted by a considerable segment of the faculty to represent an alarming intensification of the use of violence at Cornell with corresponding adverse consequences for the preservation of academic freedom.

We have learned, but the rest of the University Community may not know, that a charge was filed by the Code Administrator against a student who has subsequently withdrawn from Cornell. No action was taken against the person who first seized the microphone, perhaps because some persons interpreted his later comment that "we blew it" as an apology. The third man involved, then a "non-student," was written a letter directing him to keep off the campus.

4. Malott Hall "Invasion."

On March 10, 1969, a team of recruitment personnel from the Chase Manhattan National Bank consisting of three Cornell graduates came to Malott Hall to interview candidates for employment. Between 10 and 10:30 a.m., a group of non-students and a student on leave of absence broke a rear window, forced open a door of Malott Hall (resulting in cuts to the hand of David J. Wall, a Safety Division officer), and produced a key by which the inner entrance door was unlocked. The 150 to 200 people admitted were able to disrupt completely the interviewing process. During the event, Elmer Meyer, Jr. (Dean of Students), Mark Barlow, Jr. (Vice President for Student Affairs), and David A. Thomas (Acting Dean of School of Business and Public Administration) were detained in an office for approximately 30 minutes. At a point when it appeared that

violence might erupt between the dissenters and students of the School of Business and Public Administration, Vice President Barlow terminated the recruitment proceedings.

Early in the disruption, the clerical staff of the School was moved to rooms on an upper floor, but essentially no business was conducted throughout the day. In the early stages, the Supervisor of Public Safety, Lowell George, warned the intruders that they were trespassing and disrupting, and therefore, subject to punishment. Classes were disrupted during the morning and apparently some classes were cancelled during the afternoon to accommodate an impromptu discussion by members of SDS and the School.

According to Acting Dean Thomas and the Safety Division, the event was planned and managed by the SDS and Afro-American Society. All photographic film not in the hands of members of the SDS and AAS was confiscated by members of these organizations.

A number of faculty members have cited this event as an example of the abridgement of the freedoms of the students whose classes were disrupted, of coercion of the academic community, and of interference with the normal operations of a segment of the University, and as contributing to an inhibitive climate at Cornell. Several have deplored that a key leadership role in this disturbance was played by non-students, and that none of the participants has been penalized or even charged with violations. In this case the non-action was in part attributable to the delay occasioned by the consultation and deliberations of several faculty groups in response to the faculty resolution of March 12 (responding to Provost Corson's request for the Faculty Council to be augmented by younger Faculty members and students).

5. Acts of Harassment, Intimidation or Violence Contributing to a Climate of Fear.

This committee learned about a number of instances of harassment and physical assault that occurred sporadically during the year. No attempt will be made to catalog all of these here. Instead, only a few of the events that have been cited to the committee as the most important ones because of their marked influence on the community will be itemized.

a. Threatened physical violence by members of Afro-American Society to members of Education Department at 320 Wait Avenue on December 6, 1968. (See item 2 in this section.)

b. On December 12, 1968, six members of the Afro-American Society engaged in a series of demonstrations which began in front of Willard Straight Hall, where a photographer, a Safety Division patrolman on foot and a student were harassed by the AAS demonstrators gesturing with water pistols. The demonstrators then walked through Day Hall to the President's office, asked "if the man was in," and when told that he wasn't, left. They then continued to Goldwin Smith Hall where they banged on classroom doors, and turned over a candy-vending machine, a

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cigarette machine and a fire extinguisher. Later they entered the Elmhurst Room and demanded service after regular hours, but left without being served.

The six were cited to appear before the Student-Faculty Board on Student Conduct (SFBC), but three left the University for various reasons before their cases were acted upon. The remaining three received reprimands, subsequently nullified by the Faculty.

On December 13, 1968, a group of about 75 to 100 members of the AAS began a parade around the campus near the President's office and demonstrated in the Gannett Clinic and in the Ivy Room of Willard Straight Hall where, at lunch time, some of them danced on tables at which other students were eating. Some of the group proceeded to Olin and Uris Libraries and the Industrial and Labor Relations College Library where they removed books from the shelves and drawers from the card catalogs and piled them on desks and floors, calling librarians' attention to the books' alleged lack of relevance.

On January 10, 1969, members of the AAS removed 30 cushions from Mary Donlon Hall to 320 Wait Avenue. However, the Safety Division was notified and they and the Dean of Student's office retrieved the cushions around midnight of that day. (Three AAS members, one of whom was involved in the December 12 and 13, 1968 demonstrations, were charged with stealing the cushions. The students said they needed something to sit on and had intended to return them. Later the judiciary board voted "no action".) While retrieving the cushions, the Safety Division discovered an assortment of furniture taken from Martha Van Rensselaer Hall. It was also returned and no action was taken, since the perpetrators were unknown.

The six members of the AAS charged with misconduct for their actions on December 12, 1968, and January 10, 1969, were asked on three separate occasions before March 12, 1969, to appear before the Student-Faculty Board on Student Conduct but they never appeared.

Eventually on March 12, 1969, the University Faculty passed a resolution in which it reaffirmed its belief in the validity of the adjudicatory system to which all students are expected to subscribe.

At the March 13 meeting of the SFBC, it was expected that the five charged AAS members remaining at Cornell (one had not been re-enrolled for the spring semester because of academic reasons) would finally appear. However, in their stead approximately 150 other members of the AAS came to the meeting to demand that the University establish "mutually satisfactory structures for handling cases involving political actions by black people", arguing that the current judicial system is inappropriate and not morally legitimate. As a consequence,

the SFBC postponed action on the case until the arguments of the AAS could be given further study by the Faculty Committee on Student Affairs.

On March 26 in its report published in the Cornell Daily Sun, the Faculty Committee on Student Affairs (FCSA) declared that the judicial system was adequate to deal with all cases of student misconduct.

On April 13, 1969, the Cornell Committee on Special Educational Projects, (COSEP) urged upon the Faculty Council the impropriety of threatening the students with suspension for failure to appear in the light of a printed statement on the reverse side of their notice to appear. That language on procedures included the following paragraph:

"8. If you fail to appear at a hearing or to cooperate in a reasonable manner, the Board may proceed to a judgment."

On April 16, 1969, the FCSA instructed the SFBC to give the five black students the option of appearing or not appearing before the Board and made it clear that the SFBC "is free to act on the substantive issues of the original charges in either event." Black students later claimed that the confusion thus engendered worked an unreasonable mental hardship upon the charged students.

At 2 a.m. on the morning of April 18, at the end of its meeting which had begun at 7:30 p.m. on April 17, the SFBC issued reprimands to three of the students who were accused of "harassment and intimidation of members of the community." No penalties were given to two students accused of taking cushions from Mary Donlon Hall.

c. Within an hour after the SFBC meeting had terminated (i.e. at about 3 a.m. on April 18), a cross was burned on the porch and a window was broken of a black women's co-operative known as Wari House, located at 208 Dearborn Place. Beginning at about the same time and continuing at intervals during that morning, there was a rash of eleven false alarms from a variety of campus points to which the Safety Division had to respond. The black students have since complained about the lack of surveillance at the dorm and the lack of appreciation by the white community of the significance of the crossburning. Details about the later false alarms and the subsequent surveillance of the property during the night are given in a report issued by the "Carter Committee." (Chaired by Professor Lisle Carter.)

d. At approximately 5:30 a.m. on April 19, more than 100 members of the Afro-American Society seized Willard Straight Hall, evicting members of the service staff and some students' parents housed there for Parents Weekend. An attempt to enter the building by force was made that morning by 10 to 20 white students, mainly members of the Delta Upsilon fraternity, with consequent violence. During the evening of April 19, firearms were brought into the building. A variety of events, such as the rumors that fraternities were arming with hunting weapons, heightened the tenseness of the situation both within and outside the

building.

Negotiations between the black students and the Dean of the Faculty and the administration represented by Vice President Steven Muller and W. K. Kennedy resulted in the evacuation of the building at 4:10 p.m. on April 20. Significant in the negotiations was the agreement of the Dean of the Faculty that if the evacuation took place promptly he would call a faculty meeting the following day and would recommend that the reprimands issued to the three black students on April 18 for their actions on December 12 be nullified.

At approximately noon on Monday, April 21, President Perkins declared an emergency situation on the campus and announced a University-wide convocation to begin at 2 p.m. At the convocation he made no direct reference to the events of the past weekend, April 18-20. (It was stated at a Dean's meeting on the following day that word was communicated to the President that if he chose to discuss those events, militant groups would seize the microphone and give their version of the events.)

At 4 p.m. the same day (April 21), the University faculty met in Bailey Hall. With an overwhelming vote, it condemned the black students' seizure of Willard Straight Hall, and it found it "impossible" to dismiss the reprimands issued to the three black students at that meeting because of "the presence of arms and the seizure of Willard Straight Hall." The faculty resolution also stated that "The Faculty is prepared under secure and non-pressurized circumstances to review the political issues behind the Afro-American complaints", and "Therefore the Faculty directs the Faculty Council to meet with representatives of the Afro-American Society tomorrow and to report to the Faculty by Friday at 4 p.m." The Faculty also condemned "the despicable attack on the Wari Cooperative by the burning of a cross" and affirmed its support of proper punishment of those responsible for the incident.

The Faculty Council could not get the AAS to meet with them as directed. However at its meeting on April 22 it voted to reconvene the faculty on April 23 and reintroduce the Miller resolution that the judicial actions against the three black students be declared null and void. Also on that day, the Faculty Committee on Student Conduct voted that the judicial actions taken should be nullified and two college faculties passed similar resolutions.

Almost 200 "concerned faculty" and 100 students met at noon at Kaufmann Auditorium on April 22 to discuss means of achieving the blacks' demands. Some members of the assemblage, including approximately 25 faculty, voted to participate in the takeover of a building to register the groups' identification with the blacks' position.

In a radio interview broadcast at 6 p.m. on Tuesday, April 22, 1969, Tom Jones, an Afro-American Society member, called certain University administrators (James Perkins, W. K. Kennedy, Steven Muller, Dale Corson and Mark Barlow) and professors (Clinton Rossiter, Walter Berns, and Allan Sindler) "racists";

indicated that they "as racists will be dealt with." He also said that "we are not going to die alone", "we will move by whatever means necessary", and indicated that the AAS "would act", unless the faculty reversed by 9 p.m. its decision of April 21 because "after 9 o'clock it will be too late". This announcement coming in the wake of the previous weekend's occupation of Willard Straight Hall produced some degree of anxiety and it resulted in several families leaving their homes to stay elsewhere that night.

At approximately 9:30 p.m. on April 22, the SDS moved its meeting, which had begun at Bailey Hall, to Barton Hall where more than 5,000 people eventually gathered. After Jones's speech, a number of faculty groups prepared to support the black demands, were identified to the group. Eventually the Barton Hall "happening" evolved. At approximately midnight on April 22, Jones announced that the Afro-American Society had voted unanimously not to act until after the faculty reconsidered its position in a meeting to be held April 23.

For a variety of reasons, (including a large out-pouring of student sentiment as manifested in countless discussions) the Faculty, at its meeting beginning at noon on April 23 resolved to nullify the judicial procedures taken against the five students as a result of incidents last December and January.

e. Other significant events, not contiguous with, nor apparently related to, those itemized above (under 5b, c, and d), occurred during the same period of time or soon afterward. Black students have told about threatening phone calls and of insults called out to black women.

In the early morning of March 15, two white students (M.T. Neal and Winthrop Byers) reported that they had been separately assaulted by black persons near the Tripphammer Bridge and in the Arts Quadrangle, respectively. However, neither student could make an exact identification.

Joel H. Klotz, another white student, was found severely beaten and unconscious in the Arts Quadrangle at approximately 2 a.m. on March 16. Mr. Klotz was unable to provide any clues to help identify the assailant. The period following this assault was filled with rumors about the event and the condition of Mr. Klotz. Mr. Klotz was hospitalized in critical condition for a substantial period but has now recovered.

At 10:52 p.m. on May 9, 1969, near the Cascadilla footbridge, Robert J. Dick, a white graduate student, was reported by the press to have been robbed by a freshman black student, who was allegedly armed with a pistol. The black student was indicted for first-degree robbery and the possession of a deadly weapon. His case is pending in City Court.

There was a marked increase in the incidence of false fire alarms and bomb threats during the last part of the Spring term.

There have been two instances of threats to individuals relating to the conduct of their professional roles within the academic community, which we

have received in confidence and cannot further describe without breaching that confidence.

8. A further challenge to the battered judicial processes occurred on May 1. About 210 demonstrators led by SDS members entered Barton Hall while Army ROTC cadets were practicing drill exercises for the annual Presidential Review. A number of people (eight of whom were then identified) allegedly entered a restricted area by climbing over a fence and forcing open gates that had been secured by a chain and padlock. It is charged that although they were warned by the Supervisor of Public Safety, Lowell T. George, that they were disrupting and damaging property, they proceeded to paint slogans on a naval destroyer deck gun within the fence barrier, and one of the leaders employed a portable public address system to attack ROTC on the university campus. (Two students were later added to the defendants giving rise to the term "the May Day Ten".)

The administration decided to refer the cases to the Ithaca courts rather than process them through the campus disciplinary channels. This was, in part, attributable to the March 19 discussion between the University Counsel, Neal R. Stamp, and the Faculty Council concerning the nature of offenses that may have been committed at Malott Hall and the complications arising because both students and non-students were involved in the disruption. Stamp expressed the belief that civil law-enforcement authorities would look with disfavor on differential treatment of the two groups, although some Council members were of the opinion that fair policies could be written that took into account the educational aspect of the relationship between students and the University. Nevertheless, the Council developed and adopted a statement on March 20 recommending that "... administrative officers of the University file complaints with the civil authorities without regard to the relation of the alleged offenders to the University" in cases of "... disruptions of University functions by conduct involving harassment, unlawful imprisonment, assault, and the like ...". This statement was printed in the Sun on March 21. The soundness of its stand was discussed by the Council on July 16 with District Attorney, Matthew McHugh. McHugh contended that were the University to place charges against non-students arising from an incident in which students were alleged to be involved, he would expect civil authorities to investigate the total group, treating them without regard to their status in the University.

Some of the events cited in this section represent instances of harassment, threats of violence and violence itself perpetrated within the academic community by some of its members, and of the failure to implement existing faculty legislation providing for the application of judicial procedures. According to professors who suspended classes after April 20th, recently resigned from Cornell, or admitted to self-censorship of classroom or published materials, these incidents, in addition especially to the

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McPhelin affair and the disturbance at Statler Auditorium, have contributed to the tense atmosphere, and therefore, to a decided erosion of academic freedoms at Cornell. Militant students, black and white, have been identified both with efforts to "reform" practices having clear academic implications and with the utilization of coercive methods to attain these "reforms". Some witnesses feel that Cornell has become highly politicized and must immediately undertake an examination of the priorities of its purposes. Is the pursuit of truth still Cornell's primary objective, and does the maintenance of free inquiry and expression without intimidation provide the indispensable climate for it?

6. Allegations of Other Internal Pressures on Academic Freedom

a. Black Ideology Course. This first account concerns the alleged administrative pressure exerted on the Educational Policy Committee of the College of Arts and Sciences at its February 5, 1969 meeting.

In his testimony to our committee, Professor Donald Kagan reported that the University administration had brought unusual pressure upon the Educational Policy Committee's deliberations of whether the course, Black Ideology, was worthy of credit in the College. Professor Kagan was a member of the Educational Policy Committee at that time, and Vice Provost W. K. Kennedy, representing the administration, was seeking approval of the course. Mr. Cleveland Sellers, who had had only two years of university study, had been employed by the Center for Research in Education and had been instructing two sections, each of about 20 students, since February 1, 1969.

According to Professor Kagan, the Committee's examination of the content of the proposed course, its reading list, and related data aroused serious reservations. Professor Kagan further stated that Vice Provost Kennedy, having listened to these discussions, agreed with the analysis, saying that were he a professor in the College of Arts and Sciences or a member of that committee, he too would feel the same way. However, he was there as a representative of the administration and in that capacity, was urging the Committee's approval of the course because of the black students' pressure on the administration to establish an autonomous college. Professor Kagan added that Kennedy is one of the few people in the administrative corps for whom he has great respect, but that the administration wanted the course approved for purely political reasons.

Vice Provost Kennedy stated that he did not request the Educational Policy Committee to hear him, but rather that Dean Stuart Brown had invited him as well as several black students (of which four appeared), probably to get a range of viewpoints before the Committee. After a considerable period of discussion (during

which the Vice Provost did not speak) and after the students had been dismissed, the Committee invited Vice Provost Kennedy to comment. The Vice Provost is adamant that in his introductory comments he made it clear that he was not defending the course or Mr. Cleveland Sellers as the instructor of it, but that he was asking that the course be approved entirely because of commitments that had been made by the previous Acting Director of the Afro-American Studies Program to the black students.

Vice Provost Kennedy asserts that he emphasized to the Policy Committee that the approval of the course would represent an important symbol so far as the students are concerned. He explained that he was carrying through a commitment that had been made prior to his own association with the Afro-American Studies Program, and that it seemed to him that it was important for the University to demonstrate its flexibility to the students at that time.

b. The Frustration of Professor Bloom's Lecture. In his testimony to this committee, Professor Donald Kagan alleged that Harold Bloom, a Senior Visiting Fellow in the Society for the Humanities, had been denied the opportunity to give a public lecture on black poetry by the Society for the Humanities and the English Department.

The history of this claim was traced by two members of the Academic Freedom and Tenure Committee. It appears that the lecture delivered by Michael Thelwell, a Fellow of the Society for the Humanities, to the Literature Club on the evening of April 29, 1969, provoked Mr. Bloom's desire to present a public lecture in which he proposed to rebut some of the ideas and viewpoints set forth by Mr. Thelwell. During the first part of the next week, Mr. Bloom discussed this possibility with Professor David Novarr, Acting Chairman of English. Professor Novarr asked Mr. Bloom to consider further his proposal, arguing that it would not serve a useful educational purpose to scathe a young scholar's (Mr. Thelwell's) viewpoints in public, especially since Messrs. Bloom and Thelwell enjoyed almost daily interchanges of ideas, and he suggested to Mr. Bloom that instead he might wish to address a colloquium of professors in the English Department. Professor Novarr says that eventually (about May 10) he did tell Mr. Bloom that the English Department would be pleased to sponsor a public lecture if it was still something he wanted to do. But, Mr. Bloom was apparently so upset by his earlier discussions that he said that he would prefer to present such a lecture after he had returned to Yale in September, 1969.

Professor Max Black stated that Mr. Bloom never made any request of the Society for the Humanities, to give a lecture but that, if he had, Mr. Bloom would have had the approval of the Society to discuss anything that he wished, free of controls. Professor Bloom stated that when he approached Professor Black as Director of the Society to sponsor the lecture it became so readily apparent that Professor Black would prefer not to have the lecture given that he, Professor Bloom, never pressed the point.

c. The Abortive "Uprising" in Professor LaFeber's Class. Professor Walter LaFeber

reported the thwarting of a potential incident concerned with the conduct of his class in History 384. Though he thought it to be of minor significance, he described it to the Committee as an example of a kind of pressure on the conduct of a course which went beyond acceptable bounds.

Professor LaFeber was called at home at 10:30 p.m. on April 30, 1969 by a student, and informed that on May 1st several students who were members of SDS would attempt to take over his class for the purpose of voting on whether the class should take the final examination in History 384.

Professor LaFeber had not intended to meet the class that day (May 1) as he had suspended lecturing and also he had a meeting scheduled at that time. Instead his graduate teaching assistants (and one undergraduate assistant) had been prepared to tell the class about the scheduling of discussion sections for the remainder of the semester.

The telephoning student asked Professor LaFeber what his reasons were for not continuing the course lectures, because he felt that the SDS students probably would argue that since Professor LaFeber was not lecturing, they should not have to take the final examination. The student also felt that should the vote favor not taking the examination, there could well be picketing outside the classroom on the day of the examination. (This was his personal conjecture; he had not heard this from SDS students.)

On May 1, Professor LaFeber cancelled his meeting appointment and went to the classroom where he explained why he had discontinued lecturing after April 23 and how and when he would meet the discussion sections during the rest of the term. He also announced that there would be a final examination and that everyone was expected to take it. At the end, he was applauded. There was no attempt to disrupt or take over the class as he spoke. However, it was his understanding that such an attempt would have been made if a teaching assistant, rather than he, had met the class.

As an epilogue, Professor LaFeber stated that the day before the examination (in late May) two very angry students asked him why they had to take this particular final examination as they had learned about it just that day by accident. When he asked why they had not attended class on May 1, they replied that they had heard that that class was to be conducted by the SDS and that they (the two students) had heard enough from the SDS and therefore had not attended. Thus, they never heard about the discussion classes and final examination.

Professor LaFeber's concern was that a group of students was seeking, by illegitimate means, to change the conduct of his course from the revised pattern which he had adopted after suspending his lectures on April 23.

After April 20, 1969, several Cornell professors in addition to Professor LaFeber stopped lecturing or meeting with seminar groups, or terminated their courses. In some instances, instruction in some modified manner was continued or reading assignments were made through the remainder of the term even though lecturing had ceased. A number of faculty members have raised the

corollary question whether the academic freedom of students is abridged when professors suspend lectures or terminate classes.

7. Other Reported Incursions Upon Academic Freedom During the Academic Year 1968-69.

The committee received a number of complaints or reports of incidents which did not seem to fall within any of the above headings but yet bear mention if this chronicle is to be regarded as reasonably complete.

a) A faculty member filed a complaint with the committee objecting to his mistreatment by a Department Chairman. While the main focus of the grievance had to do with course assignments and an alleged "overload", there were a number of other areas of friction and alleged shortcomings in procedures which complicated the problem. After meeting with the principals separately, the committee chose not to proceed to a full dress hearing but rather to write to the parties and their Dean seeking to outline the areas of difficulty and suggesting the Dean's mediation. This episode suggested the desirability of some grievance machinery to process cases of this kind.

b) The committee also received a complaint concerning the "improper involvement of faculty and administration" in a particular college's student course evaluation survey practices. In this instance, the survey results were not returned to the professor for his own information and personal consideration of ways to improve his teaching. Instead, all members of the Department were evaluated by a junior colleague and a number of students, and a published report was generally circulated within the Department and to several College administrators in such a way that some consider it to be a popularity poll. The complaint in essence proposed that pressures generated by improper conduct of course surveys both abridge the academic freedom of professors and represent unwarranted coercion especially of tenure-seeking Assistant Professors. The committee has been in contact with the college and parties involved and a solution has been worked out. This incident suggests the necessity for further thought being given to such surveys and other aspects of student appraisal of classroom performance.

c) This committee received a memorandum registering concern on the part of a number of members of one department that they might be subjected to pressure to discontinue even fundamental and open research if sponsored by some government agencies (particularly the Department of Defense).

III THE RANGE OF VIEWS ON ACADEMIC FREEDOM

Our hearings, supplemented by conversations outside of committee meetings, have revealed a wide range of views on the nature of academic freedom and therefore on what incidents can be considered violations of that freedom.

Those interpreting academic freedom most broadly argue that it depends upon the maintenance of an atmosphere of openness and freedom from threats of disruption or coercion. According to this view, the professor who censors his lecture notes so as "to avoid

trouble" has lost his academic freedom, even if he is not responding to any immediate threat.

Those taking an opposite position would limit academic freedom to the protection of the job security of the professor against those who seek to penalize him for what he has said in the classroom or in public. They argue that threats and harassments are deplorable but are inescapable facts of life for anyone working in a controversial field, and therefore that the professor cannot ask to be "fully shielded from the world."

Holders of these opposing views differ not only regarding classroom and public platform problems but also regarding the interpretation of disruptions of campus activities outside of the classroom or meeting hall. Those holding the broad view feel that the seizure of a building or the disruption of a recruiting program are threats to academic freedom since maintenance of rational discourse depends upon the general absence of force or threats of force. While not condoning such incidents, those holding the limited view refuse to consider them as threats to academic freedom.

While freedom in research has not been in the forefront of debate during the past year, here again we find two opposite views. Some claim that the heavy reliance of some departments upon Department of Defense funds places some professors in the position of either using these funds or not getting support for their research, thus limiting their freedom of choice. Others would regard any administration or faculty attempt to limit their access to DOD funds as a violation of their academic freedom.

We also find sharp differences of opinion regarding the application of academic freedom to students. At one extreme are those who would limit the freedom of students to extra-curricular matters. While they may agree that it is a good thing for the professor to encourage the expression of dissenting opinions in the classroom, they insist that the professor must have full control of the classroom, which means that he must have the power to decide who is to speak and who is not to speak at all times. Others argue that this view would deny students rights of expression already agreed upon in the statement prepared by the AAUP and the National Student Association. They claim that some orderly procedure must be developed to resolve cases where the officially stated rights of professors and students appear to be in conflict.

How is student power related to academic freedom? We are all witnessing (as well as experiencing) a national and international trend toward the increase of student power in university affairs, but there are widely divergent views as to how professors and administrators should respond to this trend. One view holds that we must now more than ever be vigilant and prepared to defend academic freedom, or else we will lose it. (This view may be attributable as much to the occasional excesses resulting from present-day student zealotry in pursuit of current "causes" as

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to efforts to obtain power, as such.) Those taking the opposite view doubt the efficacy of taking a purely defensive position in the face of such a powerful and pervasive trend. They argue for working toward a redefinition of academic freedom that would seek to integrate both faculty and student rights. Of course, those arguing for the vigilance and defensive stance fear that such a redefinition could result in the loss of academic freedom "as we know it."

IV. RECOMMENDATIONS

We reaffirm our belief that the University is committed to the creation and maintenance of rational discourse among free men. Such discourse depends upon a campus atmosphere of openness and of encouragement of the expression of views by professors and students, whether these views be held by a majority, small minority, or a single individual. At the same time not everyone can speak at once, the processes, at some point, have to move along, and, occasionally, decisions concerning the operation of the class or the university have to be made. Disruption of classroom or other campus activities and threats and other forms of harassment directed either at faculty members or students are clearly beyond the bounds of legitimate protest; they are threats not only to those directly attacked but also to the continued existence of rational discourse on the campus.

Some aspects of these disruptions and harassments can be dealt with by this committee, others fall within the province of other university bodies, while still others are difficult for Cornell to deal with, since they are pervasive problems of American society. Let us seek to deal with these problems to the limits of the jurisdiction and wisdom of this committee.

A. On the future handling of disruptions and harassments, we recommend —

1. That disruptive activities and harassments be responded to firmly by campus authorities. It is beyond the responsibilities of this committee to seek to determine what action should be taken by what individual or group in the case of each type of future case. The committee was presented with evidence of a growing climate of fear which has served to inhibit the academic freedom of some members of the faculty. The fear arises from certain failures on the part of the university community in the face of harassment, intimidation, and violence. Clearly, it is the community's response to harassment and intimidation which assures the survival, or the extinction, of academic freedom. At Cornell over the past year a number of rational, thoughtful men have lost their sense of freedom as they came to fear that the community lacked the will or the capacity to resist intimidation, to preserve public order, and to punish instead of rewarding those who practice intimidation to achieve their purposes.

2. That individuals so affected report the cases to our

committee in addition to campus authorities having responsibility for the maintenance of "public order." While the more dramatic cases, of course, receive wide public attention and discussion, there are other cases — and rumors of cases — that become known only through "the grapevine" and never receive public discussion. While this committee has no disciplinary powers, we are prepared to investigate any cases brought to our attention. With the consent of the complainant, we would propose to publish the findings of our investigation. We feel that such publication can help to mobilize campus opinion against those who engage in harassment and disruptive activities. Where appropriate we are prepared to refer claims to other agencies that have more competence or more effective procedures and sanctions.

3. That further consideration be given to the handling of faculty involvement in protest activities. This committee delivered a report on this subject to the Faculty Council in the Spring of 1968 which has not been circulated to the Faculty. That report did not recommend changes in legislation or procedures but instead pointed to existing procedures for handling such cases. Since events have made this report somewhat out of date, we plan to reconsider the matter in connection with the more recent University Regulations on Public Order in which provisions are made for disciplining faculty members who violate the regulations. This subject will require careful consideration with a view to amending the by-laws, faculty legislation and the Regulations on Public Order enacted by the Trustees in July, 1969.

B. On the Professor-Student Relationship in the Classroom.

The McPhelin case demonstrated the lack of attention previously accorded to this problem. Of all the statements only the 1967 Joint Statement on Rights and Freedoms of Students gives any guide.

It says:

"A professor in the classroom and in conference should encourage free discussion, inquiry, and expression ... Students should be free to take reasoned exception to the data or views offered in any course of study ..."

The statement then goes on to other matters. It is silent as to what rights or recourse students have if the professor refuses to accord what a student deems to be an adequate opportunity to express "reasoned exception to the data or views" offered by the professor.

We recognize that the nature of the problem of encouraging or maintaining student freedom of expression in the classroom varies with the type of classroom situation. It would be a rare professor indeed who would insist upon his right to conduct a monologue in a small class or seminar, whereas in the large class even the most skillful and student-oriented professor faces problems in balancing student interests in speaking up against the need to move ahead with his material and to avoid what seems to him inclinations to go off on tangents.

Furthermore, there are some professors who are pure lecturers, who do not wish to engage, or feel incapable of engaging, in exchanges with students in lecture sessions. In the case of elective courses, students could be advised simply not to take the course of the professor who conducts his classes in ways of which they strongly disapprove. Clearly this is not an appropriate solution in the case of a course which is required or virtually so.

Nor is the solution so simple in the case when professor and student(s) find themselves at odds part-way into the term, after a substantial investment of time and effort has been made in the course.

What is to be done when the professor's right to present his material in his way appears to clash with student rights to express their opinions? We do not feel that the question of whether Professor McPhelin had the right to express his views concerning his subject matter should have been at issue in that much debated case. Some of us abhor the notion of reviewing what a teacher has to say on his subject or how he says it. As long as the professor remains within the subject matter of his field of competence, we must defend his right to express his views. (Once you have said that a professor's views are to be protected in his field of competence, you have acknowledged the propriety of looking at what he says in the classroom to see if it is, indeed, within that field.) Others feel that the real issue in that classroom situation was rather this: did the professor have the right to prevent the aggrieved students from expressing their dissenting views before the class?

If we say that the professor should permit the expression of dissenting views but that he has the right not to do so or at least to control how this is done, are we saying that the students in the classroom have only those rights that the professor chooses for them to have? Clearly here is an area where professors differ with other professors, not to mention professor and students. What seems imperative is an understanding and formulation of faculty and student academic rights and freedoms, particularly where they come into conflict.

We believe that the professor must have the right to control the discussion in his classroom and to make the decision as to who shall speak and who shall not speak. However, we also believe that it is important, where a student feels strongly, that his freedom "to take reasoned exception" has been denied, he have some orderly and clearly understood procedure to follow to challenge the professor's decision. There are several alternatives.

The establishment of a grievance procedure is one suggestion. Under such a procedure, the aggrieved student or students might be required to take their case up first with the professor of the class. If they do not get satisfaction from him, they should have a channel of appeal to some body or agency within the university. If such a body finds justification in the grievance, it might first seek to bring about a solution satisfactory to the parties. If such a solution cannot be worked out, the ultimate sanction could be the publication of a report possibly including a censure of

the offending teacher.

Another suggestion is the creation of an academic Ombudsman to whom the complaint could be referred. The approach would be similar to that described for the grievance machinery above, the main difference would be in the character of the "body" or "agency."

In the case of these or any other devices a number of critical questions have to be worked out such as jurisdiction (what kinds of cases? what kinds of parties?) composition, and the means of sanction. We do not feel that it is appropriate for this committee to seek to outline such machinery in detail. If such a procedure is to be workable, it must be developed jointly by faculty and students and have general support in both bodies. Many professors may feel that such a channel of appeal undermines their control of the classroom. Others would argue on the contrary that it is a necessary support to that control. In the McPhelin case, the students were able to win sympathy from some other students and faculty members for their disruptive actions because they were able to show that they had made various efforts to find channels for processing their grievance and had not found any individual or group prepared to take their case. If an agreed-upon procedure existed for future cases of this nature and the students chose to engage in

disruptive activities rather than follow the procedure, they would find much less sympathy for their actions in the campus community, and possibly disciplinary measures taken against them would have much stronger general support. On the other hand, overly optimistic expectations that such procedures will solve all problems conceivably arising in the classroom must be carefully avoided.

While "machinery" and the formulation of statements concerning student academic freedoms are important, in the last analysis the machinery will work only if the parties desire to achieve an agreed upon reasonable resolution of disputes with mutual respect and understanding.

C. Discussion of Academic Freedom, Dissemination of Information and the Achievement of Understanding.

We believe there should be initiated a major effort (in forums, discussions, etc.) to understand and establish the meaning and importance of academic freedom. Problems of student and faculty freedoms, protest activity, racism, research and other matters all need discussion to see how they relate to our concept of Academic Freedom. When we have examined these problems, we can then turn to the formulation of a working definition, revision of statements and new or expanded machinery.

A Minority Report

INTRODUCTION

The authors of this report hold views on academic freedom that differ from those of most other members of the committee. As a result, we have been obliged both to offer this minority view and to decline to sign the majority one.

Our differences are basic and general, for the most part. In our view, the traditional, or classical, ideals of academic freedom have been utterly compromised by the strong ties which have developed in recent decades between the modern university and society — a society in turmoil. Thus, we believe that the classical view of the university, held and expounded by most of the academic community, has come to clash seriously with present reality. Most campus crises, including those at Cornell, can be attributed to this fundamental and growing contradiction. The majority report reflects this contradiction but does not acknowledge it.

We do not quarrel with the extensive chronicle of recent events in the majority report characterizing the crisis at Cornell during the past year — although we do see a bias in it. Desperately lacking, however, is a broader view in which these events are recognized as symptoms of deep contradiction. We believe that unless the underlying problems are acknowledged and exposed, and real change is effected, all efforts to ameliorate the crisis will amount merely to the application of repressive measures leading to further severe violations of the classical view of the university. The recently enacted Henderson Law, with rapid acquiescence to it by the university community, is precisely such an example.

We strongly believe in the ultimate worth of the various

traditional views of academic freedom. Simultaneously, however, we can not ignore the significance of the deep ties existing between the university and society. These ties will almost certainly strengthen in the future, not weaken; as a result, the ideals of academic freedom can approach realization only to the extent that society itself achieves a truly democratic condition. The university must consciously bend itself to the task of moving society in this direction. Instead, the spontaneous reaction of many faculty members to recent crises has been to mount a vigorous defense of traditional academic freedom. To many in the community, especially students who focus sharply on our deep complicity in a troubled society, such preoccupation with the defense of academic freedom suggests either a complete lack of perception or simple hypocrisy. Either charge represents a serious breakdown of respect and promises a continuation of the vicious cycle of confrontation and repression into which we have entered.

One can discern a polarization of views with regard to the university and its relationship to society. We shall call these the *insular view* and the *activist view*.

THE TWO VIEWS OF THE UNIVERSITY

The *insular view* is the *conventional one*. It holds that the university is primarily an autonomous institution and that society may suffer crises of considerable magnitude with only modest perturbations occurring in the university as a result. Thus, the academy is still to some extent an ivory tower. This condition is not only held to exist but to be essential. If scholars are to be free to learn, teach, and do research in a

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Academic Freedom Report

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tranquil atmosphere free from external pressures, the university must be largely insulated from society; especially when society is in turmoil with a host of social, political, and racial problems. Violence or the threat of violence is the antithesis of such an atmosphere of freedom and tranquility and can not be tolerated. When student unrest is manifest, it can be controlled by firmness in the application of rules governing conduct in the university community. Less euphemistically stated, unrest can and must be controlled by repression.

The activist view is an evolutionary one. It holds that the university is no longer in any sense an ivory tower but rather has become an integral part of the modern industrial state. It is now a vital organ in the social body. Social crises, far from causing only perturbations in the university, find their full analogues in the campus community. The university's role as a servant of society has become increasingly guaranteed by bureaucratic subservience and financial dependence. The elements of society to which the university is thus responsive and subservient are major corporations, the military, and those government agencies which primarily represent their interests. These elements find strong representation in the university community on the Board of Trustees, in the administration, and among faculty and alumni. They, as the societal elements which they represent, tend to be powerful defenders of the status quo. As society has become increasingly and pathologically dishonest, corrupt, brutalized, and militarized, the university has inevitably shared the degeneracy and now can not be shielded from the moral outrage of a large fraction of its students and a somewhat smaller fraction of its faculty. The demand is not for insular protection but rather for involvement based upon moral purpose rather than financial seduction; for social progress rather than the status quo; for serving the poor, the hungry and the victims of injustice rather than the rich, the powerful and the purveyors of official violence. If violence is so unwelcome in the temple of reason, this view asks, why do we not teach diplomacy for the State Department rather than military tactics for the Department of Defense?

The majority report is based upon the assumption that the insular view is valid. We believe that this view has lost any legitimacy it may once have had and that the only model which has current validity is the activist one.

These basically different views reveal different lights and shadows on all components and aspects of the world of the university.

FACULTY AND STUDENTS

The insular view sees the individual professor as a free-scholar who chooses a subject that interests him, does research and publishes the results, and offers courses which he wishes to teach. The activist view does not deny the existence of

examples of the free scholar model. It holds, however, that the dominant pattern is quite different. The common example is the professor who "chose" a subject as a graduate student because his committee chairman had a grant that would support him on the project as a graduate assistant. He continued to work on the same subject as an assistant professor because of the pressure to publish during the probationary three-year appointment. He still continues afterward because he can now support his own graduate students and thus he perpetuates the system. The funding is likely to be outside the university and is often mission oriented. The profound effect upon science departments generated by recent budget cuts in Washington clearly illustrates the activist view.

The insular view sees the student as a select individual who is lucky to have an opportunity for higher education. The university offers him opportunities and privileges but essentially no rights. He is a free agent and if what the university offers does not satisfy him, he can seek satisfaction elsewhere. The activist view is less flattering. It sees the student as the raw material to be molded and trained for a complex industrial society which needs more and more highly trained people and can no longer use the unskilled. A large fraction of the student-age population is now in college, is supported there by society, channeled there by selective service, and desperately needed to keep the business and industrial machinery functioning. The university is a vital functioning element in modern society, and the student is a vital element in the functioning of the university. The inherent power of the student is forged from his social indispensability and his distaste for the goals defined by a previous generation. The modern dissident student has aspirations, and often even a life style, that place a low value on nearly everything that conventional success implies. The student has evolved into this position of power so gradually that he did not sense it until recently. Now he is determined to exercise it. The insular view sees the student seeking power by threats and confrontations and fears that he will destroy the university. The activist view sees the student, having discovered his inherent power, using this power to save the university by forcing it to serve moral and progressive social goals rather than permitting it to perpetuate the status quo and thus to support decadent trends in society.

ACADEMIC FREEDOMS

Nowhere is the difference between these two views of the university as distinct as in their appraisal of academic freedom. The insular view sees academic freedom in its most general sense, going far beyond the narrow concept of job protection and freedom from political threats by the mechanism of tenure of office. Academic freedom is seen to imply freedom in the market place of ideas analogous to the free market in a laissez-faire economy. The professor must be free from all external and internal pressures, threats, and intimidation. The atmosphere must be so free and tranquil that the professor can not even think any such pressure exists, for if he does, he may

indulge in self-censorship thus impairing his academic freedom. This conventional view sees academic freedom as having prevailed in a general sense until very recently when it was attacked and weakened by individuals or groups who could be categorized as students, militants, radicals, or blacks. Indeed, many of them could be categorized as all four.

The activist position is that, given the reality of the present era, it is only the narrow concept of academic freedom which can and must be defended. Immunity from persecution through job protection for the professor and guarantee of enrollment for the scholastically qualified student constitute the defensible core. The recent events at Cornell and elsewhere that have made headlines have violated this narrow concept of academic freedom primarily with regard to student protection. Rarely has a faculty member been dismissed, threatened with dismissal, or even formally censured. Students, on the other hand, have been expelled, suspended, and reprimanded for acts which often were highly symbolic and political in nature — acts which serve the constructive purpose of exposing the frustrating contradiction between the largely insular ideals of the university and the reality of its complicity in an unhealthy society.

This is not to imply that the narrow and basic concept of academic freedom for the professor has never been threatened. It certainly was threatened during the McCarthy era, and it may be again as a result of the Henderson Law. In another sense, the protection offered by tenure of office has been seriously eroded by inflation. Faculty salaries have nearly doubled in a decade. If a professor is denied periodic "merit" salary increases for political reasons he may effectively be reduced to half salary in ten years. The fact that this may have occurred only rarely is immaterial. The knowledge that it could occur has tremendous power to intimidate. When it does occur, tenure of office becomes nearly meaningless.

From the activist point of view, the broader model of the truly academically free scholar unfettered by all forms of coercion, intimidation, control, and limitation is in fact an illusion. The analogue of a free market and a laissez-faire economy is probably a good one. Our economic system has evolved into a managerial, oligarchic, military-industrial state which bears little resemblance to the free-market model we still pretend to cherish. As the military-industrial complex whose existence President Eisenhower warned us about has grown in power, arrogance, and diversity it has become the military-industrial-government-multiversity-mass media-labor union complex. It can best be described concisely as the establishment. The university is an essential part of it and has evolved into the same rigid, bureaucratic, conservative form. The broad concept of academic freedom is the same invalid model for the university as the free market is for our economy. Our very use of the terms is ritualistic, hollow, and euphemistic. It is the same pathological failure to distinguish between illusion and

reality that characterizes so much of our conventional "wisdom."

To be more specific, one need not deny an erosion of academic freedom in its broadest sense when a professor of government is intimidated by imagined, implied, or real threats of force and as a result practices self-censorship. The important question, however, is how should instances of this sort be judged against a general background of eroded academic freedom? The deep and pervasive bureaucratic and institutionalized limits on academic freedom have been evolving to their present dominance for a long time. They have been unchallenged; in fact many of our faculty actively support them. Others rationalize their subservience in order to avoid placing their careers in jeopardy or even to maintain their self-respect. Most of us have preferred not to notice the institutionalized death of academic freedom in its broad sense and have clung to the illusion of the free-scholar model.

THE MAJORITY REPORT

The majority report attempts to be impartial and neutral but fails, in our opinion, because it is written almost entirely from the increasingly invalid insular point of view. By adhering to the free-scholar model, it virtually ignores the gradual but cumulatively disastrous erosion of academic freedom that has accompanied the subservience of the university to the socially regressive goals of the establishment. It concentrates instead on alleged intrusions upon academic freedom resulting from recent displays of student power. The report borders on an alarmist view that has become politically popular because the students involved are primarily militant, radical, and black. It comes close to ignoring the relentless pressure exerted upon academic freedom by the pervasive establishment which is arrogant, conservative, and white.

The very fact that the turbulent 1968-69 academic year was the catalyst for activating our committee to such a detailed report betrays our insular legacy. The more fundamental but unasked question is why these catalytic events took place at all. To ask this question, and then to answer it, would serve to place our recent history in the proper light. We could not then avoid revealing the contradiction in the present status of the university.

The chronicle of events in the majority report, in particular, suffers from a strong bias. It is almost entirely a lament over a student power, mostly black power, with its implied threat to the academic freedom of the professor in the broad sense. A similar sensitivity to the violation of student academic freedom is absent. The McPhelin affair is described in great detail, in spite of the fact that it took place during the previous academic year. Item 6b, reported at length, is so vague, contradictory and tenuous as to be a non-case. However, both are included because they fit the strident theme of academic freedom threatened by black militancy. On the other hand, item 7a is buried in the exhaustive chronicle and treated in a trivial manner. It is a case brought before the committee by a professor whose very career was threatened by an unresolved conflict involving both his

department chairman and dean. It was serious enough to occupy the committee for at least four full meetings, but is glossed over in the chronicle apparently because it does not fit the dominant theme of student threats to the academic freedom of the professor.

CONCLUSION

As a result of our awareness of the activist or evolutionary reality of the university in its relationship to society, we have reached conclusions different from those implied by the recommendations of the majority report. We believe that the basic aspect of academic freedom, job security, is not in serious jeopardy. In fact, to the extent that the protection offered by tenure of office is weakened by inflation, injury is far more likely to be inflicted upon the advocates of social reform, who are not joining the current cry about the erosion of academic freedom, than upon the defenders of the status quo who are raising the cry.

Although erosion of academic freedom in the broader sense is real, it is neither new nor is it caused primarily by students. Indeed, its erosion in this sense is the inevitable result of the subservient role the university has found as a member of the establishment. The dominant and goal-setting roles are played by industry, the military, and government agencies. What we are observing in the current crisis is not a question of academic freedom at all, for insular protection is no longer feasible. Instead, we are seeing a struggle for power in which the dissidents seek not a disengagement of the university from society but rather its redirection toward goals which are more social, moral, and rational — toward more concern for human values and less for property values, toward more concern for the quality of life and less for the quantity of hardware, and toward more concern for social justice and less for law and order. Only by dedicating itself to the task of helping to build a truly democratic, moral, and just society can the university hope to regain its integrity and to regenerate a genuine student-faculty solidarity. Only in such an atmosphere can one hope to achieve not only order and tranquility on the campus but academic freedom in its broadest sense for both faculty and students.

Reports Now At Libraries

The Constituent Assembly summer research reports have been put on reserve at all major libraries at Cornell University.

The reports are available now at Olin, Uris, Malott, ILR, Mann, law, hotel, veterinary, engineering, fine arts, physical science, music and BPA libraries.

The Morison Commission report is also available at the same libraries and at all Cornell dormitories.

A Constituent Assembly shelf, including various documents produced by the Assembly, is located in the library of the Graduate School of Business and Public Administration.

History of Cornell's Constituent Assembly

Evolution Of Assembly Is Charted From Barton Community To Bailey Hall

By SHEILA TOBIAS

Assistant to the Vice President for Academic Affairs

(The writer was temporary administrator and office manager for the Constituent Assembly.)

The Cornell Constituent Assembly was formed upon the recommendations of the faculty and the so-called Barton Hall Community after the crisis in the spring of 1969. Many persons responded to that crisis with proposals for restructuring the University. At one time, as many as 150 such proposals were circulating around Barton Hall.

On the last weekend before classes resumed on April 28, a self-selected group of faculty and students managed to synthesize all these proposals into one, calling for a Constituent Assembly empowered to "investigate and make recommendations for a redistribution of power, and to include all relevant constituencies within the University in its governance."

The charge, as such, was not very different from the one given the so-called Morison Commission the year before by the Cornell President. The difference was that the Constituent Assembly would be a representative body, elected by a system of dual representation: election of faculty, graduate students and undergraduates by departments, and election of special interest group delegates by a special interest group

election. In addition, non-academic employees, non-professorial academic employees, alumni, the black community and other groups would be included.

A Drafting Commission was empowered by the Barton Hall Community to work out with the faculty and others a specific proposal for such an Assembly. Meanwhile, the faculty council appointed a similar committee which worked closely with the Barton Hall group. After locating the precise constituencies of more than 10,000 persons, and holding debates in open session on the question of ratios for representation, the two committees presented almost identical proposals to the faculty on May 7 and to Barton Hall on May 9.

In round numbers, the proposed Constituent Assembly was to include 117 faculty (1/12), 38 graduate students (1/100), 97 undergraduates (1/100), 5 non-professorial academic employees (1/100), 7 other Cornell employees (1/714), 16 University administration and trustees, 13 college and school administrators, 5 Alumni, 50 delegates from special interest groups and 20 from the black community. Later, in the course of debate and in running the elections and seating the delegates some of these numbers were changed. During debate on the floor of Barton Hall, the foreign students argued successfully for a delegation of

10 of their group to be deducted from the 50 set aside for special interest groups.

An Interim Steering Committee chosen from among both the Drafting Commission (headed by Richard O'Brien, chairman of the Division of Biological Sciences) and the Faculty Council sub-committee (headed by Norman Penney, professor of law) supervised elections during the next three weeks. Departmental meetings took place during the last week

for the assembly until the fall." Since then, Peter S. Auer, professor of aerospace engineering, was elected chairman of the executive committee.

During the summer, the temporary executive committee was asked frequently to give information, feed back or approval as a representative body of students or of the community. The committee refused to act except as individuals on the grounds that it

the president as part of a gift Cornell received from the Ford Foundation for "restructuring the University."

During the summer the research groups delved into 11 topics pertinent to the governance of the University. The topics were: black studies; problems of racism and minority groups on the campus; the relationship of the University to the military establishment and the business community, including ROTC and employment

Restructuring University Governance



GROUNDWORK — Special committees were formed in the wake of the April crisis to lay the groundwork for the new Assembly, which held three meetings at the end of the spring semester. Twelve research groups worked throughout the summer investigating areas of Assembly concern.

of classes. Special interest elections began on the last day of classes and continued into Reading Week and exam period. Elections among non-academic employees and others were done by mail balloting.

By Memorial Day weekend it was possible to hold three consecutive meetings of the 380-member Constituent Assembly. Attendance reached a high of three quarters, needed for the opening quorum on Saturday, May 31. A roster of visiting speakers opened the Saturday session.

On Sunday, the assembly got down to business. Penney was elected chairman, Paul Van Riper, professor of public administration, secretary.

A proposal for an "interim structure" to coordinate summer research activities, coordinate proposals on how to relate the subjects of summer research to the assembly, for its development of recommendations on processes and structures in the University, and to coordinate proposals for permanent procedures of the assembly, was passed with the proviso that "in the fall, all these matters will be reexamined."

An executive committee of 16 members, having at least one member from each of several constituencies, was elected, with a charge to "function as an interim policy-making committee

did not want to extend its mandate beyond what had been specifically listed as its summer functions.

Thus, although the executive committee heard from the drafters of the Cornell Rules for Public Order, spoke with Robert Purcell, chairman of the Cornell Board of Trustees, about selecting Cornell's next president, and discussed with the dean of the faculty the Cornell judicial system, no binding action, no approval and no formal participation were undertaken by the executive committee in the absence of the assembly during the summer.

Several resolutions were passed by the Constituent Assembly before it dissolved until the fall. These called upon the summer research groups to study "the processes by which the University is governed, and doing so to 'bear in mind the social issues that brought (the Constituent Assembly) into existence (and to examine them) in the light of the profound crises taking place in society at large.'"

Another resolution charged the executive committee to communicate to the trustees "the interest and concern" that the Constituent Assembly had in the choice of the next president of Cornell.

The Constituent Assembly was granted a total of \$43,000 from

recruiting; University code and adjudicatory system, including consideration of political activity and the University's relationship to law enforcement.

Also, academic freedom; the relationship of the University to minority groups, the poor and underdeveloped nations, including COSEP, admissions

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University Senate

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to learn procedures and to provide continuity for legislative planning which may require more than one year, while maintaining the responsiveness of the body to current community concerns through annual elections.

Freshmen in their first semester and seniors in their final semester may not serve on the Senate, but might serve on committees. The Planning Review Committee is seen to be of particular importance (Article VII), since it is expected to act as the principal liaison between the Senate and the Administration for discussion of long and short range planning of the University. It may prepare and present community recommendations to the Administration and respond to provisional plans and ideas of the administration.

The Drafting Committee For a University Senate

The Barton Hall Community



EVOLUTION OF THE ASSEMBLY — The Constituent Assembly evolved out of the so-called Barton Hall Community, where students gathered after the April 1969 crisis in hopes of beginning the restructuring of the University.

COSEP Group Raps Robertson Report

Fifteen members of the COSEP (Committee on Special Educational Projects) Committee today made available their observations and comments on the portion of the Robertson Committee Report dealing with the COSEP Program.

The group's comments have to do with Pages 41-52 of the printed version of the Robertson Report on Campus Unrest at Cornell.

Members of the COSEP committee endorsing the following comments are Ralph Bolgiano, Jr., Stephen Brock, Charisse Cannady, Zachary Carter, Jacqueline Davis, Douglas Dowd, Margaret Gaffney, Franklin Johnson, William Jones, Charles McCord, G. Michael McHugh, Chandler Morse, Benjamin Nichols, Neville Parker and Walter Slatoff.

Three other committee members declined to endorse the comments. The few remaining members were away or unable to read them.

I. GENERAL OBSERVATIONS

Despite some efforts to explain or understand various actions and attitudes of black students, the Trustee Committee Report on Campus Unrest exhibits throughout a deep, though probably unconscious, bias which largely destroys its validity and helpfulness. It is a bias which leads the Committee always to speak as though the central problems at Cornell result either from black desires and attitudes, or militant demands, or COSEP mistakes, or failure of communication.

Nowhere is there so much as a hint that either Cornell or our society at large might be infected with racial attitudes or structures which are part of the problem; nowhere a hint of recognition that the past and immediate racial history and structure of the United States and Cornell are such that it is absurd to think that this community is free of racist attitudes, barriers, and self deceptions.

The most explicit exhibition of this bias is in the statement that "the University is not on trial, but those who are combatting it are," (p. 52), as though a University, which has barely begun to desegregate itself, had no reason for serious self-questioning. But, the bias reveals itself in many less obvious ways. In the opening paragraph, for example, dealing with COSEP and the Black Studies program, there is only one suggestion — that blacks may make trouble. On the next page (42), there is first the misleading assertion that the existence of the COSEP program was communicated to only a limited number of faculty and few alumni, followed by the assertions that "this bred

misunderstanding and resentment of the program on the part of both groups" and that "this was the first of several misjudgments which drastically affected the future success of the program." Is it usually true that white communities resist an influx of blacks because of mere misunderstanding and resentment over lack of communication? Part of the truth at Cornell is that the program met with such resistance and feet-dragging on the part of most of those to whom it was communicated that the effort to get it going at all took most of the time, energy, and persuasive powers of the COSEP Committee.

The report suggests (though only in parenthesis and only with the careful qualification "the Committee has heard testimony from several sources") that "even if the faculty had been consulted, a portion of it might not have become involved." (p. 43). The report adds, still in parenthesis, "it is possible that some indifferent faculty members" might have used the lack of communication "as an excuse for not becoming informed, and, in some instances, for becoming antagonistic to it." (p. 43) Why can't the report clearly acknowledge that almost any attempt to change racial balances will be met by a certain amount of hostility and a large amount of inertia, and that this is part of the problem, part of what drives blacks to militancy and despair?

The report describes alumni as becoming "incensed" and the community as being "stunned." Nowhere does the report suggest that blacks may have experienced such emotions. The report accepts "on the whole" the COSEP statement that academic standards have not been compromised by the program, but then goes on to report challenges to this view even though "we have found no official evidence to prove these charges." (p. 49), and then still goes on to worry further about them.

It does not occur to the Committee even to wonder whether blacks are sometimes graded harder, sometimes assumed to be dumber, sometimes discriminated against. Is Cornell so utterly unlike the rest of the country that we need worry only about pro-black discrimination? The report states that "only a few joined fraternities and sororities even though they were actively sought as members." (p. 50) That way of putting it does not even hint at the problems caused by the long history of fraternity and sorority discrimination or suggest that any such problems remain.

The report does not ask how many were "actively sought," and how or why. Nor does it even imply that there might be such a thing as token integration,

or good reason for blacks to be hesitant about entering doors, which had heretofore been tightly closed and were, at best, but slight ajar.

The report presumes to explain certain black problems on the ground that a black woman counsellor "was a symbol of matriarchal society from which many of the black students were trying to escape" (p. 50), and it speaks of possible power struggles within the Black Studies Center (p. 54). It never focuses that sort of lens on the white community, nor does it so much as suggest the possibility that some white faculty and students will try to hinder and discredit the program. Over and over again, the report uses the phrase "black militant." Nowhere, literally nowhere in the report, is there such a being as a "white racist" or even a white who is unsympathetic to blacks.

Or, compare the certainty and firmness with which the Willard Straight seizure is condemned with the more gentle rebuke of the fraternity group which forced its way into the building.

"The Committee condemns as an act of violence the seizure of Willard Straight Hall by members of the Afro-American Society. There can be no such thing as a non-violent building occupation — the very act is a threat of the use of force." (p. 25) "The Trustee Committee feels that the DU group did act irresponsibly and may have contributed substantially to the tensions and fear, which, in turn, led to the introduction of arms." (pp. 27-8)

Or, consider the tone with which the report disposes of the black challenges to the judiciary: "The Committee has examined these issues and finds them to be without either logic or reason." (p. 36)

Or, consider the Report's repeated implication that well-meaning Cornell has been victimized by blacks who are guilty of the crime of separatism, as if white separatism had never existed and did not now exist. Here and there, especially on page 50, there is a hint that more and more black students became separatists because they "did not feel accepted by whites" and "grew tired of trying to educate them to black problems" and "felt oppressed by, and distrustful of, whites, particularly the white establishment;" a hint, in short, that white separatism and the resulting unreality of what whites defined as "integration" was an important factor in the emergence and strengthening of black separatism.

But, there is no hint that this is a continuing problem — and perhaps the core of the most crucial problem facing America today. There is no recognition that white separatism is one of the most concrete manifestations of institutional racism, and that black Americans

have been and still are a largely separate community, but not of their own choice — no recognition of their need and right to define and choose.

There are suggestions for screening out trouble-makers, suggestions for preserving law and order, suggestions for improving "communication." There is no suggestion that blacks are still engaged in a desperate struggle for real emancipation and that the proper course for COSEP and Black Studies is to assist in this struggle.

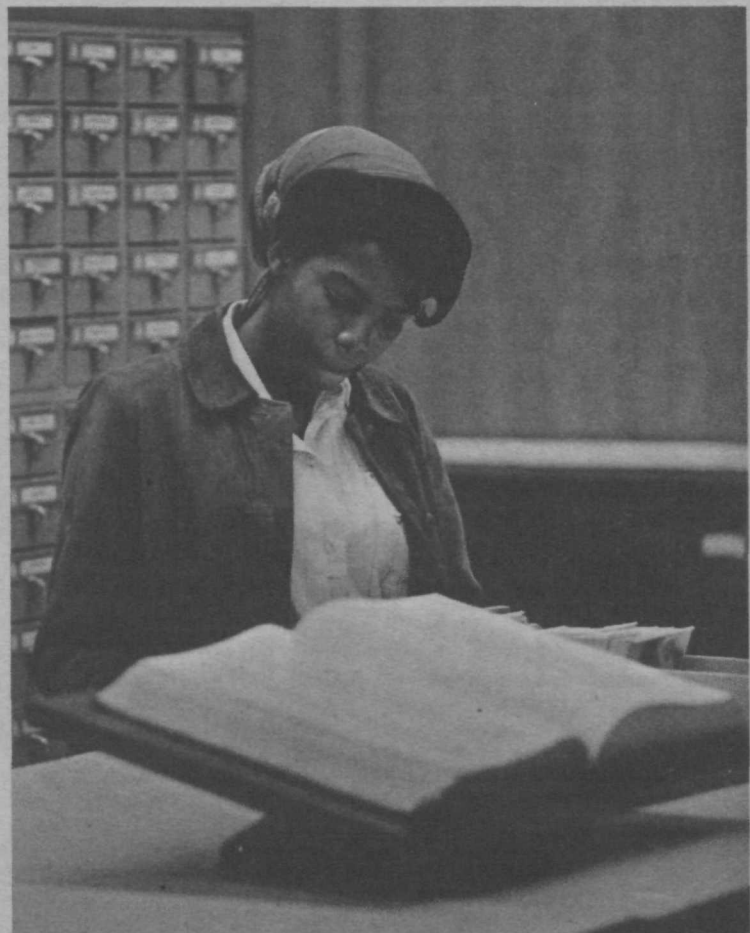
A few other specific touches of bias are worth underlining:

"The COSEP program was

that, in the year 1969, two years after the Kerner Commission report, after all the studies of the subject by both blacks and whites, the Committee can say of "institutional racism" only that it "has been unable to obtain a clear definition of the term." (p. 55).

Background, Communication

On page 42 the Report asserts that the COSEP committee "was not established along normal university lines. In fact, although it raised issues of educational policy, its existence was communicated to only a limited number of faculty and few alumni. This bred



started when whites in this country believed that blacks wanted to become integrated and to acquire common values and standards" (p. 43). "They (many of the blacks) viewed the opportunity for a Cornell education not as a way of moving up and out of the black community..." (p. 43). "As with the whites, it is the middle-class black family that has worked hard and saved money for its children's education that is hardest hit by the present method of determining need." (p. 46).

Taken alone, such little touches would not be terribly significant. But, they, too, help to explain and form part of the bias which prevents the report from even examining the question of white racism or even white complacency and the role they might have played in past difficulties and might play in future ones. To ignore this is to ignore the main roots of black discontent and black militancy, both in the nation and on this campus.

Perhaps most disheartening and most revelatory is the fact

misunderstanding and resentment of the program on the part of both groups" and that "this was the first of several misjudgments which drastically affected the future success of the program."

We leave it to others to judge the success of the program, but just what the Trustee Committee understands by "normal university lines" is not clear. We doubt that they feel that previous university practice, which had led Cornell to become a lily-white university with a few token blacks, should have remained unchallenged. Perhaps they mean that a special committee, appointed by the President to work in this critical area, and including in its membership representatives from the Offices of Admissions, Dean of Students, and Financial Aids, together with faculty members from the various colleges, violates normal University practice. If so, they either misunderstand the way in which the University operates, or attribute to COSEP an authority it does not possess.

With respect to the first point, Continued on Page 13

COSEP Report

Continued from Page 12

the faculties of the several colleges have seldom interested themselves actively either in the setting or in the execution of admissions policies. Their failure to take much notice of or interest in the admissions of COSEP students thus was not unusual. With respect to the second point, COSEP *had neither the authority to admit any one to the University, nor to award financial aid*, and at no time questioned the authority of the faculty to judge academic performance.

It functioned as a pressure group and advisory resource for the admissions committees of the various colleges, each of which functions independently; it succeeded, persuasively, in bringing about certain needed changes in admissions practices (see next section); it helped to raise additional funds for recruitment, scholarships, counselling, and tutorial assistance; and it tried endlessly, with the assistance of the President, to communicate to trustees, faculty, and alumni its concerns, difficulties, and accomplishments.

Let us simply mention some of our efforts to communicate. The President included extensive statements about COSEP in almost every one of his opening year speeches to the University Faculty. A brochure describing the program was distributed to every member of the faculty. Many meetings with representatives of the Deans were held, at which lengthy written and verbal reports were given. Considerable contacts with the Alumni secondary school committees and individuals were made, both through published information and directly. The SUN carried numerous stories.

There were, however, some roadblocks. The program was conceived in late 1963 in the midst of Cornell's centennial fund drive, and our publicity was soft-pedalled by those who feared that its emphasis would hurt that campaign. It took several years of urging to get an article into the Alumni News. Introduction of black students into the Cornell Day program encountered strong resistance and was achieved only after long negotiation. Work with one college was delayed for several years due to its unsympathetic leadership. COSEP was, perhaps, Cornell's "invisible program," but not because it wished to be.

Admissions, Recruitment

Policy Considerations

The first four paragraphs, beginning on p. 43 and ending at the top of p. 45, present an acceptably accurate picture of COSEP recruitment and admissions.

The first full paragraph on p. 45, however, implies that there was something fundamentally

wrong with COSEP admissions policies because a candidate was not accepted when it appeared that she was insufficiently "disadvantaged."

The implication is misleading. The example is taken out of context. Many variables are used in making admissions decisions. In Admissions generally, for example, because of the pressure of numbers, many good candidates must be eliminated and fine distinctions must often be made in selecting one over another. Specifically, for COSEP, it was a goal from the outset to use the "degree of disadvantage" as one important criterion. This was part of an overall policy which recognized that, if Cornell's program was to make a significant contribution to correcting educational imbalance, it must seek, in addition to the obviously qualified candidates, students who would not be accepted if the customary SAT and grade criteria were applied.

Selection, therefore, involved looking more closely at other factors, such as the applicant's achievements relative to his opportunities. This was to insure that students under the program were not solely "taken off the top," as would have happened if the usual admission criteria had been applied without modification. It was evident that black students who fully met the usual criteria were eagerly sought by all selective institutions of higher learning, particularly those with which Cornell competes most vigorously.

For Cornell to have sought only these students would have meant that we were making little or no contribution to solution of the problem with which COSEP was intended to deal. This philosophy in no way indicates that Cornell does not want, seek, or encourage the "top" black candidates. But, we learned early that few of these students even applied to Cornell, and that most of those who did apply and were admitted chose to go to our competitors.

We were suffering from the lack of an aggressive recruiting and financial aid program, combined with Cornell's rural location and unappealing social environment for blacks. Even to compete effectively for the "top candidates" we needed a vigorous effort, and we especially needed to increase manifold the number of black students at Cornell. It was these lines of reasoning that led COSEP to recognize what is increasingly acknowledged, namely, that it is necessary to add other dimensions to SAT scores if a meaningful program is to be developed.

The second full paragraph on p. 45 implies favoritism in the program because a dean "permitted late registration to a black student but ... would have told a white student that enrollment for the fall term had been closed." In fact, Cornell Admissions policies have consistently been carried out

with flexibility, permitting requirements to be waived when this can be justified. Cornell also waives deadlines in many cases when it involves applicants who are especially sought, such as students seeking to enter the six-year Ph.D. program, applicants from remote or sparsely represented geographical areas, faculty children, athletes, and, occasionally, COSEP applicants.

In sum, COSEP recognized from the beginning that, in order to attract, accept, and keep students from minority groups at an institution like Cornell, one must "discriminate in favor of" in order to overcome the effects of long years in which they had been discriminated against. This involved tuition fee waivers, consideration of late applicants, special admission criteria, special financial aid policies, special course programs, special summer programs, special tutoring arrangements, special counselling arrangements, to mention only a few of a long list of special arrangements that are necessary if the racial imbalances of higher education are to be corrected.

Some Specific Comments

1) Recommendation 4, p. 45, is that "Admissions be offered to the brightest and the best black students, as well as those with lower SAT scores." This simple equation of brightness with high SAT scores is inexcusably ignorant. The implication that Cornell sought to exclude students with outstanding academic prospects is false.

2) Recommendation 4 is preceded by a recommendation (No. 3) to carefully control recruitment by present black students "in order to avoid involving primarily militant students, who will tend to interest only other militants in applying." The aim is to attract non-militant students, who are identified as being:

a) *Non-ghetto residents* (Rec. No. 2 suggests that Cornell also recruit "Those in smaller cities and suburban areas," as if ghettos were only in New York, Chicago, Cleveland...);

b) *Bright* high SAT's — see above; and

c) *Middle class* (Rec. No. 4).

The last two recommendations, when taken together, thus point to the Report's assumption that brightness (high SAT's) and middle-class origins are inversely related to militancy. We can think of no definition of "militancy" for which this inverse relation would hold.

Recommendation No. 5 (p. 46), that "all recruitment and admissions of COSEP students should be conducted through the regular University admission organization and according to policies established by it," is either a meaningless endorsement of the close working relations that have always existed between COSEP and the "regular admission organization," or an ill-disguised attempt to emasculate the COSEP program by eliminating

all distinctions between COSEP and non-COSEP policies. We believe that the intent — also revealed at many other points in the Report — was emasculation, and we assert our firm determination to see that this does not occur.

Financial Aid

Determination of Need

The first paragraph of this section of the Report (pp. 46-47) is accurate, but the statement in the second paragraph, that Cornell does not itself determine financial need, is highly misleading.

At the heart of Cornell's need analysis system are the guidelines and analysis that the College Scholarship Service provides for each individual student case. However, the University financial aid officers do not take the College Scholarship Service's estimate of the family's ability to pay as gospel. They change the College Scholarship Service's parental expectation figure an estimated 30 per cent of the time, usually to the student's advantage and primarily because of the College Scholarship Service's rigid interpretation of assets, liquid and non-liquid, and the lack of adequate schooling allowances for other siblings in college.

It is true that, since Cornell does generally subscribe to the College Scholarship Service's guidelines, as do the majority of the other colleges in the country, the need figures which Cornell derives will generally be consistent with figures reached at other institutions.

The Trustee Committee's recommendation concerning financial aid implies that Cornell's methods of granting aid are antithetical to the Committee's "recommendation that we try to attract a better

cross-section of black students." We comment elsewhere on the unacceptability of the political and social criteria by which the Robertson Committee would seek to attract "better" black students — criteria that reflects not only the Committee's class-conscious values, but also its inability to comprehend the social origins of black activism. Here, in the following comments, we confine ourselves to noting the need for changes in the operations of the Financial Aid Office — changes that would reduce the financial tensions to which all aided students, but COSEP students especially, are all-too-often subject.

Operation of Financial Aid Office

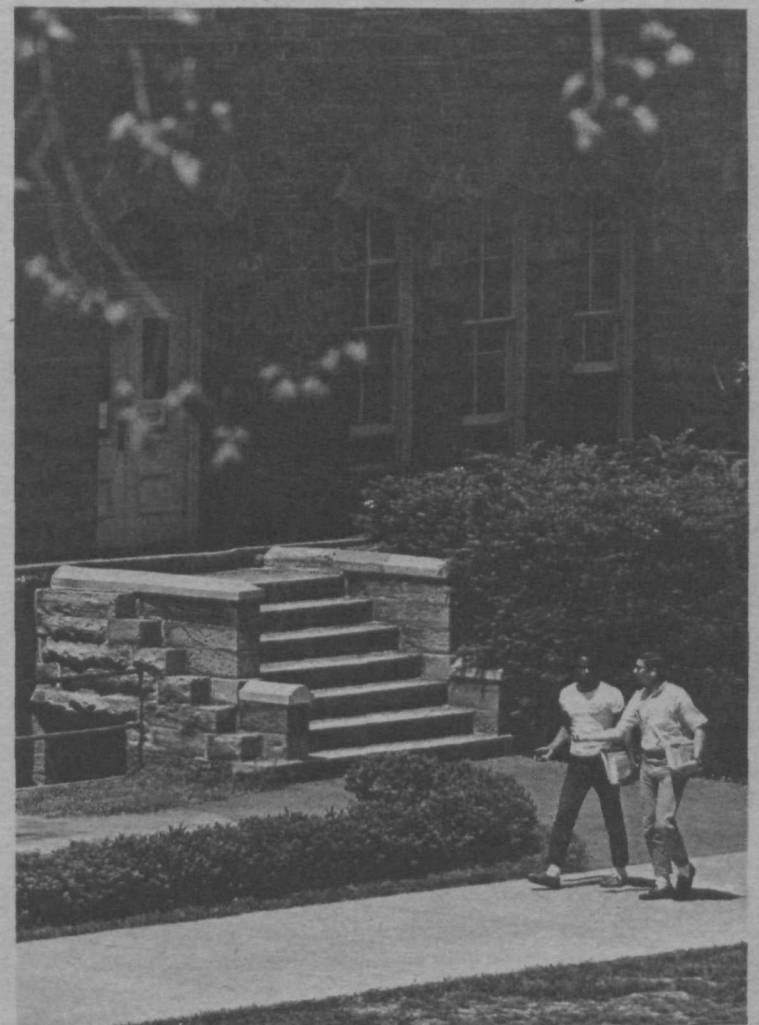
(Extracts from master's thesis by Byron McCalmon, with the author's permission.)

The effectiveness of the Financial Aid Office in dealing with COSEP students has been greatly enhanced by the close cooperation of the COSEP staff. Members of the COSEP staff have been actively involved in all decisions concerning financial aid for COSEP students. On many occasions they have been able to inject additional information on a specific student's aid case, which has resulted in a more equitable decision.

During 1968-69, however, due to an increase of work load in both offices, the communication link was not as strong as it has been in the past. It seems clear that definite channels of communication should exist between the Financial Aid Office and the COSEP staff, and that both parties should actively seek each other's advice on COSEP student financial aid matters at all times. This will ensure that students receive proper counselling and information in the fastest possible manner.

With respect to financial

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COSEP Report

Continued from Page 13

counselling, we believe it vital that rapport between COSEP students and aid officers be nurtured from the very first contact.

Most COSEP students need an "on campus" orientation to their financial responsibilities as soon as they first arrive at the University. The financial complexities of life at Cornell are immense for any student, and for many COSEP students the Cornell experience is the first time they have had discretionary control over sizable amounts of money. Money-management counselling offered to COSEP students at this time could help to solve many problems before they arise.

A potential source of friction among COSEP students, and between COSEP and non-COSEP students, is the special consideration in the form of higher scholarship aid granted to some COSEP students. The ideal solution to this problem would be to award all students a set amount of self help, with the remainder of their need met by scholarship. This approach would ignore all information in a student's profile except his need analysis figure.

Of course, this solution would be expensive, but it would place all students on an identical basis of award eligibility, given their specific family financial situations. There would be in effect no differences in aid packages among or between COSEP and non-COSEP students.

Cornell is at a disadvantage in financial aid among the other Ivy League institutions, in that all the others are able to guarantee a student that if he is accepted for admission and has financial need, his need *will be met* by them. At Cornell, there are "accept" but "deny aid" students. While there have been no "deny aid" COSEP students at Cornell, the fact that the Financial Aid Office operates with an established budget set long before the Admissions Office begins accepting students forces the aid officers to make a set amount of money cover a variable number of students.

In years when acceptances in the COSEP program have been fewer than expected, this problem has been alleviated by the resulting higher amount of scholarship funds per student. However, when the number of accepting students is larger than anticipated, the Financial Aid Office must increase the dollar amounts of loans and jobs in order to make the limited scholarship funds go around.

COSEP is strongly opposed to aid packaging of this type, which depends not on the specific needs of the student, but rather on how much scholarship money is left in the pot when the student gets accepted. If the University is

truly committed to the principles of the COSEP program, it must make the necessary dollars available when the returns start coming in.

Academic Advising

It is important to recognize that the COSEP Office has been and must remain an active participant in academic advising. A policy of paying close attention to the academic needs of COSEP students has been followed for some years. Freshmen are counselled during the first two weeks of school with respect to realistic course loads and courses which satisfy basic requirements. Students are advised, from the beginning of the semester, that tutors are available and are requested to come into the COSEP Office as soon as there is a hint of trouble. After the mid-term grades are received, students whose grades indicate problems and students who are enrolled in courses for which no mid-term grade is given are called in.

We must add that the comments on academic counselling (pp. 47-48) reveal the Robertson Committee's readiness to accept and report criticisms of COSEP without checking on their accuracy. Perhaps it is true that "some of the college advising offices... feel their efforts (at academic advising) have been undermined," but there is no basis for the allegation. In particular, it is not true that the COSEP Office "assumed authority over academic matters such as canceling and changing students' registrations in courses without the advice or prior consent of the college academic offices." The frequent phone calls between various college advising offices and the COSEP Office, plus the recognition of signatures from the COSEP Office as valid for "Change of Program" cards, indicate that the COSEP staff has not been engaged in undermining the College advising programs.

It is recognized that individual colleges may wish to establish their own special academic advising programs for COSEP students. If so, they must be aware of the unique problems of these students. They must be realistic in their thinking and accept the fact that, in many instances, COSEP students will not accept a white faculty member in the role of advisor. Such advisors generally lack sufficient understanding of the problems that Black and Puerto Rican students encounter on this campus. In addition, they seldom have a thorough knowledge of the student's specific academic background. In some cases, paternalistic attitudes prevail, and students are rejecting this approach more and more vehemently.

On the other hand, faculty members who advocate the "live up to standards or get out" attitude lack the compassion or empathy necessary for relating

positively to COSEP students. Moreover, the assignment of a Black advisor is not, in itself a panacea. The advisor's understanding of the current attitudes of black students, and his approach to students, will play an important role in determining his effectiveness. Advisors who attempt to divert students from an activist path not only will be distrusted but are likely to produce a result opposite to that intended.

Individual colleges also may wish to establish their own special tutorial programs for COSEP students. Experience suggests that such programs cannot rely on volunteer tutors. Paid tutors, on the whole, are more dependable and effective.

The recommendation (p. 47 of the Report), that students, whose records indicate a need for remedial work should be "required" to take such work in the Summer, shows both an unwarranted trust in the predictive value of records and a failure to consider the implications of the recommendation. About half of those, who, on their records, would have been required to take remedial work, have had no serious difficulty without it. Moreover, one must balance the assistance such enforced remedial aid would provide against the damage to the individual's self-confidence. Flexibility, with close counselling by an individual able to "communicate" is the key to success in this area.

A further consideration is that most COSEP students cannot afford to forego Summer earnings. To require students to attend a Summer session, therefore, would usually necessitate not only full scholarship support, but financial aid in lieu of income foregone.

Academic Standards

The section on academic standards provides a particularly clear example of anti-COSEP bias. Despite an acknowledged lack of evidence that academic standards have been lowered or compromised, the Report goes out of its way to recommend a reaffirmation that there be "no double standard of grading or retention in the University." Moreover, in suggesting that there is and can be only one standard for remaining in the University the Committee revealed its ignorance both of the way the University operates and of COSEP policy.

In the Arts College, for example, the criterion of "good standing" has always been applied flexibly, so as to take account of individual problems, rather than mechanically, according to a rigid formula. Many instances could be cited of students who had been given a "second chance," and even a third and fourth chance, because of extenuating circumstances. Even more flexible are the practices of the Graduate School, where some outstanding

students with exceptional preparation have been permitted to complete the Ph.D. in less than the "minimum" period of three years, while many other students, for a wide variety of reasons, remain on campus for four, five, or even six years.

Many foreign students, who otherwise could not complete their degree requirements, owing to limitations of time and financing, are helped in various special ways. So far as we are aware, these humane practices of the Arts College and the Graduate School have never been thought to lower "the high standard of a Cornell degree."

Nor can it be maintained that decelerated programs for a few — a very few — Black students will lower the standard. At the very beginning, COSEP decided that decelerated programs for students with exceptionally poor preparation were the logical counterpart of accelerated programs for students with exceptionally good preparation. In fact, very few students have had to take advantage of this arrangement. Nevertheless, the COSEP Committee strongly reaffirms its support of the policy, which it regards as fully consonant with those academic and human standards that Cornell ought to maintain and defend.

Social Counseling

It must be recognized that the varied political postures of the members of the COSEP Office do not affect the quality of counselling received by individual COSEP students. Nor are the staff's varied political views forced on the students. Students are aware of the professional attitude which is the general rule within the COSEP Office. They are assured that their discussions of all problems are confidential unless they choose otherwise. If questioned, we are sure that the, overall COSEP student body would indicate that they are satisfied with the available counselling service.

We must point out that an excellent example of "institutionalized racism" is the statement on page 50, which states that a qualified woman counselor was a symbol of the matriarchal society from which many of the black male students were trying to escape. No concern or discontentment about the chief COSEP counselor being female has been communicated to us by COSEP students.

The misleading suggestion that a matriarchal society is necessarily repugnant to black males is an erroneous value judgment. This judgment is based purely on self-righteous white middle class values peculiar to Western Society. Such a judgment is made without even allowing for the legitimacy of a value which has, while not fitting into the white man's scheme, been a most realistic response to oppressive conditions.

Another point that cannot be overlooked is that there seems to be general confusion concerning the so-called militant and non-militant Black student. The militant might be better named an activist — one who is aware of and concerned with the plight of the Black man in America, and one who is willing to do something about it. The non-militant is comparable to a dormant bear. He may not be vociferous, but when it comes to basic needs and issues, he makes his presence felt, especially with the proper stimuli. It would seem that the Cornell environment readily provides these "militant-making" stimuli.

Examine the applications and records of some of the most easily identified of Cornell's Black militants: one, a Telluride scholar, enrolled in the Six-Year Ph.D. Program; one, a transfer student from West Point; and another, from a typical Black, middle-class family. It should be recognized that, in general, Black students at Cornell, by virtue of their presence, are predisposed toward activism. Despite all the forces of society which keep the Black student from aspiring to levels of higher education (for example, the vocational channeling which occurs in ghetto and Southern schools), these students are aggressive enough to overcome the oppressive odds and to seek admission to a major university. They have high aspirations, coupled with a sophisticated view of the racial injustice and imbalance of opportunities within American society.

It is naive of the University to expect these students to accept the status quo. Black students are seriously concerned about their futures and that of the Black community. They are intelligent and aware that changes must be made within white society. The university, which operates in ways that help to perpetuate the values of the society at large, is the logical and immediate target of their demands for change.

Individual Statements

By DR. GLORIA I. JOSEPH
(Former Director of COSEP Counseling Services; Present Faculty Member of Africana Studies and Research Center)
(Miss Charisse Cannady and Mr. Neville Parker wish to be recorded as concurring fully with Dr. Joseph's statement.)

The Robertson Committee admits on pg. 55, under the heading "Miscellaneous Observations," that they were unable to obtain a clear definition of the term, "institutional racism," and that it is difficult to advise white students and faculty how to conduct themselves in the light of the charges concerning institutional racism without better understanding of its meaning. In view of this confession, I think that the

Continued on Page 15

Vacations Listed

Employee vacation schedules have been posted by Controller Arthur H. Peterson for the Thanksgiving, Christmas and New Year's breaks.

At Thanksgiving, the University will close Wednesday night, Nov. 26, and reopen on Monday, Dec. 1. The Friday after Thanksgiving is an additional holiday.

For Christmas, the University will close on Tuesday night, Dec. 23, and reopen on Monday, Dec. 29.

For New Year's, the University will close Wednesday night, Dec. 31, and reopen Friday morning, Jan. 2.

Other provisions are made for shift workers, who are regularly assigned Saturday and Sunday work and have other days off. Those workers whose regularly

Assembly History

Continued from Page 11

policy, and social and political consciousness; crisis and change in the governance of other universities; implications for Cornell.

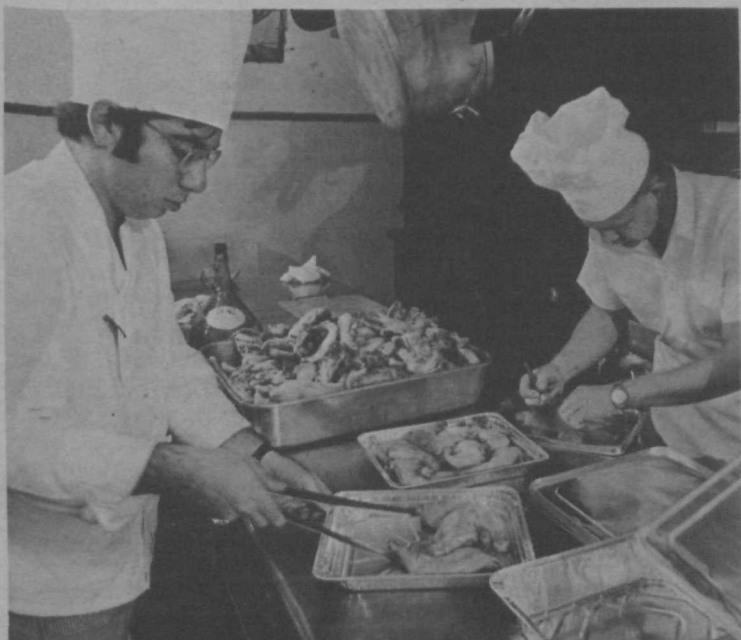
And, academic matters, for example, curriculum, faculty appointments, promotions, tenure, role of research, status of non-professional academics, teaching and research assistants, and student advising; sources and allocation of financial resources within the University; quality of social, cultural, aesthetic and biological aspects of campus life and physical conditions relating thereto; and mission of the university.

About 100 persons staffed the research groups, of which more than 50 were supported by grants out of the \$43,000.

By the time the assembly held its first meeting of the fall on Sunday, Sept. 15, the University had named Dale R. Corson president. Corson was the main speaker at the first meeting, where no formal actions were taken.

To Be Continued

Hotel Seniors Test 'Ready' Food Market



STUDENT FARE: Two seniors in the School of Hotel Administration prepare food at Risley Hall cafeteria for student consumption, testing the feasibility of preparing (left), freezing (right) and serving entrees on the same premises. Joel Friedman '70 (left) and Bruce Panas '70 are taking part in the school's advanced research in 'ready' foods.

Homecoming Alumni To Have Big Weekend

The opening event of the annual Alumni Homecoming Weekend at Cornell University Saturday and Sunday will be a panel discussion entitled "The Condition of the University."

The discussion is scheduled to start at 9:45 a.m. Saturday in Alice Statler Auditorium. On the panel will be Dean of the Faculty Robert D. Miller, as moderator, Norman Penney, professor of law and speaker of the Cornell Constituent Assembly, and two students, Sue Barcus Zebelman, class of 1970, and Arthur Spitzer, class of 1971.

At 11 a.m., there will be a ceremony dedicating a newly completed athletic facility at Schoellkopf Field as the Paul Schoellkopf House for Visiting Teams.

President Dale R. Corson will address the alumni at 11:30 a.m. in Alice Statler Auditorium. Immediately after his address, President Corson will join the alumni for luncheon in Barton Hall. Robert Cowie, '55, vice president of the Cornell Alumni Association, will be master of ceremonies.

Cornell undergraduate students will act as hosts to alumni during the luncheon, giving the alumni an opportunity to hear first-hand reports of life on today's campus. The Cornell University Glee Club will perform at Barton Hall prior to the Cornell-Princeton football game, which begins at 2 p.m.

After the game, there will be an open house at the Big Red Barn, and a number of alumni class and honorary society receptions are scheduled at the Statler Inn.

Other sports events are a varsity soccer game and a freshman football game, both at 11:30 a.m. against Yale.

In related Homecoming activities:

A joint meeting of the Federations of Cornell Men's and Women's Clubs and the 24th annual meeting of the Federation of Cornell Men's Clubs will be

held Friday and Saturday. More than 100 delegates from Cornell Clubs throughout the United States are expected to take part. They will come from points as distant as Florida and California.

Delegates will meet for lunch on Friday, and attend a panel discussion in the afternoon, conducted by members of the Executive Committee of Cornell's Constituent Assembly.

Peter G. Pierik and Allison King Barry, presidents of the respective federations will preside at the annual banquet Friday night in the Statler ballroom. President Corson will speak to the delegates.

The joint meeting of the Federations will conclude at breakfast Saturday. Delegates will participate in Homecoming activities for the remainder of the weekend.

Shelves Not Well Stacked

"An urgent scholarly appeal" for back numbers of Playboy magazine has been issued by the Cornell University Libraries to fill in gaps in its holdings of important research material.

The appeal, printed in the Libraries' monthly staff bulletin, said: "This noted journal has been published since 1953 under the editorship of the famed philosopher Hugh Hefner, and while early issues are almost unobtainable on the scholarly book market (especially in complete state, with the centerfold that researchers are known to find of particular interest), it is hoped that by diligent searching of attics and garages, library staff members can turn up many of the issues needed to fill in lacking and incomplete columns."

Asked for comment, David Kaser, director of libraries, said: "We only regret that we were not sufficiently far-sighted to have placed our subscription to this important journal years earlier."

COSEP Report

Continued from Page 14

section of the Robertson Report on "COSEP and Afro-American Studies" should be considered worthless and invalid.

It is inconceivable that a group of adults could undertake an assignment to investigate and make recommendations regarding Blacks in a white community and intend to do a creditable job, while confessing ignorance concerning institutionalized racism.

The committee was given the charge to investigate the circumstances and issues that led to a major disruption. If they felt that they lacked adequate knowledge about institutional racism, why wasn't a sincere attempt made to obtain additional and sufficient knowledge? Written material on this subject is readily available, and there are many Black individuals who could have been consulted.

A knowledge of American racism and of the psycho-socio dynamics of Black-white encounter is germane to the task of investigating a serious campus disorder of a racial nature. The writers were obviously lacking in this type of knowledge. Apparently, they were also very unfamiliar with the manner in which the COSEP Program was organized and functioned. The results of this combined ignorance was a report that is biased, unscholarly, inaccurate, and highly representative of attitudes permeated with institutional racism. I recommend that:

1. A new committee be selected (with qualified persons).
2. A new investigation held.
3. A new report written.
4. The present Robertson Report be retracted.

By MISS PEARL E. LUCAS
Assistant Dean

College of Arts and Sciences

I have read the section on COSEP in the Robertson Report and find that it has given a more or less clear picture of the way in which the program has functioned thus far.

I believe that the recommendations are on the whole good ones. I think that the COSEP committee should now put its efforts into implementing the recommendations in the best way possible in order to help COSEP students to work towards an education that is meaningful and intellectually rewarding to them.

Buses Cut

The evening campus bus to the B lot will no longer operate between the 10 p.m. run and the 12 midnight run, the Personnel Office has announced. There has been no use of the buses during these hours in the four-week trial period just concluded.

The other evening bus runs will continue on a trial basis for two more weeks.



Porter Lists Vietnam Moratorium Plans; Senator Goodell To Speak

(Because of widespread campus interest in the "Vietnam Moratorium," *Cornell Chronicle* asked Graduate Student D. Gareth Porter, who is chairman of the Cornell Vietnam Mobilization Committee, to describe the Committee's program for October 15. The following is Mr. Porter's response.)

On October 15, students at Cornell will lay down their books for a day and demonstrate for an immediate end to the Vietnam War. As part of the nationwide anti-war protest on college and university campuses on that day, The Cornell Vietnam Mobilization Committee has called for a student strike of all classes for the purpose of showing the solidarity of students against the continuation of the war.

Student unity is indeed the key to understanding the October 15 "Vietnam Moratorium." Unlike previous campus protests against the war, in which only a small fraction of the student body was involved, the October 15 student strike and program is supported by virtually every segment of the campus community, regardless of political ideology. The Cornell Vietnam Mobilization Committee is itself a coalition of student organizations representing a broad spectrum of political and nonpolitical groups. The organizations originally included the Young Friends, The Young Democrats, the Committee of Concerned Asian Scholars, the CURW Student Cabinet, Religious Liberals and the Concerned Catholics. And they were quickly joined by living group organizations: The Interfraternity Council House Presidents, Women's Student Government Association, and the Dorm Area Council.

Further support for the October 15 protest has come from a variety of academic groups, such as the Psychology Conference, Baker Lab Community (Chemistry), Department of Romance Studies, Theater Arts Department, Anthropology Forum, Department of Economics undergraduates, Department of Government grad students, and Department of Comparative Literature.

The Vietnam Moratorium

program will open with an address by New York Senator Charles Goodell, who has proposed a deadline of December 1, 1970 for the withdrawal of all American military personnel from Vietnam. Goodell's plan has now become Senate bill 3000, the first legislative proposal designed to end American participation in the Vietnam conflict.

Goodell's speech will kick off the day's activities in Barton Hall at 9:45 a.m. and will be followed by a march from Barton Hall to the Arts Quad, where a mass rally is scheduled to begin at 11:15 a.m. At that rally, the entire spectrum of anti-war opinion on campus will be represented in short speeches, beginning with Cornell President Dale R. Corson, who will address the rally as an individual.

At 1:30 p.m., while non-academic employees of the University are being canvassed in support of the Goodell proposal, a student-faculty forum will discuss the topic "Getting out of Vietnam: How and Why" in Bailey Hall. Professors George McT. Kahin, Franklin A. Long and

David Marr, as well as student panelists, will make formal presentations after which there will be opportunities for audience participation. At 2 p.m. headquarters will open in DeWitt Park in downtown Ithaca for door-to-door canvassing for the troop withdrawal proposal, and at 3:30 p.m. the canvassing will begin.

As a fitting conclusion to the day of protest, the politically-oriented folk-singer, Melanie, will present an anti-war concert in Barton Hall for the benefit of the Cornell Vietnam Mobilization Committee.

The day of protest at Cornell appears certain of success, given the overwhelming student and faculty support which has already been indicated. The near unanimity of student views on the war which that day will demonstrate should encourage other sectors of American society to make their opposition known as well. The day of futile gestures of protest is over; the day of massive, concerted and irresistible protest has begun.

D. Gareth Porter, Grad



COMMITTEE AT WORK — Members of the Cornell Vietnam Mobilization Committee work in their office located in Carpenter Hall (B-1). Left to right: volunteers Joan Kliger '69, and Melody Kawamoto '70, Committee Vice President Gary Richwald '70 and Committee Chairman Gary Porter, Grad.

Inside Cornell Program Notes

Highlights of next week's Inside Cornell radio broadcast on WHCU-FM will be discussions ranging from possible residential colleges at Cornell to plans for the October 15 Vietnam Moratorium. Professor Alain Seznec will describe the proposals developed by the Presidential committee which studied the notion of coeducational residential colleges for Cornell. Miss Charisse Cannaday, acting

director of the COSEP Counseling Service, will offer her reactions to those Robertson Committee Report sections pertaining to the COSEP program. Graduate Student Gary Porter, chairman of the Vietnam Mobilization Committee, will outline plans for the October 15 Vietnam Moratorium both on campus and in the community.

Inside Cornell will be carried on WHCU-FM at 7:30 p.m., Monday, October 13.

United Fund Report

On the last reporting date (Oct. 3), Cornell's United Fund total was \$19,063 which is 11 per cent of the \$170,000 goal.

Fund chairmen Richard D. Black and Donald F. Berth report the total was received from 30 of the 123 teams in the campus drive.

The next reporting session is set for Friday at 4 p.m. in 205 Riley-Robb Hall at which time Chairmen Berth and Black anticipate the campus total will approach \$100,000.

Facilities Are Open

Many nonacademic employees are not aware of the University facilities which they are permitted to use as members of the Cornell Community.

University Libraries — All libraries are open to university employees. An employee must sign a card for each book he takes out. Stack permits are available in the Olin, Mann and Law libraries. Other libraries have open stacks.

Men's Sports Buildings — Male employees should apply at Teagle Hall. An annual fee covers use of the swimming pool, gymnasium, squash courts, etc.

Women's Sports Building — Female employees should apply at Helen Newman Hall. A small annual fee covers use of the pool and gym equipment. Times are scheduled for mixed swimming when other members of the family can be included. Apply at Helen Newman Hall. There are bowling alleys in this building also.

Golf Course — Charges are either on an individual greens fee or seasonal-membership fee for employee and/or family. Inquire at Moakley House, Warren Road.

Tennis Courts — Open to all faculty and employees.

Skills Roster

Competent professional workers, on a part-time, temporary or free-lance basis, are still available through the Professional Skills Roster. The Roster includes research assistants, computer programmers, laboratory workers, teachers, linguists, office workers, librarians, writers and artists with a limitless variety of training and experience.

The new office of the Skills Roster is at 104 Maple Avenue, new phone number is 6-3758. Interested volunteers are needed to keep this service going. Ideas, comments, suggestions and contributions are much appreciated.

The Arts This Week

Oct. 9 — Poetry Reading Prose: Cornell Writers, 4 p.m. at Temple of Zeus.

Oct. 11 — New Cinema Festival: Program I; Directors: Mogubgub, Borowczyk, Truffaut, Lester, Bozzetto, Polanski, Colomb de Daunant, Belson, Marker. 7:15 and 9:30 p.m., Statler Auditorium. Open to the public.

Oct. 12 — Festival of Contemporary Music: Cornell Chamber Orchestra, with Doriot Anthony Dwyer, flute soloist; conducted by Karel Husa. 4 p.m. Statler Auditorium.

New Cinema Festival; Program I; 7:15 and 9:30 p.m., Statler Auditorium. Open to the public.

Oct. 13 — Festival of Contemporary Music: Informal concert, works by graduate student composers. 4:30 p.m., Barnes Hall.

Oct. 14 — Festival of Contemporary Music: Parrenin Quartet. 8:15 p.m. Statler Auditorium.

Oct. 15 — *The Apple Tree*, opens; 8:15 p.m. Drummond Studio.

Ongoing — *Works of Kenneth Evett* at White Museum of Art until November 2.

Election Time May Be Given

Election Day is Tuesday, Nov. 4, and eligible voters who need it may be granted time off to cast their ballots.

Controller Arthur H. Peterson noted that voting hours are from 6 a.m. to 9 p.m.

He said that state law authorizes eligible voters to take off such time as necessary to vote, provided they do not have four consecutive non-working hours when the polls are open in which to vote. A maximum of two hours' time shall be paid by the employer.

Any employee requiring such time off must advise his supervisor of the time he will need by Friday, Oct. 31.

Sage Notes

If a registered graduate student is not able to get his Draft Board to postpone his induction (in accordance with the new rule promulgated by President Nixon) he is asked to please see the Dean as early as possible.

The Graduate School also wants to remind Cornell fellowship holders that they may not hold any second source of support without the Dean's approval. If you have any questions, please check with the Fellowship Office, Sage Graduate Center.



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