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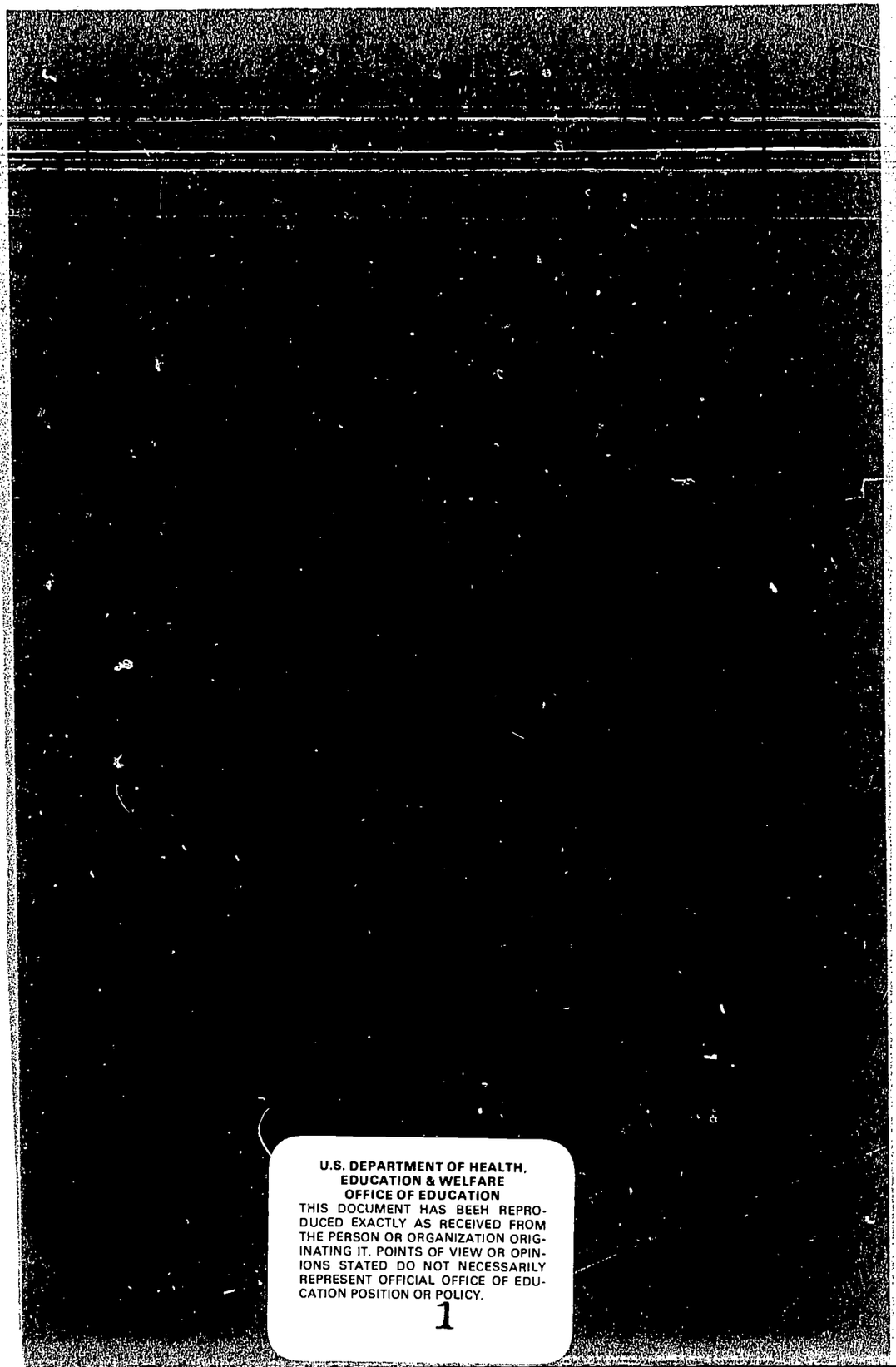
ABSTRACT

In the course of investigating disorders on college campuses, the Committee conducted preliminary inquiries and later took sworn testimony from witnesses concerning the following institutions: Harvard University, Columbia University, City College of New York, Brooklyn College, Stanford University, University of California at Berkeley, Voorhees College (South Carolina), North Carolina Agricultural and Technical State University, Brandeis University, Howard University, and San Francisco State College. The first section of the report consists of a brief chronology of disorders at each institution and of events appearing to be related to the disorders. The second section sets forth comments by students, administrators and others concerning possible causes of and suggested remedies for campus unrest. Following this testimony are subcommittee recommendations and statements by several of the subcommittee members: Abraham Ribicoff, Charles Percy and Jacob Javits. (JS)



[COMMITTEE PRINT]

92D CONGRESS
1st Session

SENATE

REPORT
No. 92–42

RIOTS, CIVIL AND CRIMINAL DISORDERS

COLLEGE CAMPUS DISORDERS

SECOND INTERIM REPORT

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS
UNITED STATES SENATE

MADE BY ITS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
TOGETHER WITH ADDITIONAL, INDIVIDUAL,
AND MINORITY VIEWS

MARCH 23, 1971.—Ordered to be printed

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REPORT
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RIOTS, CIVIL AND CRIMINAL DISORDERS

COLLEGE CAMPUS DISORDERS

MARCH 23, 1971.—Ordered to be printed

Mr. MCCLELLAN, from the Committee on Government Operations, submitted the following

REPORT

INTRODUCTION

On August 11, 1967, the U.S. Senate, Senate Resolution 150 (90th Cong., first sess.) authorized and directed the Committee on Government Operations or any of its duly authorized subcommittees to investigate and report upon the riots and civil disorders which have occurred in recent years in the United States. The Committee on Government Operations delegated its authority for the study and investigation to the Senate Permanent Subcommittee on Investigations. The directive of Senate Resolution 150 was continued by the Senate in Senate Resolution 216 of the 90th Congress, second session; Senate Resolution 26 of the 91st Congress, first session, and by Senate Resolution 308 of the 91st Congress, second session.

On May 1, 1969, the Committee on Government Operations agreed to include within the general category of civil and criminal disorders, an inquiry into disorders on college campuses.

In order to provide a base sufficiently broad enough to draw conclusions, preliminary inquiries were conducted and later sworn testimony was taken from witnesses in hearings by the subcommittee relating to the following universities and colleges: Harvard University, Cambridge, Mass.; Columbia University, New York, N.Y.; City College of New York; Brooklyn College, Brooklyn, N.Y.; Stanford

University, Palo Alto, Calif.; University of California at Berkeley, Calif.; Voorhees College, Denmark, S.C.; North Carolina Agricultural and Technical State University, Greensboro, N.C.; Brandeis University, Waltham, Mass.; Howard University, Washington, D.C., and San Francisco State College, San Francisco, Calif. The first section of the report consists of a brief chronology of disorders at the individual institutions and of events which appear to be related to these disorders. The second section sets forth comments of educators and others who testified before the subcommittee.

UNIVERSITY OF CALIFORNIA AT BERKELEY, BERKELEY, CALIF.

The State-operated colleges in California are all parts of the University of California. There is one president for the system. Each college has a chancellor as administrator. The chancellor at the University of California at Berkeley at the time of our hearings was Dr. Roger W. Heyns.

In many ways, Berkeley may be considered the forerunner among colleges suffering disturbances. The student population at Berkeley is approximately 28,000.

For many years political activity, including fund raising, at the school was permitted only within a 20-foot strip of brick walk which is outside one of the main gates. The permission for such activity was withdrawn in September of 1964. As a result, a number of student groups held a protest rally on September 21, 1964. Although the college later agreed to permit campaigning in some areas, restrictions remained.

On September 30, 1964, a group of seven students, including a man named Mario Savio, head of the University Friends of Students Non-Violent Coordinating Committee, was cited for deliberate infraction of the rules. On October 1, 1964, an all night sit-in took place at the office of the dean and on October 1, Chancellor Edward W. Strong announced the suspension of Savio and seven others. Test infractions on political activity continued. There was considerable agitation on the part of some members of the faculty and many students to reinstate the eight persons.

The Free Speech Movement (FSM) undertook to represent the students critical of discipline by the administration. On November 30, 1964, Chancellor Strong notified several of the suspended students, including Savio, that they faced new disciplinary action. On December 2, Savio led about 800 students into Sproul Hall for an all night sit-in. Governor Brown sent in the police and most of the sit-ins were dragged forcibly from the building and arrested; 773 were arrested; of these 735 were or had been students.

It should be noted that the city of Berkeley appears to be a gathering place for leftwing activists and much of the activity described in this chronology took place not on the university campus but on the city streets.

During the Christmas vacation of 1964, Chancellor Strong was replaced by Martin Meyerson. In the following March, Chancellor Meyerson banned a student magazine called "Spider" because it contained articles which were "an affront to good taste." The students selling copies of the magazine continued to sell them until the supply was exhausted.

On November 30, 1966, the presence of Navy recruiters in the Student Union Building touched off a clash between the students and po-

lice. Six nonstudents and three students were arrested at this time. On December 1 a mass rally was held. The speakers demanded amnesty for persons arrested in demonstrations. On November 6, 1967, about 250 antiwar protestors burst through police lines to protest recruiting by the Central Intelligence Agency and the Dow Chemical Co. In addition to students, there were nonstudents in the group; 14 students were disciplined. The discipline ranged from warning to dismissal.

On November 29 and 30, 1967, students and others conducted 2 days of mill-ins which at times virtually halted operations at Sproul Hall. On June 28, 1968, an ad hoc committee was formed to support the French workers and students who were then rioting in France. This was basically a nonstudent activity and took place in the city of Berkeley. On June 30, 1968, several groups gathered along Telegraph Avenue in Berkeley in the vicinity of the university. Approximately 300 of them marched to the civic center and placed a group of demands before the mayor. One of these stated that Telegraph Avenue must be turned over to the group during 1 day in each week. At this time a curfew was in effect and there were numerous arrests for curfew violations. Police met with resistance when they attempted to disperse the crowd. There was sporadic use of Molotov cocktails. Tear gas was used to break up the demonstration. On July 2, the City Council of Berkeley held a public hearing to discuss the disturbances. The Council voted to lift the curfew which was then in existence but to maintain the "state of emergency" in the city. On July 4, several thousand persons attended an afternoon demonstration at which tables were set up along Telegraph Avenue. A youth sat at each table seeking support for different activist organizations. The incidents from June 28, 1968, to July 3, 1968, resulted in 176 arrests. No complaints were filed against 116 of the persons arrested.

On August 30, 1968, the Young Social Alliance and six other radical groups held a rally in Berkeley to protest the treatment of demonstrators in Chicago. The rally, which related to the city of Berkeley rather than to the university, was attended by approximately 2,000 people. Among the speakers were Jack Bloom of the Independent Socialist Party and Jim Hawley of the Communist Party, U.S.A. When the crowd broke up, the intersection at Telegraph Avenue and Durant Street was blocked by about 40 people. This was followed by window-breaking and paint throwing. Five shots were fired at police, wounding two. In the next few days there were a number of rallies and demonstrations in Berkeley and the city declared on September 2, 1968, a state of civil disaster and sent extra squads of police to patrol the area near the Berkeley campus.

On September 7, a number of people attended a meeting held to protest the city council's measure. On September 10, the Berkeley city council removed the state of civic emergency. From August 30, 1968, to September 10, 1968, the demonstrations and other actions in Berkeley resulted in 177 arrests. No complaints were filed against 115 of the persons arrested.

On September 13, explosives caused several thousand dollars' worth of damage to Callahan Hall which houses the Navy ROTC program at Berkeley. The regents of the university voted in September to deny credit for a controversial series of lectures on racism to be taught

by Eldridge Cleaver. Negro students opposed this action and asked for a black studies department in education.

On September 30, 1968, the Peace and Freedom Party held a rally on the steps of Sproul Hall to announce that Cleaver's course would be conducted regardless of the decision on credit. On October 9, an estimated 700 students held a rally to decide on action to be taken on credit for Eldridge Cleaver's course. On October 15, 1968, Cleaver delivered the second of his series of lectures and on the same day a rally of about 150 students marched to the Berkeley Courthouse where a hearing was scheduled for 11 members of the Mexican-American Student Confederation who had been arrested the day before at a sit-in in the office of the university president. On October 22, Cleaver delivered the third of his series of lectures and on the same day police arrested 122 students following a sit-in at Sproul Hall in protest of the university's refusal to give credit for Cleaver's course. This sit-in was led by the SDS and the Young Socialist Alliance. On October 23, a rally was held to protest the arrest of the 122 the day before. Police were called when a group of 75 to 100, including many nonstudents, barricaded themselves inside Moses Hall to protest the arrest of the 122. Those outside erected barricades to hamper the police. This activity took place on October 23 and 24 and resulted in 198 arrests; 193 were convicted.

On October 28 about 3,000 students and nonstudents attended a rally at Sproul Plaza. This rally was sponsored by the Young Socialist Alliance. The students voted in favor of a student strike of all classes to force the administration to grant amnesty to students who had been arrested. On the 30th of October, the students ended the 2-day strike because of lack of support.

In January of 1969, a fire at Wheeler Hall caused about $300,000 damage. The cause was not known but arson was suspected. For several days members of the Third World Liberation Front and the Black Student Union, as well as the Radical Student Union, picketed in sympathy of 28 striking teachers dismissed at San Jose College. On the 29th of January 1969 a crowd estimated at from 900 to 1,500 students and nonstudents marched around Sproul Hall chanting "pigs off campus."

On February 4, 1969, six husky nonstriking students formed a flying wedge to break through the picket line. Police moved in and ordered the pickets, who numbered about 300, to disperse. About 15 pickets were arrested and 24 persons injured, including 10 policemen. On February 5, 1969, the pickets continued their activity and committed acts of destruction, whereupon Gov. Ronald Reagan declared a state of extreme emergency on the Berkeley campus and ordered the highway patrol to provide immediate assistance. About 300 pickets were active, while classes were held and attendance was about normal. On February 29 a group of about 150, including many nonstudents, joined picket lines at five entrances to the campus after the American Federation of Teachers had voted to strike. By early afternoon, an estimated 1,000 demonstrators spilled out of the campus into Telegraph Avenue. The strikers broke windows on and off campus and threw bottles and rocks at police. On this date, 24 were arrested for blocking public thoroughfares and disturbing the peace.

On the following day, February 20, about 1,000 persons attended a

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rally at Sproul Hall. Later a crowd of 1,500 marched through the campus toward University Hall where the board of regents was meeting. Eventually police used gas grenades to disperse the crowds. Later the demonstrators moved off campus to Bancroft Street and began breaking windows in shops. Police arrested 25 to 30 persons. In the early evening, Governor Reagan ordered the California National Guard to be prepared to lend assistance.

On February 21, about 2,000 demonstrators gathered across the street from University Hall where the board of regents was meeting with Governor Reagan. The Governor's office announced that the campus would remain open under any circumstances for those who wished to attend class. At the meeting the board of regents voted 18 to 3 to give university administrators power to suspend students without an immediate hearing in an attempt to bring order to the Berkeley campus. Although there were incidents throughout the next several weeks, the campus was relatively quiet. On March 14, the teacher assistants at Berkeley called off their picket line, claiming that they had achieved a partial victory. Leaders of the Third World Liberation Front said they were calling off their picketing but would continue to negotiate with the chancellor. From March 17 to 27 the situation remained relatively quiet and only the campus police represented law enforcement on the campus.

In early May of 1969, the University of California at Berkeley decided to use for an athletic field a strip of park land frequented by "hippies." "No Trespassing" signs were posted. The hippies burned the signs and claimed the use of the land as a peoples' park. On May 14, police removed 75 persons from the park land.

On May 15, when workmen began constructing a fence around the peoples' park, about 3,000 persons gathered at the university and marched to the park. The police used water hoses and gas to bring the crowd under control. The crowd spread along Telegraph Avenue to the university entrance. Rock throwing and similar acts ensued. There were approximately 50 injured and 45 arrested. An 18 square block area was sealed off and the National Guard was called in. Throughout the next few days, there were sporadic incidents of demonstrations and damage. The police and National Guardsmen had frequent clashes with students and nonstudents. During one of the demonstrations a nonstudent named James Rector died of gunshot wounds. The police dispersed about 1,500 people with clubs and tear gas during the day when Rector was killed.

On May 20, 1969, about 1,000 demonstrators marched to the chancellor's residence where they were dispersed by tear gas dropped from a helicopter. There were about 50 arrests and 11 injuries. On May 21, a crowd of 1,500 people rallied at Sproul Plaza and decided to disrupt classes.

On May 22, about 250 demonstrators were arrested as they marched through the streets of Berkeley in protest of the fencing of People's Park. The protestors were confronted by National Guardsmen and arrested for unlawful assembly. On May 27, girls bare from the waist up, joined the demonstrators outside People's Park in an attempt to tease the Guardsmen. On May 30, about 15,000 people conducted a nonviolent march through Berkeley demanding that the Guardsmen be removed from Peoples' Park.

On June 3, the National Guardsmen pulled out of Berkeley after Governor Reagan issued the order at the request of University officials. The Peoples' Park incident from May 15, 1969, to June 6, 1969, resulted in 802 arrests. On June 15, 1969, an estimated 300 students (out of 2,500) walked out of commencement exercises when exhorted to do so by a student speaker who criticized police tactics during the Peoples' Park controversy.

The foregoing are the highlights of conditions on the Berkeley campus and in the surrounding area for the past few years. The difficulties at Berkeley have been of longer duration and of greater violence than those on any other campus in the country.

STANFORD UNIVERSITY, PALO ALTO, CALIF.

Stanford University is located in an unincorporated area of Santa Clara County, Calif., adjacent to the city of Palo Alto. It is a privately endowed university. It has a student body of about 11,400 which is divided equally between undergraduate and graduate students.

1967–68

Articles appeared in the newspapers "Peninsula Observer" and the "Resistance" critical of research work being performed at Stanford and at Stanford Research Institute (SRI).

April 13, 1967

A group of university students marched to the main building of Stanford Research Institute to protest "war related" research.

Toward the end of the school year in 1968, attempts to invoke disciplinary measures against students who blocked entrance to Encino Hall to prevent interviewing by a CIA recruiter were dismissed by the student disciplinary body. The group's effectiveness was weakened by its action, even though a study had been undertaken previously to determine whether a more effective student-faculty body should be formed to handle disciplinary problems. The problem was magnified by the existence of a coordinated group which stimulated the disorders. Prominent among the agitators throughout the student disturbances were members of Students for a Democratic Society.

December 1, 1968

Dr. Kenneth S. Pitzer became president of Stanford University.

January 14, 1969

A meeting of the Stanford Board of Trustees was scheduled in the Bowman Alumni House conference room, to be preceded by a luncheon. By use of a bull horn and the invasion of the luncheon site by a crowd of persons the students effectively disrupted the board meeting.

February 1969

The Stanford Judicial Council was formally established, with the requirement that all its decisions had to be recommendations to the president. The disruption of the meeting of the Board of Trustees was the first major case to be handled by the council. On February 28, 1969, the council unanimously recommended suspensions and fines for the 29 students identified as having taken part in breaking up the board meeting.

April 3, 1969

The SRI Coalition consisting of most of the activists groups on campus, held a campus-wide meeting. The group made a number of demands. One of them was that SRI be brought under tighter control by the university and that guidelines be established for socially acceptable research. This began the April 3d movement.

April 9, 1969

Following a rally on campus, 200–400 persons, mostly students, occupied the Applied Electronics Laboratory. This was an outgrowth of the April 3d movement. The building was occupied April 9 through April 18. Work going on in the laboratory was completely disrupted. Property damage in the building amounted to about $10,000 and salary and overhead losses were approximately $90,000. During the occupation, sympathetic students paraded outside.

April 14, 1969

The student-faculty committee appointed to examine the relationship between SRI and the university, called the Scott Committee, issued its report. The majority recommended that SRI be sold with a restrictive covenant limiting its research. Three of the 12 members of the committee voted to bring the institute under more effective control by the University.

April 17, 1969

The Stanford Judicial Council presented its findings to President Pitzer. It recommended by a vote of five to two that the president declare the AEL closed to all persons from Friday, April 18, to Friday, April 25. On the 19th, the persons occupying the building voted to end the sit-in voluntarily with the week's "cushion" recommended by the judicial council.

April 22, 1969

During the spring, many meetings were held on the Stanford campus. On April 22, President Anderson of SRI told the Stanford Academic Senate that most of SRI's 1,500 professional staff would walk out if any outside authority imposed restrictions.

May 1, 1969

Encino Hall, the main administration building, was seized by about 200 students at 1 a.m. About 4 a.m., the president called the Santa Clara County sheriff's department for assistance. At 7 a.m., Santa Clara County deputies reached the scene. The students then left the building. The university obtained a temporary restraining order which stayed in effect for some time. This order prohibited certain organizations and individuals from disrupting various kinds of activities.

May 13, 1969

The Board of Trustees of Stanford University announced their intention to sever formal ties between SRI and the university. The action was to be taken as soon as possible after the complex legal difficulties were worked out. The decision was satisfactory to Stanford Research Institute and not satisfactory to the activists.

May 16, 1969

About 400 individuals demonstrated outside the Hanover facility of Stanford Research Institute. They halted traffic for 2½ hours, finally being dispersed by tear gas. A few arrests were made on the scene. Photographs were taken in order to identify the participants at a later date.

HARVARD UNIVERSITY, CAMBRIDGE, MASS.

The history of difficulties at Harvard University relating to student disorders began in December of 1968, when a group of SDS members conducted a sit-in at Paine Hall as a gesture against the ROTC program. As a result, nine persons were put on probation. On February 4, 1969, the faculty voted to withdraw academic credit from ROTC.

On March 20, 1969, about 150 students gathered to protest the action taken against the nine who engaged in the sit-in in December. On March 25, about 150 students forced entry into a closed meeting of the Student-Faculty Advisory Council and interrupted a report on ROTC by the university's president, Dr. Nathan Pusey.

On April 7, the first day after the Easter recess, rumors circulated that there would be a confrontation between the radical student groups and the faculty. On the next day SDS formalized its demands on the faculty, which were:

(1) abolish ROTC immediately;

(2) replace ROTC scholarships with Harvard scholarships;

(3) restore scholarships to the Harvard demonstrators (one of the effects of probation is the withdrawal of scholarships);

(4) roll back rents in university buildings to the January 1, 1968, level;

(5) no destruction of University Road apartments to make way for the Kennedy School; and

(6) no destruction of 182 black workers' homes in Roxbury to make way for the medical school expansion (Roxbury is a section of Boston where construction of an addition to the Harvard Medical School was planned.)

On April 9, Wednesday, a previously advertised meeting was held at Memorial Church, near University Hall. The participants discussed the six points they intended to raise and then about 70 students went to University Hall, entered and began evicting the legitimate occupants. By 12:45 p.m., all regular occupants had been removed, some forcibly, and the invaders were in complete control. The building was occupied normally by deans of the various schools and their office staffs. Other students gravitated to the building and at one point almost 400 were inside. A large number of students gathered outside also. The students were asked to leave the building and they refused. They were told that if they did not leave they would be prosecuted for trespass. The occupying force was composed of about three males and two females. The occupation began to take on a holiday atmosphere. Sympathetic students outside the building began bringing supplies for a long stand.

This roughly was the situation until early the following morning. At the request of Dr. Pusey, groups of police were assembled, about 400 men in all. They included State police and police from the cities of Cambridge, Boston, Summerville, Watertown, and other nearby com-

munities. They gathered outside Harvard Yard at 5 o'clock in the morning. They were instructed not to try to catch anyone who fled. They surrounded University Hall and after initial warnings to the occupants, they moved in. Some invaders fled, a few were injured jumping out of windows, but 196 were arrested. Twelve were members of the press and were released immediately. The remaining 184 were arraigned on Thursday morning in Cambridge on charges of criminal trespass. By 5:25 the building was cleared. Of the 184 arrested, 145 were Harvard or Radcliffe students.

The vigor with which the police cleared the building created considerable sympathy among the other students and talk of a student strike began to generate. A majority of the students present at a general meeting voted to strike and on Friday, April 11, the strike began. The university substantially was closed. The strike lasted until April 18.

A survey of University Hall revealed some damage, considerable amount of vandalism, the theft of some documents, and debris littered throughout the entire building.

One result of the strike was the insistence by the black students on certain demands. They insisted on a black studies department with the black students given a voice in appointing a faculty. The faculty agreed to do this.

It was apparent during these events that SDS had managed to generate considerable sympathy among the students and faculty. The strike had broad support, although only a small group of students took part in the occupation of University Hall and SDS members were relatively few in number.

COLUMBIA UNIVERSITY, NEW YORK CITY, N.Y.

On April 25, 1968, a group of 50 students occupied Fayerweather Hall and later Hamilton Hall at Columbia University. The following day, the campus was visited by H. "Rap" Brown and Stokely Carmichael, who met with the group in Hamilton Hall.

On April 20, early in the morning, police cleared the buildings and then the campus. There were 692 arrests in five buildings. Of those arrested, 524 were students of Columbia Teachers College and Barnard College. Twenty-five were college alumni and the rest appeared to be neighborhood residents.

Early in May there was considerable agitation by both students and faculty to conduct a strike. The strike was intended to enforce demands made earlier. On May 21, five SDS leaders, including Mark Rudd, failed to appear before the dean to answer charges relating to their participation in demonstrations starting April 20.

On May 21, about 350 students occupied Hamilton Hall. On May 22, 1968, at 12:45 a.m., about 75 demonstrators left the building after being ordered out by university officials. At 4 o'clock in the morning, police cleared the campus. Approximately 175 arrests were made and in the confrontation 40 students and 16 policemen were injured.

On June 4, about 400 students and faculty members walked out of the commencement and joined about 2,500 protesting students holding a "counter commencement." On the following day, Dr. Kirk announced the suspension of 66 students arrested in the Hamilton Hall sit-in on May 21.

On August 23, 1968, Grayson Kirk, president of Columbia for more than 17 years, resigned. He was replaced by an acting president, Andrew W. Cordier. Some disorders occurred when a few suspended students tried to register for the new school term. Columbia University officials estimated damage of $300,000 during the spring disturbances. There were sporadic disorders through the early months of 1969. From April 14 to 16 a group of black freshmen occupied Hamilton Hall. On the 16th an injunction was obtained and the students left.

On April 16 and 17, about 200 students seized Philosophy Hall. They left after being served with a restraining order. On April 30 and May 1, about 160 members and sympathizers of SDS seized Mathematics and Fayerweather Halls. They left on May 1 following the beginning of proceedings in court to force their removal. During May, Columbia University trustees announced the phasing out of Naval ROTC by 1972, in accordance with arrangements made with the Navy.

CITY COLLEGE OF NEW YORK, NEW YORK CITY, N.Y.

City College of New York is operated by the City of New York and controlled by the Board of Higher Education.

The disorders at City College of New York began in November of 1967. More than 100 students spent 7 hours "sitting-in" and scuffling with other students in an unsuccessful attempt to disrupt campus recruiting by the Dow Chemical Co. One student was arrested and charged with disorderly conduct and 13 students were suspended for 9 days on the recommendation of the student faculty committee.

A year later, in November of 1968, police entered the Finley Student Center at City College and arrested a soldier who was absent without leave and 150 antiwar sit-ins who had given the soldier "sanctuary." The day before, a large group of antiwar students and the soldier had demonstrated for 45 minutes against the war in Vietnam and against the ROTC program.

On February 13, 1969, more than 100 Puerto Rican and Negro students took over the Administration Building following a meeting with the president. Their principal demand was a separate school of Negro and Puerto Rican studies. Eventually the demonstrators left. On February 17 a small group of Negroes and Puerto Ricans raced through the classrooms spattering paint and milk on blackboards and floors.

On April 22, about 200 Negro and Puerto Rican students locked themselves inside the gates of the south campus, cutting off access to eight of the college's 22 buildings. Dr. Buell G. Gallager declared the school closed. The Negroes and Puerto Ricans wanted the college population to reflect exactly the ethnic ratios of graduates from the city's high schools. This would raise the percentage of minority students from 15 percent to approximately 50 percent. On May 5, the board of higher education ordered the City College reopened. Two days later, on May 7, fighting broke out between black and white students. Each group used clubs and sticks. When the violence flared, President Gallager again closed the school.

On May 8, 1969, 10 Negroes, including four girls, staged a hit-and-run attack on Shepard Hall, breaking windows and opening a water valve on a fire hose hanging on the wall. White students formed a group in opposition and the police stationed themselves between the two groups to keep them apart.

On this same day, fire gutted the interior of the music department auditorium and there was also a blaze in the John C. Finley Student Center.

On May 9 President Gallager resigned and on the following day Dr. James J. Copeland, a biology professor who had taught at City College for 41 years, was named to succeed him. Dr. Copeland said at that time, and repeated in testimony before this subcommittee, that law and order would be maintained and that police would stay on the campus as long as they were needed. Dr. Copeland said that

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everything possible would be done to handle the legitimate grievances of minority groups.

On May 14, 1969, the City College Faculty Senate endorsed the creation of a separate black and Puerto Rican studies program and called for action that would stimulate the recruiting of students from the city's areas of poverty.

The City College administration announced on May 15 that the occupation of the college and the damage from vandalism and arson had cost $270,000.

In his testimony before this subcommittee, President Copeland said:

> Members of such groups as the Students for a Democratic Society, the communes, the Progressive Labor Party, the Cuban oriented Puerto Rican militants, the DuBois Clubs, the Black Panthers and their analogs are inherently treasonous, anti-American groups dedicated to the destruction of higher education, education in general, society at large, and the U.S. Government. With such revolutionary militants, there can be no compromise and no understanding.

BROOKLYN COLLEGE, BROOKLYN, N.Y.

Brooklyn College, with an enrollment of about 28,000, is operated by the city of New York and supervised by the board of higher education.

Trouble at the college started March 29, 1965. Two hundred Brooklyn College students walked out in the middle of a lecture by President Harry D. Gideonse. The subject of his talk was "Berkeley—Its Educational and Moral Meaning." The students then held a rally to protest what they called the absence of academic freedom in the school. They also protested the dismissal the previous week of a professor who abrogated the loyalty oath required of all faculty members. They also were opposed to the school policy to refuse campus lecture privileges to persons under indictment.

The next major disturbance at the school occurred October 19, 1967. About 50 self-styled left wing activists protested the presence of Navy recruiters. They led about 1,000 students in a confrontation with the police. Forty students and two faculty members were arrested. The apparent leader of this group was Jeffrey Gordon, a member of the Students for a Democratic Society and the Progressive Labor Party. At the outset, Gordon set up a "peace information" table next to the Navy recruiter. Leaflets were distributed by SDS on the campus earlier in the day linking the Navy with the Peace Corps and U.S. imperialism. Plans were made to hold additional meetings, possibly at other schools.

On October 20, 1967, thousands of Brooklyn College students went on strike to protest the calling of police to the campus. The strike virtually closed down the school. The faculty yielded to a number of student demands, including the demand that police not be called to the campus. Recruiting activity of the Armed Forces was limited.

The next serious incident was on May 20, 1968. A group of 38 students, all but one of them white, barricaded themselves inside the registrar's office and said they would not come out until the school agreed to admit 1,000 Negro and Puerto Rican students the following September. About 10 hours after the demonstrators began their sit-in they were expelled. A much larger group of students protested the occupation of the building and there were fights between the two groups.

A campus organization of Negro students, the Black Afro-American Collegiates, allowed none of its members to participate in this occupation but supported the action by the white students.

At one point, Mark Rudd, SDS leader at Columbia University, came on campus carrying a red flag. The dissenting group was attacked by the students at Brooklyn, who were not sympathetic with the takeover.

On the following day, May 21, about 42 people were arrested as police broke up the 16-hour sit-in. Among those arrested were the leaders of the campus SDS group and of the W. E. B. DuBois Clubs of America. Thirty-five people were ordered to post bond on charges of criminal trespass. Seven others, including Jeffrey Gordon, faced the same charge. The 35 were students, the seven others were not. On

May 22, the faculty council voted to adopt a resolution asking the board of higher education to admit additional Negro and Puerto Rican students.

On April 23, 1969, over 500 people held a rally on the Brooklyn College campus. Their protest was against the college reaction to some demands made by black and Puerto Rican students.

On April 30, about 150 to 200 students, including many Negroes and Puerto Ricans, broke into the office of the president, Dr. George A. Peck, and sprayed paint on the wall, smashed an end table, ripped out a telephone, and set the mail afire. On May 2, 1969, President Peck closed the college after many new student disorders and the setting of three small fires. Dr. Peck announced that four students who were identified as taking part in previous demonstrations were suspended.

On May 6, approximately 100 students, mostly Negroes and Puerto Ricans, barred firemen from fighting a blaze in the administration building. The fire was the fifth and final one of a series of small blazes set off by Molotov cocktails. Police called by the firemen dispersed the students.

On May 8, the New York Supreme Court issued a restraining order barring further disruptions, vandalism, and the like on the campuses. Two days later, on May 10, a 75-man police detail patrolled the campus. On the 13th of May, 17 Negro and Puerto Rican students were arrested at their homes on a court indictment charging arson and other criminal acts on campus. On the following day, May 14, about 50 faculty members and students went on strike protesting the presence of police on the campus. They also presented a list of 18 demands, exhibit 766. About 1,000 black, Puerto Rican, and white students marched around the campus in sympathy with those who had been arrested for arson. In compliance with one of the 18 demands, the faculty urged the board of higher education to increase the enrollment of minority groups.

VOORHEES JUNIOR COLLEGE, DENMARK, S.C.

On November 23, 1967, at Bedford Hall in Voorhees Junior College, a group of 10 or 15 students threatened to block the entrance of some other students who were in line waiting to eat. Later, the food service reported that about 95 percent of the students were served but 15 or 20 plates had been dumped into trays and left on the tables. A group of about 300 persons occupied the student center. The dean of students attempted to convince the students that they should leave, and some of them did. Officer Grimes of the campus police sprayed the center with tear gas and the center was cleared. He said he took this action because he felt the situation was becoming serious. Most of the students seemed to disapprove of the demonstration.

The students who seemed to cause the disturbances were about 25 members of the Black Awareness Coordinating Committee (BACC). The total enrollment of Voorhees was about 725 students, predominantly black.

A meeting of the student body at 9 o'clock on the following morning, November 14, 1967, denounced the actions by those involved in the disturbances.

The next activity in which the BACC was engaged involved a dispute over a student handbook. Each year the manual, including recommendations on action to be taken in the event of misconduct, was issued by the student senate. In November of 1968, the BACC issued a press release denouncing the administration at Voorhees as "white minded." It was signed "Yours for the revolution."

On Monday, April 28, 1969, at approximately 12:40 p.m., a group of students seized the Library-Administration Building. The responsible members of the faculty, including President John F. Potts, met and at about 1:30 issued a statement to the students in the building stating that the group had until 6 p.m. to send a committee of legally enrolled students to discuss any grievances, otherwise appropriate action would be taken. The response from those in the building was to designate one person and also to present a list of demands. The demands included amnesty for those engaged in the takeover, installation of a black studies program, placing a black faculty member in charge of each department, designation of a section of the library to be devoted to history of the black man, removal of required attendance at classes, pay raises for the nonacademic workers, a demand for better living conditions, and others.

By 10 p.m. it appeared that the situation had not changed except that the militants, about 35 of them, had also taken over the Science Building which adjoins the library. There were several meetings the next morning and it was agreed with the law enforcement officers that action to clear the building would be held off until 2 o'clock. Meanwhile, the Governor had been asked for help. In late afternoon, with the National Guard arriving on the scene, the students came out in an orderly fashion and marched to the president's house.

The chief of police, after a consultation, ordered the students out of the president's house. They came out and were immediately arrested. It was later reported that 19 men and six women had been arrested.

NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, GREENSBORO, N.C.

North Carolina A. & T. is a publicly supported coeducational institution with an enrollment of about 4,000 students and a faculty of 247. The faculty is about 10 to 15 percent white and the rest black. The student body is about 1 percent white and the rest black. In December of 1968 a student group sponsored a meeting to hear student grievances. As a result of this meeting, the Student Governing Association officers announced a "work shop" to be held on December 11–12, and asked students not to attend classes on those days. About one-half of the students attended classes. As a result of the work shop, certain demands were made. The students wanted increased recreational facilities, longer hours of operation for the university book store and Memorial Student Union, improved housekeeping and maintenance of the dormitories, additional medical services, an up-dated system of campus security, the construction of a new cafeteria, and a new system of checking books out of the library. On February 5, 1969, a similar list of demands was presented to the president. A group of about 125 students entered the Administration Building for this purpose. Although the group was orderly, the administrative offices closed down early to prevent any disorder from developing.

On February 8, the president, Louis Dowdy, made an announcement complying with some of the demands made by the students.

On March 12, 1969, the cafeteria workers who were not students staged a sitdown, seeking higher pay and better working conditions. The food service is conducted by the ARA Slater Food Service. A student rally was held on Thursday night, May 13, in support of the cafeteria workers. After the rally, the students marched to the president's home and then proceeded to the campus where some rocks and bricks were thrown at cars and businesses near the campus. On the 14th of March, an agreement was reached with the cafeteria workers.

On May 22, some of the students from A. & T. joined in a disturbance at Dudley High School. The campus underwent increasing unrest and disorder, including gunfire. During the early morning firing, on May 22, a sophomore student, Willie Grimes, was killed by gunfire and another student was shot.

On May 22, the mayor of Greensboro announced a curfew effective that same day to last from 8 p.m. until 5 a.m. On Thursday President Dowdy announced that because of the unrest the students were asked to leave the campus by 6 p.m. on Friday, the 23d, which was the next night. More shooting and unrest occurred on Thursday night. By this time, the National Guard had been summoned and it was decided to conduct a sweep of Scott and Cooper Halls to eliminate sniper fire. The National Guard swept through these buildings about 6:45 a.m. There were some accusations that the police and National Guard were unnecessarily destructive in clearing out the buildings. By 6 p.m. the

campus was virtually deserted and the A. & T. students who had been taken into custody were released. President Dowdy announced that they would not be asked to return and that grades would be distributed according to their performance up to that time. On June 1 a baccalaureate convocation was held as scheduled and summer school started on time, June 9.

HOWARD UNIVERSITY, WASHINGTON, D.C.

The disturbances at Howard University span a period of time from December 1966 to approximately the time of the hearings in the summer of 1969.

The first series of disturbances in December of 1966 protested the charging of a female student with shoplifting. On March 31, 1967, approximately 2 weeks after a speech by Cleveland Sellers of SNCC, a disturbance involved 40 people protesting the appearance of Lieutenant General Hershey on the campus. The university officials requested that the students involved in this incident face disciplinary hearings. A few days later, on April 19, a rally was held on the main campus to protest this decision and Dr. Nabrit, president, Dean Snowden and General Hershey were hanged in effigy.

During the next few weeks, groups of students were addressed by LeRoi Jones and Cassius Clay. On April 26, 27 students and three outsiders were identified as participants in the disturbances during the disciplinary hearings relating to the General Hershey incident. Throughout the early months of 1967, several bomb threats were received and anonymous letters threatened the safety of school officials. On May 19 a fire was set in the administration building. The words "black power" were painted on several windows of a new classroom building. On June 20, 19 students and five teachers were informed that they would not be permitted to return to Howard the following fall. Suit on this issue was brought in U.S. district court, and the court upheld Howard University's right to conduct its own affairs. The U.S. court of appeals later ordered Howard to reinstate five students pending the conduct of hearings.

On September 18, approximately 125 persons walked out on a speech by President Nabrit and several weeks later, on November 9, approximately 60 students sat in the office of the president to protest the University's compulsory ROTC program.

On February 16, 1968, the U.S. flag was removed from a flag pole on the main campus. On March 20, students seized the administration building and university officials announced the closing of the university indefinitely. On March 23, students and trustees reached an agreement and the occupation of the administration building ended. By March 27, all classes were resumed according to normal routine.

On April 8, 10 Howard University students were charged with rioting and looting following the death of Dr. Martin Luther King, Jr.

On October 22, several students disrupted a meeting of the board of trustees, demanding that Howard become a black university. This demand was rejected by the board of trustees. On November 2, a rally protested the shooting of a Negro women by a white policeman. Police used tear gas to control the crowd. On February 2, 1969, law students began a boycott of classes. On the 18th of that month they occupied the law building but left in the face of an injunction. On March 10, stu-

dents took control of the Fine Arts Building and on the following day liberal arts students joined them in the boycott. In the course of this action, the president's office and the new classroom building were seized. These buildings were vacated following another injunction.

On May 7, 1969, students seized a number of campus buildings and on that same day the faculty voted to close the university indefinitely. On the following day, the U.S. District Court issued a contempt citation against those who were occupying campus buildings and on May 9 U.S. marshals moved onto the campus and arrested those occupying the buildings. On June 10, a U.S. District Court jury acquitted three students of contempt of court. On June 20, the two students who entered pleas of guilty to contempt of court charges were given 6 months in jail (suspended to 2 weeks) and 1 year probation. The court dismissed contempt charges against the 14 remaining students. The court's action was based in part on the court's criticism of an advertisement in the local newspapers by school administration officials.

Dr. James M. Nabrit, Jr., the outgoing president of Howard, was accompanied by the incoming president, Dr. James E. Cheek, when both appeared before the subcommittee on the subject of the disturbances at Howard. Dr. Nabrit said that the faculty has attempted to respond to the legitimate grievances of the students even though these grievances were at times presented in a crude and obnoxious manner. He said that it is impossible to conduct a university in an atmosphere of discord. The university, he said, has maintained an attitude of firmness. He said that one thing that the university administration insisted upon was that there should be no negotiating with students as long as they were occupying buildings and interfering with the operation of the university.

POSSIBLE CAUSES OF AND SUGGESTED REMEDIES FOR CAMPUS DISORDERS

In order that the subcommittee might have the benefit of the experience and judgment of persons including university administrators who have dealt with student disorders, certain administrators and educators were questioned at some length by members of the subcommittee.

The questions propounded to the witnesses sought to draw from these men, who were unquestionably close to the events, information about the causes of the disorders, what might have prevented them, and what might prevent them in the future. Opinion on some particulars varied, and, considering the different circumstances under which the disorders took place, there also was much agreement.

Among the witnesses was Ned Callan, a student on leave from Colorado State College. He was serving as acting president of the Association of Student Governments. Mr. Callan said that:

> Curriculums must be updated and more applicable to the times. Educators who think that higher education should be limited to the strict cultivation of the mind are the ones who make colleges irrevelant to the real world. If higher education is to be of consequence, students must have opportunities to practice putting thought into action. The test is not an ability to verbalize but to live (p. 4503).[1]

Mr. Callan pursued the theme that college administrations are more responsive to violence and disorder than to legitimate pleas by those who follow the established framework for making their requests known. He said:

> He spoke on behalf of the great majority of college and university students * * * that the public never hear about; the ones that consistently work within the framework of society for much needed change; the ones that are more times than not overlooked or ignored.

Dr. Roger W. Heyns, chancellor of the University of California at Berkeley, Calif., described the unusual conditions prevailing to a greater degree, probably, at Berkeley than at any other campus:

> When one describes a campus problem at Berkeley, he is referring to a situation which probably includes students ranging in age from 18 to 30, nonstudents from around the avenue, a small determined group of radicals and revolutionaries, high school and junior high school students from within walking distance, varying degrees of faculty and staff support or participation, ubiquitous newsmen and weather which is generally mild and pleasant.

[1] Page numbers in parentheses refer to pages in the printed hearings.

Because of the organizational structure of State higher education in California, Dr. Heyns said:

> Berkeley also represents a large, complex organization within an even larger, more complex structure, an administrative scheme which makes lengthy decisionmaking process intolerable to action-minded young people.

Efforts to discipline the students are many times hampered by the large participation of nonstudents, according to Dr. Heyns:

> * * * A review of the Berkeley experience with campus discipline over the past few years will show that universities can, indeed, deal with campus discipline and their own violators and will also reveal that these disciplinary actions are effective. Since 1966, 517 students at Berkeley have been cited for violation of regulations. Of these—70 were separated—by either dismissal or suspension—from the institution, 194 were placed on disciplinary probation, 75 were censured, 71 were warned, 78 had charges dismissed, and 29 have hearings pending. In addition to the students disciplined, 89 nonstudents have had any future registration at the university blocked. One of the most impressive indicators of the data is that of the 410 students disciplined, only 45 were repeaters. It must be noted, of course, that discipline is of no use with the nonstudent violator of regulations (p. 4897).

Dr. Heyns said that every attempt is made to control activities on the campus, particularly by students, but there have been times when faculty inspired disruptions by students exceed the ability of the university to control them, and on those occasions, outside law enforcement assistance is requested.

Dr. Heyns said that the principal causes and excuses for disruption on the campus might be listed as follows:

> 1. The war in Vietnam.
> 2. The desire to end racial and social injustice and to eliminate poverty.
> 3. Disenchantment with educational institutions who seem to be removed from the problems of their times.
> 4. A seemingly overriding desire to be heard and heeded by older persons.
> 5. Many, many local and internal causes, either legitimate or created, to cause disruption.

Dr. Heyns said that he and the responsible officials at Berkeley have done everything to contain the disorders which have occurred there. He said:

> I cannot overemphasize the gravity of campus disruptions and coercion. Its very form and substance is an anathema to an environment of learning and inquiry. It cannot be tolerated or condoned.

With reference to suggestions that Federal aid to persons or institutions engaged in higher education be reduced or eliminated when they are embroiled in disorders. Dr. Heyns said:

> This is not the time to be punitive by restricting the appropriation to higher education and this is not the time for public confidence in education to be undermined. Rather, this is the time to extend support to higher education to build public confidence in the recognition that our ability—on the campus—to solve our difficulties in a fundamental and permanent fashion is essential to the continued development, improvement, and stability of our total society (p. 4902).

In discussing the fluid nature of campus organizations, particularly those which might be classified as radical organizations, Dr. Heyns said:

> It will help you understand why I have trouble answering simple questions about these. One is that the membership changes. There may be only five or six members in one of these groups and then there may be up to 100. They characterize themselves by a great deal of participation by the people who are currently interested. That means that the policy will vary from meeting to meeting with respect to what they do (p. 4906).
>
> For one thing, Mr. Chairman, if an issue arises, usually a new group is formed and joined by these existing groups, and the membership and leadership of those depends on the issue (p. 4907).

As is the case on other campuses, there is not a static membership in most of these radical groups, according to Dr. Heyns. To add to the confusion, there are nonstudents in these groups and students from other colleges, high schools, and junior high schools, many of them not associated in any way with the University of California at Berkeley who are involved in many of the disruptions and demonstrations.

For example, an incident that took place the day before Dr. Heyns testified before the subcommittee involved a number of arrests (July 14, 1969). There were 31 arrests in connection with this disorder and only four of the people were University of California students (p. 4909).

Among the problems of maintaining order at the University of California at Berkeley is the fact that the campus is open. There are no fences, no gates, and no check points. It appears that at Berkeley, to a greater degree than at most universities, the problems of the campus overlap and fluctuate between the city of Berkeley and the university campus.

William C. Hanley, city manager of the city of Berkeley, testified about this factor. He said that Berkeley, with a population of about 120,000, had a police department numbering about 170. As a practical matter, these police officers have to be assigned in shifts. When a prolonged disorder takes place almost all of the police officers have been on duty for long periods of time with little or no sleep. This is sometimes a factor in the reaction of police officers to harassment, particularly of the type used by the radical groups which operated in Berkeley. Mr. Hanley described as among the principal problems:

> 1. The need for additional supervisory employees in the police department. These officers need particular training in this type of police activity.

2. Sheer fatigue is a major problem when confrontations occur over a period of several days.

3. Communications need to be improved.

4. Identification of persons in official capacity should be made clear.

5. In the light of experience, a shift from dispersal technique to arrest should be made earlier.

6. Most police departments are designed and developed as professional organizations, skilled in crime prevention, crime detection, and law enforcement. They are not trained to deal with an army in mass confrontation and riots.

7. None of the foregoing in any way had anything to do with the constitutional guarantees of free speech and public assembly. These are guaranteed in Berkeley as elsewhere.

Mr. Hanley stated that in Berkeley, during 6 months, the city suffered $800,000 in damage from incendiary fires alone. Mr. Henley submitted the coroner's jury report concerning the only fatality connected with the disturbances of the summer of 1969. This report is as follows:

STATE OF CALIFORNIA,
County of Alameda, ss:

Inquisition taken at Department No. 4, Oakland Municipal Court, 600 Washington Street, Oakland, Calif., before Harry W. Skiles, coroner of said county, upon the body of James Bennett Rector then and there lying dead, upon the oath of seven jurors, good and lawful men of the said county, who being duly summoned and sworn to inquire into all the circumstances attending the death of the said deceased, and by whom the same was produced, and in what manner and when and where the said deceased came to his death, do say upon their oath aforesaid:

We, the jury do find that the name of the deceased was James Bennett Rector, a native of Montana, aged about 25 years and that he came to his death on May 19, 1969, at about 10:15 p.m., at Herrick Memorial Hospital, Berkeley, Alameda County, Calif., and we further find that death was caused by shock and hemorrhage due to multiple shotgun wounds with perforation of aorta.

James Bennett Rector, prior to 2:19 p.m., May 15, 1969, while on the roof of a building located at 2511 Telegraph Avenue, Berkeley, Calif., during the suppression of a riot by police, was shot by unknown-unidentifiable Alameda County deputy sheriff.

We find death to be: Justifiable homicide (p. 5027).

With reference to the current disorders, Dr. Kenneth S. Pitzer, president of Stanford University, testified:

> To me, it is clear that the roots of campus disruptions lie in the most intractable problems of American society and government. The universities are hit first and hardest because they are a magnet for bright, energetic young people and because they are not as easily protected as other social institutions * * *.

> Certainly it is a mistake to describe the most disruptive students idealists. But their great weapon is an appeal to the idealism of others.

Dr. Pitzer continued his theme:

> Let me make it perfectly clear. We realize there is a small, hard core of militant radicals committed to the destruction of our institutions, including our universities.
>
> It would not be too difficult to deal with this group alone. The difficulty arises from the sympathy of a large group of idealists for certain stated objectives of the radicals and the accompanying sensitivity of the idealists to any unfairness or arbitrariness in disciplinary action.
>
> The tough problem is to prevent the radicals from expanding their ranks.

Dr. Pitzer discussed a part of the dilemma of the universities:

> One of our great concerns now is that the turning point (in handling campus disorders) may have come too late—that we find ourselves the victims of a massive counterattack from an angry American public, fed up with campus antics across the country and too impatient to bear with us as we continue to work hard to solve these problems for ourselves (p. 4547).

Concerning the withdrawal of Federal aid to students, Dr. Pitzer said:

> Efforts of universities across the country to strengthen their own campus judicial mechanisms will be seriously undermined if withdrawal of Federal aid for those found guilty of disruptive acts becomes wholly automatic, regardless of the seriousness of the offense or the extent of punishment.

In discussing the broad situation, Dr. Pitzer testified:

> The modern university best serves society when it functions as a center for the free discussion of ideas. It cannot long endure any repression on free thought, whether imposed from within or from without. Nor can it function as an armed camp amid warring social actions (p. 4555)

Dr. Pitzer described a problem connected with proscribing certain organizations on the campus.

> * * * As long as the students are there, if you forbid them to organize under the name "SDS" they will simply concoct some other name, some different set of words, and organize under a different set of words.

Dr. William R. Rambo, professor of the department of electrical engineering at Stanford University, supplemented the testimony of Dr. Pitzer. A building under Dr. Rambo's academic jurisdiction was seized by activitists during the disruptions at Stanford University.

During the testimony of Professor Rambo, the chairman brought out figures contained in a special analysis of the budget of the United States for fiscal year 1970. The Federal outlays for higher education in the United States amount to $5,030 million in 1970. This is 51 per-

cent of the total Federal outlays for education. These outlays constitute about 23 percent of the estimated total expenditures for U.S. colleges and universities in 1970.

Dr. Rambo was of the opinion that pending legislative measures aimed at individuals who are receiving Federal assistance in their pursuit of higher education, would be of little value because (1) they add nothing to an authority already in existence at the university; (2) they would undermine the essential support of the university community. He said: "The positive direct effect can only be small; the negative effect, though indirect, can be enormous."

Charles A. Anderson, president, and Rudolph K. Brunsvold, vice president of Stanford Research Institute, testified because Stanford Research Institute was one of the targets of the activists and their associates. The reason for antagonism against Stanford Research Institute (SRI) was the fact that a considerable amount of Government research, including Defense Department research, is carried on at SRI. Prior to the disturbances, the connection between the university and the institute was limited to the selection of the board of directors of SRI by the trustees of Stanford University. After this selection was made, there was no further formal connection.

As a matter of fact, the board of trustees had decided that even this formal tie was to be terminated.

> Mr. ANDERSON. They have decided that the formal tie be terminated, sir. The actual termination has not been accomplished as yet.
>
> The CHAIRMAN. When was this decision made?
>
> Mr. ANDERSON. This decision was made and announced on May 13 (1969).
>
> The CHAIRMAN. Was this decision made by reason of the disturbances that have occurred on campus?
>
> Mr. ANDERSON. The decision was related, certainly, to some of the disturbances that were on campus; yes, sir (p. 4665).

In describing the genesis of the decision already related, Mr. Anderson described a meeting addressed by Mark Rudd on October 9 on Stanford campus. Rudd was a former student at Columbia University and at the time of his speech was not an enrolled student anywhere. He called for more militancy at Stanford and an examination of the relationship between Stanford and SRI. Partially as a result of this, a committee was appointed to study the relationship between Stanford and SRI.

Because of the criticism of SRI, a series of meetings was scheduled, each gathering limited to 15 students. The meetings were well publicized. No topic was off limits. SRI staff would discuss any subject with the students. A stipulation was that SRI would not deal with SDS but rather with the whole student body. The meetings were poorly attended, particularly by SDS.

The Stanford committee recommended that the university exercise control over SRI's research. The only differences related to the method of accomplishing this. The trustees, on the other hand, ignored these recommendations and elected to sever the connection between the university and SRI. This was not satisfactory to SDS. With reference to SDS, Mr. Anderson said:

> Unfortunately, the truth is no deterrent to the hard-core revolutionaries who are bent on destroying America's work in national security research and on the destruction of our important institutions (p. 4669).
>
> As for the hard-core radical students—the SDS type—I have found that they do not really want the so-called rational dialog they spoke of. They are bent on destroying the "establishment" and reducing our institutions to chaos. With them we must be absolutely firm and make it clear that lawlessness and violence are not acceptable tactics in our society under any circumstances. We must make it clear that we will insist upon and protect our rights (p. 4681).

Discussing the situation at Harvard, President Nathan M. Pusey in a statement submitted to the subcommittee said:

> The disturbances we have been experiencing on the campus are not uncommonly fomented by the revolutionaries. But they are made possible by the large number of idealistic and concerned young people who feel that the present ways of doing things are not good enough and that those of the older generation have not made and are not making sufficient effort to set matters right. They say we have not worked with our whole heart for justice, freedom, and equality; for fullness of life and the realization of individual potential. Certainly we have not worked very effectively.

Dr. Morris Abram, president of Brandeis University, is of the opinion that students reach college after the problem has already been created. He said:

> Gentlemen, this generation was not sired or raised by college administrators or faculty, but by your friends, my friends, and your constituents. They were educated in your home communities and under laws and conditions we either created or permitted to stand. The universities now are the habitations of your youth, inclined as they are for good or ill as they matriculated (p. 5216).

With reference to the fact that disorders have not always been contained, Dr. Abram said:

> Many Americans find it difficult to believe—and subconsciously unacceptable—that there are some problems without instant solutions. In this way those of our young people who demand instant reform of social ills are exhibiting characteristically American responses (p. 5219).

Dr. Abram did not feel that the way to correct existing weaknesses is through enactment of Federal legislation.

Dr. Andrew W. Cordier, acting president of Columbia University, described the restlessness as a worldwide condition rather than an American phenomenon. He said:

> I should make the prefatory remark that student unrest is not an American condition alone. It is, indeed, worldwide and its complexities relate to the lightning speed of change in our

> society. The simpler life in which many of us grew up as children and young people no longer exists. The myriad changes in science and technology hold us in their awesome grasp and young people today have far more difficulty in making adjustments to their world then we had in adjusting to our world (p. 5266).

With reference to the past use of injunction which has been under consideration in the Congress, Dr. Cordier described a similar process provided by State law in New York. Concerning its effectiveness, he said:

> The use of the injunction is not only effective but from a number of points of view it proved to be superior to the probable effects of calling the police (p. 5269).

Considering possible additional legislation, Dr. Cordier said:

> It is our view, along with those other witnesses and spokesmen elsewhere that any new legislation, including some that already has been enacted, is likely to be counter productive. At the least, such legislation would introduce conflicting factors into the procedures and efforts of the university community as it strives to build up an effective system of governance and discipline. At its worst, it could introduce new issues on the campus which could be easily ignited into a broader spectrum of campus disruption (p. 5271).

Considering the already available weapons to combat disorders, Dr. Cordier spoke particularly of the injunction which he had already discussed. He said in part:

> There has been some discussion in the past few months that it would be a slow process. When we finally used it, we found the contrary to be true. We were able to secure the necessary signature of a judge within 2 hours (p. 5271).

Al Capp, cartoonist and lecturer, who has shown a keen interest in the problem of campus disorders, said in part:

> From my observations, not more than 2 percent of the student body on even our most turbulent campuses have been infected by such men (faculty members preaching disorder), but a 2-percent infection of any body can eventually destroy it all if it isn't checked (p. 4520).

At one point Mr. Capp was discussing the accusation that this society and this Government practiced genocide:

> The truth isn't easy to come by on our campuses. The average college student seldom reads the local paper. He prefers "Playboy" magazine. Most of them, however, read the campus paper and all of them read the underground paper because it is even filthier. A new type of campus newspaper, however, is appearing. The honest one, published by honest kids. The best of them, in my opinion, is "Ergo" at MIT (p. 4525).

Dr. Joseph J. Copeland, acting president, assumed direction of the City College of New York after disturbances had been underway for

some time. With reference to the responsibility of the college or university, Dr. Copeland said:

> A college or university campus is a part of the city, State, and Nation, and is in no sense to be regarded as immune from the normal enforcement of the law. It is not, and may not be, a sanctuary for illegal or criminal activities or actions. While a college or university may and does properly have its own regulations, and must have the disciplinary mechanism to enforce them, these college regulations must be within the framework of public law, and may not provide sanctuary, or procedure, for evasion of the enforcement of public law (p. 5148).

Concerning the source and nature of campus unrest and disorder he said:

> It is recognized that campus unrest and disorder have been fomented and planned by groups of students, by dissident members of the faculties, and by outside persons or agents, whose intended purpose is frequently not a desire to improve and reform but to tear down and destroy. Members of such groups as the Students for a Democratic Society, the Communes, the Progressive Labor Party, the Cuban Oriented Puerto Rican Militants, the DuBois Clubs, the Black Panthers, and their analogs are inherently treasonous, anti-American groups dedicated to the destruction of higher education, education in general, society at large, and the U.S. Government. With such revolutionary militants there can be no compromise, and no understanding (p. 5149).

Dr. Copeland believes that it is the responsibility of university officials to maintain a climate in which the majority of the students can pursue their studies:

> When a group like this takes action such as they did in taking over a building, the constitutional and civil rights of the majority of the students are substantially injured. A student who comes to college has a right to attend classes, to go his way, in a normal manner. Actions that interfere with that are clearly a violation of the rights of the majority of students (p. 5156).

Dr. George A. Peck, acting president of Brooklyn College, discussing the motivation of certain radical groups, particularly the hard core of the Students for a Democratic Society, said:

> The purpose of the SDS students, and I think of this faculty member (a particular member of Brooklyn College faculty), is to remake society. It is not to make our society work. Therefore, the technique is to seize upon the legitimate complaints of people who would like to make it work within our society, to be involved, therefore, for the SDS member to be involved, if necessary, in these discussions and to see to it that there is as much exasperation of the situation as possible rather than a reasonable sitting down and finding a way (p. 5202).

Because of the illness of Dr. John F. Potts, president of Voorhees College, Denmark, S.C., he was represented by the business manager, Mr. Orlanda H. White, who read a statement prepared by Dr. Potts.

With reference to the fomenting of the disorder in this predominently black institution, Mr. White produced a circular prepared by the Black Awareness Coordinating Committee (BACC) for distribution among students. Following is an excerpt from this circular:

> Now that we are beginning to be proud of our black skin, we realize that there are two things we have in common and they are: We are black and the white folks are our enemies.

This circular carried the caption, "Immediate Press Release," and closed with the following phrase, "Yours for the Revolution" (p. 4798).

The testimony presented by Mr. White, as well as the information supplied to the subcommittee by Dr. Potts, made it clear that there was on the campus an organization whose activity preceded the disruptions which interferred with the orderly operation of the school.

Dr. Lewis Dowdy, president, A. & T. State University, Greensboro, N.C., testified:

> I think one of the reasons for some of the unrest is that setting up machinery to actually go through the grievances of students and get them into operative order is a little slower than what students would like to see. * * * Students want action now and they do not want to go through the system, or establishment they call it, of allowing these things to be discussed and then put into effect after they have been accepted (p. 4853).

Chief of Police Paul B. Calhoun of Greensboro, N.C., considered another set of circumstances as contributing to the proximate cause of the disorder at North Carolina A. & T. He said:

> On December 9, 1968, Stokely Carmichael spoke at Moore Gymnasium on A. & T. State University campus. The gymnasium was completely filled with an estimate of at least 3,000 to 4,000 people in attendance. Parts of Carmichael's speech are quoted as follows:
>
> "Our people have demonstrated undying love. The white man does not want us to know that so he interprets it another way. But if you're walking down the street and you have undying love for your brother and a policeman shoots him and you try to kill that policeman with a brick, bottle, stick, anything you have in your hand, that is undying love.
>
> "For our people, we must have undying love and by undying love, we do not only mean that you are willing to die for your people but you are willing to kill for your people, which is more important.
>
> "Because that self-hatred is still there. We still want to destroy it. Why is it that a man would talk about killing an Uncle Tom when Honky Cops are running rampant in our community.
>
> "In the party, we say before you start talking about killing an Uncle Tom, kill five white cops. Then we will respect your talk about killing an Uncle Tom. Before you kill any-

body white, don't talk about killing anybody black. Every Negro is a potential black man" (p. 4859).

As soon as Carmichael finished his speech, Calvin Matthews, president of A. & T. student body, announced a 2-day boycott of classes to begin on December 11, 1968. The purpose of the boycott was to give the students the opportunity to resolve some of the problems between the student body and the administration at A. & T. State University.

Dr. Samuel Hayakawa, acting president, San Francisco State College, San Francisco, Calif., testified concerning difficulties that were in full swing at the time he became acting president and to some degree continued afterward. Dr. Hayakawa said:

> I have said repeatedly that impatience with democratic processes is at the heart of student unrest. Too few young people understand the processes or are willing to spend hours in research, to sit through endless hours of debate and argument, or to involve themselves in the other unglamorous aspect of democratic decisionmaking. It is much more fun to attend a rally to scream, and to chant with a fair degree of anonymity, and then to present a list of nonnegotiable demands. The way things have gone of late, their system seems to be working too well to abandon it for traditional processes.
>
> What worries me more than the actions of students, therefore, is the response of adults in positions of authority and responsibility. I don't know how many more times we have to relearn the lesson of Neville Chamberlain at Munich, that appeasement means disaster. In meeting one crisis after another with appeasement, all we do is to make the next crisis more serious. What we are teaching through appeasement is that demands backed by force or threat of violence, will produce more and faster results than the exercise of reason (p. 3044).

The difficulty in analyzing the actual extent of the popular support given to black student disorders was expressed by Dr. Hayakawa:

> * * * That is very, very difficult to say. This is where the problem of violence comes in. Many, many black students have complained that their position is not militant but they are afraid to say so because they would be beaten up by the militants (p. 3052).

Dr. Hayakawa described what he believes to be the fallacy entertained by many that the way to maintain peace and tranquillity is to make concessions to militant groups:

> * * * But they hit at the place where obviously the administration is readiest to make concessions of every kind. * * * I believe that we were hit hard because we had been most open to revising our curriculum with the demands of the new social needs of the awakened minorities (pp. 3053–3054).

In discussing the requirements of college administrators in the current climate, Dr. Hayakawa said:

> That is why I believe at this present time we need, I think all college professors need at the present time, the help of the

> bureaus of investigation, Federal and State, in this kind of investigative work, particularly when there are networks of agitators going from campus to campus (p. 3068).

Dr. James M. Nabrit, Jr., retiring president of Howard University, who was accompanied by Dr. James E. Cheek, president appointee of the university, Washington, D.C., described the problems of universities and their readiness to handle disruption:

> At the outset, it must be admitted that the universities and colleges did not foresee these disruptions with their many problems, nor did they provide solutions for them. Today the world of higher education is gradually moving constructively in this area (p. 4767).
>
> Now let me say this clearly and with no reservations: Higher education cannot function in disorder, constant demonstrations, in recurring disruptions of normal functions, or amidst violence to person and property. This fact or conclusion is, in my opinion, not debatable (p. 4767).

With reference to the aims and objectives of those fomenting disorder, Dr. Nabrit said:

> I think it is quite clear that SDS and some other student organizations have as their announced aim revolution and the destruction of our system of Government. To me, this seems inevitably to be doomed to failure and to be a gross mistake. Revolution in America, the most prosperous country in the world—in America where three-fourths of the population participates in the fruits of this prosperity—and where labor is an eager participant is, to me, a silly and inane proposition (p. 4769).

Dr. John S. Foster, Jr., director of defense research and engineering, Department of Defense, testified:

> I believe we have seen recently an attempted tyranny by minority. Violent means have been used in attempts to impose the untested ideas of a small minority on the rest of the students and faculty whose rational choices center to research and education. As small bands of demonstrators continue to disrupt campuses they jeopardize the vital traditions of free and orderly debate and of individual freedom of choice which are at the foundation not only of our great universities but of our country (p. 4691).

A considerable amount of research in the past has been conducted at universities and at laboratory facilities adjacent to them. The Defense Department has certain other resources. Senator Mundt posed the following question:

> Senator MUNDT. How seriously would your defense capabilities be damaged if a number of big universities in the category of Cal Tech, MIT, Harvard, etc., decided, for reasons justified in their own minds, not to take any kind of Defense contract, classified or otherwise * * *.
>
> Dr. FOSTER. Senator, we could certainly expand our program to other organizations if the universities and colleges

> of the country would not participate. But to answer the first part of your question, I believe it would be very serious indeed for national security (p. 4698).

J. C. Helms, graduate student and teaching fellow of the classics at Harvard University, was critical of the handling of the disturbances at Harvard University. He was also critical of handling of students by the faculty before the disturbances. In this connection, he said: "Student opinion is not heard often enough by the right people" (p. 4758). He expanded this theme to say that the regularly elected student officers have very little contact with university officials at Harvard and elsewhere. He said university officials have more or less effectively shut off these legitimate requests and grievances. The officials at Harvard and elsewhere not only imposed a minimum penalty on the students who seized University Hall at Harvard but also capitulated to many of the demands made by activist students. Mr. Helms said: "The reason for this lienency was not lost on the students: it was fear of a student reaction. Simply fear" (p. 4758).

Mr. Herbert E. Ellingwood testified in his capacity as legal affairs secretary to the Governor of California concerning the gravity of campus disorders.

> History has brought us to the point where serious and immediate attention must be paid to persons and organizations which now openly and aggressively seek to force, by violence if necessary, their views on the majority of the citizenry. A quick solution to this problem is a matter of extreme urgency (p. 5038).

The increasing danger was described by Mr. Ellingwood:

> It is quite apparent that campus radicals are intending to utilize educational institutions to wage a sophisticated war on industry (p. 5070).
>
> * * * * *
>
> Radicalism spawned and nurtured on the college campus has had already a significant impact on our high schools. There is substantial evidence that radical thought and action have seeped down even to the junior high school level in some cities.
>
> The SDS, the Young Socialists, and the Black Panthers do not conceal their efforts to influence our youth in radical behavior (p. 5070).

With particular reference to the higher education in the State of California, Mr. Ellingwood reached several conclusions:

> 1. The University of California, particularly at Berkeley, has become a "political" university.
>
> * * * * *
>
> 2. Many students and faculty—and many noncampus persons—see the university as a convenient vehicle for radical social and political change.
>
> * * * * *

3. A significant portion of the faculty collaborates with student and nonstudent activities to provide this radical social and political change.

* * * * *

4. Funds provided to the university through grants and other mechanisms by Government or by private foundations have been diverted to support persons and organizations engaged in activities totally unrelated to the purposes of the university.

* * * * *

5. The effects of the politicalization of the university are not parochial. The "revolution" has been exported and subcontracted out to other universities and colleges—both within and without California—to high schools and junior high schools, and to the general society as well.

* * * * *

6. Other significant costs to the public accrue as a consequence of riots and disturbances occurring on or near the university and college campuses.

For example, the People's Park affair, conceived by radical nonstudents, cost the taxpayers of California over $1 million, not to mention the substantial losses to Berkeley merchants (pp. 5074, 5075, 5076).

FINDINGS

Disorder, riotous conduct and senseless violence are alien to the traditionally peaceful campuses of American universities and colleges. There is no rationale by which they can be excused or condoned. They disrupt or destroy serious scholarship and cripple educational processes. If carried repeatedly to the extremes which the Nation has seen during the past several years, they will eventually destroy many of our major educational institutions.

On the other hand, the advocacy of causes, the protest of inequities, the voicing of grievances have always been and always should be unalienable rights and privileges of our citizenry, so long as the voices are heard and the protests are made within the law, and without recourse to intimidation and violence.

Undoubtedly inequities and injustices do exist to some degree on the campuses of our universities and colleges, just as they do in all areas of our society and those of other nations. Our democracy is not and never has been perfect, and perhaps many of its defects disclose themselves clearly to the questioning minds of youth on campuses. However, the university atmosphere is an ideal proving ground for the processes of law and reason and the progress of our society. Persons in authority in the academic world, whether they be administrators, faculty members or student leaders, have a grave responsibility for taking all appropriate and necessary steps to restore peace and reason to the college scene and to deal firmly and justly with the perpetrators and instigators of violence and destruction.

The campuses are a focal point for groups whose clear motive is to create chaos and anarchy. The subcommittee's hearing record shows, in the language of their own proclamations, that they seek to weaken the fabric of society by exploiting inequities, injustices and mismanagement. These activist groups are adept at misleading and inducing some otherwise well-intentioned students into making common cause with them, frequently on longstanding alleged grievances relating to campus life and activities. Whenever "confrontations" between students and any form of authority can be generated, some serious and well-meaning students may be persuaded to join raucous protest movements. Emotion escalates to disorder, and violence frequently follows.

The subcommittee finds that the so-called revolutionary groups which have been in the forefront of college disruptions rarely desire or would accept reasoned and equitable solutions to the problems and grievances which they use as a basis for their demands, which frequently are declared to be from the start "nonnegotiable." They do not want the issues—the controversy—resolved. They seek to agitate strong emotions and resulting violence as vehicles for rebellion, revolution, and eventual destruction of the "system." Each successful confrontation adds strength, prestige, and power to the extremist forces of disruption and destruction.

The record shows that many leaders and instigators of campus disruptions are students from other schools, or that they are not students at all. This fact suggests organization beyond campus boundaries and indicates that the nonstudents are, in effect, traveling organizers and fomentors of disruption and rebellion. The importing of outsiders complicates the administration of discipline at any institution, since only students registered in the university where a disorder occurs are subject to discipline under its rules and regulations and to the penalties for infractions.

Testimony established that Students for a Democratic Society and the Black Panther Party, as well as affiliates of those organizations and others of similar philosophy, are guiding forces in a large percentage of the campus disruptions in recent years. However, the titles of organizations are not conclusive in themselves; frequently, local issues and protest movements dictate the names of organizations on particular campuses, although it has been shown clearly that the aims and tactics of local groups often are patterned upon and are basically identical with those of nationally known militant and revolutionary organizations.

There has been a number of instances in which university administrators were unable to consider, or failed to act upon, the requests and desires of students in relation to dissatisfaction or grievances when the requests were submitted through established channels. To the students who have attempted to find traditional solutions and who have not engaged in disorders, it frequently appears that their college administrators have succumbed to the effects of disruptions generated by extremists on campus. The failure to act—whether the result of inability, inadvertence or neglect—often has led students to question the effectiveness of using appropriate channels and legitimate effort. Instead they have, in too many instances, observed that the revolutionary tactics of intimidation and violence produce results.

Most university administrators who testified before the subcommittee said that they did not believe the withholding of Federal aid from rioters would create a useful weapon against disruptions or would help appreciably in removing from campuses the persons responsible for violence. In summary, they gave the following reasons for this conviction:

(*a*) The withholding of Federal aid would be a mandatory action in a field in which college administrators should have discretionary authority.

(*b*) Many students involved in disorders receive no Federal aid.

(*c*) Many persons known to be disrupters are not students at the particular colleges where disorders occur, and many of them are not students anywhere.

A primary difficulty in enforcing discipline at schools where many students participate in riots and disruptions is the problem of identifying individuals. The disorder breaks out and events move so swiftly that reconstruction and documentation of what happened is often impossible with respect to individuals involved.

The type of discipline meted out by a university to offenders, whatever its severity or levity, generally has little or no relation to similar

action at another university. Student bodies are so varied in background and schools are so different in tradition, size, function, and administration that an act which would bring arrest or suspension at one college might result in no punitive action at another.

The testimony of a number of university officials in relation to their experiences in campus disorders clearly refutes the wisdom of making concessions under duress.

The record discloses that one of the most effective devices for restoring order to college campuses, once the disorder is underway, is the injunctive process.

RECOMMENDATIONS

The subcommittee's recommendations are principally drawn from measures taken by college administrators who have been successful in handling turbulence and in correcting conditions which appear to invite discontent.

The subcommittee suggests that college administrators be especially sensitive to the mechanics whereby a legitimate grievance of either faculty or students can receive careful consideration. Procedures should be designed to bring requests to the attention of appropriate officials or groups as quickly as possible. Not every grievance has merit nor should every suggestion be adopted or every request granted. The subcommittee feels, however, that all alleged grievances, having the appearance of substantial merit, should receive attention, be heard, and acted upon.

In the light of recent experience, the subcommittee suggests that the university or college make sure that each prospective faculty member or student is clearly informed, preferably in some form of written notification, of the standard of conduct expected of him. This document should include a range of penalties for violation of these standards of conduct. Some specific authority should be clearly established and designated to act upon violations of the regulations, and should be empowered to impose penalties, if deserved, based on its findings. Many institutions provide that the chief administrator may preempt these groups in time of emergency.

The university administrators also should consider what action might be taken if perpetrators of disorders on college campuses are found to be either students from other schools or persons who are not students at all. Since such persons are not subject to school discipline, recourse must necessarily be made to civil authority. This may complicate the handling of such problems but does not make them insoluble.

A serious problem in coping with campus disorders has been the difficulty of identifying participants at subsequent court proceedings days and sometimes weeks or months after the event itself. The subcommittee suggests that measures be taken to anticipate possible disorders and that arrangements made to attempt to record, while the events are transpiring, evidence and documentation which can be produced later. Two methods have been installed in some schools. One is to arrange on short notice for motion pictures to be taken of any disorder. Another is to make sound recordings. These, together with the collection of pertinent documents and the testimony of eyewitnesses, should provide a considerable measure of assistance. Possibly supplementary techniques can be developed if disorders continue.

Some universities and colleges successfully have used the injunction process, whereby a court of competent jurisdiction proscribes certain specified types of offensive action. If the forbidden action

should continue following the issuance of the injunction, the perpetrators risk conviction of contempt of court. Such injunctions would, of course, apply equally to students and nonstudents alike.

Many educational institutions routinely require that campus organizations qualify themselves to use school meeting rooms and facilities. Groups must file with an appropriate official of the school a list of all officers of the organization and their faculty advisers. The subcommittee feels this procedure is necessary not only to make sure that the rights of these organizations are protected but also to permit the fixing of responsibility when school regulations are violated. Organizations not so registered should be discouraged.

The subcommittee suggests that college administrators take whatever measures are necessary to protect facilities located within the confines of the campuses from malicious damage or destruction. This applies with particular emphasis to the facilities prepared for the use of the Reserve Officers Training Corps.

The subcommittee has intentionally refrained from addressing itself to the substance of the broad social and international issues which frequently characterize the material used and the inflammatory speeches often made by radical groups and their collaborators. Other congressional committees have primary jurisdiction to deal with these problems. Rather, the subcommittee, since it is clear that the leaders of tomorrow must come from the ranks of today's youth, has given thought to measures necessary to assist institutions of higher learning in maintaining order on campus and to help them in performing their vital task of training the youth of our land.

Maintenance of an orderly climate is a condition without which this assignment cannot be carried out. The very purpose of the existence of a school is to teach and that of being a student is to learn.

Critical shortages already exist in professions necessary for the well-being of our people. This is true of the medical profession and numerous other highly skilled lines of work. Unless order can be preserved, the number of persons possessing such technical skills will not be increased as needed to meet the necessary requirements of our growing population and expanding economy.

The subcommittee has attempted to assemble from recent experience suggestions which will help institutions of higher learning subdue the tiny percentage of radical students and others who disrupt our institutions to the detriment of the vast majority of students who want to learn.

Senator James B. Allen was not a member of the Senate Permanent Subcommittee on Investigations at the time of the hearings and did not participate in the preparation of this report.

The members of the Committee on Government Operations, except those who were members of the Senate Permanent Subcommittee on Investigations, did not sit in on the hearings and executive sessions on which the above report was prepared. Under these circumstances, they

have taken no part in the preparation and submission of the report, except to authorize its filing as a report made by the subcommittee.

Messrs. Humphrey and Brock abstained from voting because they were not members of the Senate at the time of the hearings.

ADDITIONAL VIEWS OF MR. RIBICOFF

I approve the filing of this report inasmuch as it represents the conclusion of the subcommittee's activities in the area of campus disorders.

During the past few years I have traveled throughout this country to many universities—some private, others public—some in the East, others in the South, Midwest, and Far West. During these visits I have talked with students, faculty members, and administrators about the situation on their campuses.

It quickly becomes apparent to any observer that the vast majority of college students today are thoughtful, conscientious, and responsible citizens. SDS members, the Weathermen, and other anarchist groups are an extremely small part of the student population. Even at the height of the student disorders that generated the hearings of this subcommittee, these groups could never claim more than a handful of active members on any college campus and not many more supporters.

The absence of support for the bombthrower on our campuses should not surprise us. All except the lunatic fringe oppose acts of destruction. Violence is seen by most as a self-defeating means to any end except anarchy. Criminal acts can never be justified.

But as you travel from one campus to another you cannot help but be struck by the deep concern of the students of today, regardless of their philosophical, economic, or social background or views. They are concerned about where this country is going and what their role in its future is to be.

Most students view American involvement in the war in Indochina as an immoral act by this Nation. Surveys show that millions of students see this as the most critical question facing our country and 75 percent of them favor a more rapid disengagement.

Students also generally maintain we should do more to confront the problems we face here at home. The most critical one is the apartheid that is beginning to infect this country, in the North and the South. Politicians and professionals in the field may draw artful distinctions between segregation in the South and segregation in the North, but go onto any college campus, North or South, and our young people will make it clear that they have no patience with such sophistry.

Nor can they see the justice in the widespread existence of poverty amidst the pervasive affluence of this society. A survey in 1969 at the height of the student disorders showed that eight out of 10 college students believe American wealth is unjustly distributed.

Ultimately, students in this country question whether our institutions are aware of the changes that need to be made. Universities are not the only institutions under attack. The family is fragmenting, churches are said to be irrelevant, and government is stagnating.

Many students thoughtfully raise these issues. When we refuse to listen to them, we simply drive them into the hands of those who would destroy our institutions to save them. The nonnegotiable demand is the inevitable offspring of the unanswered question or the neglected plea for change or help.

These hearings provided an interesting illustration of this phenomenon. Dr. Samuel Hayakawa testified about his experiences as president of San Francisco State College.

I asked Dr. Hayakawa how many of the 16,500 students attending San Francisco State were hard-core militants. A total of about 150, he replied. And yet 8,000 students had participated in the student disorders.

I asked Dr. Hayakawa if the militants had any legitimate grievances and he said that several of their 15 demands were reasonable. I asked if his administration ever acknowledged this and he said no, the demands were a nonnegotiable package. "When they [the students] told me that they were nonnegotiable, I took their word for it and didn't negotiate."

This would be funny if it were not so insensitive. Our society will not collapse nor will any university community fail when a handful of students erect barricades or begin to toss bombs. We are in trouble only when we allow that handful to rally thousands to their cause by matching their unreasonableness with our own.

Viewed another way, universities will survive the challenge of disruption not by the ferocity with which they respond to extremist action, but by the justice with which they respond to the legitimate needs, aspirations, and hopes of most of their students.

The committee report recognizes this and recommends that "college administrators be especially sensitive to the mechanics whereby a legitimate grievance of either faculty or students can receive careful consideration."

Unfortunately, the hearings and this report do not go beyond this recommendation to analyze the effect of such actions on campuses across this country. It is clear today that far more trustees, administrators, and faculty are sensitive to the needs of their students than was the case almost 2 years ago when these hearings were held.

The temptation is to assume that this explains why our newspapers are no longer filled with reports of disorders, buildings being seized, and administrators held hostage. But the peace on our campuses is a complex phenomenon with many possible explanations. Part of the answer may be the continuing disintegration of groups like the Weathermen and SDS. It may be that the urgency with which the war was opposed has lessened, in part as a response to troop withdrawals and in part as the result of the draft lottery which splits students into the minority who will have to go and the majority who will escape.

Or it may be that the recession of the past year and a half has had its impact on graduates who find the job market clogged with applicants. Last year's bearded demonstrator in many cases has become this year's neatly dressed job applicant.

At the same time, many youth fear the backlash that led some to justify the killings at Kent State and Jackson College as the proper response to student disorder.

And it has become increasingly evident that a disturbingly large percentage of youth today are quiet, not out of apathy or fear, but as a result of a feeling of isolation, frustration, and impatience.

This report does not address itself to these questions. Nor does it predict whether the present calm on the campuses is simply the lull before the next storm or the onset of what may become the silent seventies.

None of us can know the answers to those questions with certainty. But we do know that there is more to the generation gap that confronts us than is described in the incidents of violence at a handful of universities. To truly understand the problem, we have to do more than simply broaden the focus of our inquiry at the college level. We must also begin, for example, to study the impact of elementary and secondary education on our young people. What we have often overlooked is the fact that every disgruntled college student is the product of 12 or more years of education. If institutions are viewed as irrelevant, antidemocratic or unresponsive, that view was often formed in the clutches of our public schools.

But even if the hearings and report of the subcommittee dealt with these issues, a congressional hearing and report by themselves cannot solve the problems we face. For the real issue confronts society at large.

Student dissent today merely reflects the suspicion among the general populace that headless horsemen are in the saddle leading us through times of trouble and turmoil. Many find no serious commitment by the leaders of this country—in government, in the universities, and in business—to come to grips with the problems of the age.

Alienation is the unfortunate legacy of the sixties. We have reached the end of an era. We need new ideas and new programs, but our leaders continue to recite the litany of the past.

Our young people know we cannot handle today's problems with yesterday's cliches. Those of us on this side of the generation gap, however, instinctively defend the past with all the force at our disposal. But we should not be too quick to criticize those who argue the need for new institutions and solutions. Nor should we be too anxious to discourage the concern of students throughout this country or rejoice when they suddenly become sullen and quiet. For, while there is no justification for violence or destruction, we will ultimately weaken our society more if we cause our young people to retreat into apathy out of fear and frustration.

These hearings were held because this Nation felt threatened by a small group that advocates anarchy and destruction. This is the frightening challenge of violence and we must meet it.

But we also must meet another challenge; the urgent need for peaceful change and progress.

Both challenges have been raised by students and both must be met. To deal with violence and to ignore the need for peaceful change is to neglect the future needs of our Nation.

ABRAHAM RIBICOFF.

MINORITY VIEWS OF MR. PERCY

On August 11, 1967, the U.S. Senate authorized and directed its Committee on Government Operations "to make a full and complete study and investigation of riots, violent disturbances of the peace, vandalism, civil and criminal disorder, insurrection, the commission of crimes in connection therewith, the immediate and longstanding causes, the extent and effects of such occurrences and crimes, and measures necessary for their immediate and long-range prevention and for the preservation of law and order and to insure domestic tranquillity within the United States." On May 1, 1969, the committee agreed to include an inquiry into disorders on college campuses.

I regret that I must dissent from the majority's decision to issue this report of hearings conducted by the Senate Permanent Subcommittee on Investigations on College Campus Disorders and issue these individual views. The report simply does not measure up, in my judgment, to the quality of work heretofore performed by the Government Operations Committee under our distinguished chairman.

By choosing now, in 1971, to report on hearings authorized by the Senate on August 11, 1967, and May 1, 1969, the Subcommittee on Investigations has provided relatively little of value to the Senate and the American people. In the interim, several comprehensive reports, including the Report of the Commission on Campus Unrest, and President Nixon's response to that report, and the Report of the National Commission on the Causes and Prevention of Violence, have been issued which, in my judgment, give the issues a more careful analysis, a broader review, and reach more penetrating conclusions. This report is clearly out of date, has been overtaken both by events and superior treatment of the subject and might well make a negative rather than positive contribution. It could well be charged that the Senate, by issuing this report, simply does not understand the issues involved.

Campus unrest is a complex phenomenon. It defies cursory analysis and simplistic solutions. Official action predicated on such an incomplete analysis risks widening rather than narrowing the divisions that exist in the country and on our campuses. It was not mere coincidence that the President's Commission on Campus Unrest began its report with the observation that "The crisis on American campuses has no parallel in the history of the Nation. (It) has roots in divisions of American society as deep as any since the Civil War."

I have publicly condemned many times the violence and destruction which hit the Nation's campuses in the years between 1968 and 1970. But in this report, presuming to make a "full and complete study" and deal with the "immediate and longstanding causes" of college campus disorders, by not telling the whole story, we tell another story. In my view, this subcommittee negates its mission

and minimizes its benefit to the Congress when it settles for anything short of objective, balanced, comprehensive reporting.

I am concerned that the witnesses who were called by the subcommittee and who testified did not represent a cross section either of experience or views. In 11 days of hearings, only one student testified. As long ago as July 22, 1969, on the floor of the U.S. Senate, I urged the committee to include on the docket of witnesses Dr. Edward H. Levi, president of the University of Chicago, who had received wide national acclaim for the manner in which he dealt with campus unrest. I also urged at that time that the then Congressman, now Senator, from Tennessee, Mr. Brock, and his colleagues be called to report on the results of personal visits he and a group of Congressmen made to 50 campuses across the country. Despite the fact that all indicated a willingness to testify, none of these knowledgeable witnesses was called. And it goes without saying that witnesses representing a broader spectrum of the student and academic population would have added much to the committee's understanding, had they been called.

I deeply hope that the urgent calls for reconciliation which have been sounded of late, and which seem to signal a significant turning point in our attempts to deal with campus unrest, will not be muffled by the report's narrow and unresponsive conclusions. They focus undue attention on attempts to "subdue the tiny percentage of radical students and others who disrupt our institutions" without pursuing the more basic and underlying causes.

CHARLES H. PERCY.

INDIVIDUAL VIEWS OF MR. JAVITS

This report reflects testimony heard by the subcommittee more than a year and a half ago on the nature and details of campus disorders. I must state that I question the issuance of this report at this time for certainly a report on this subject should recognize that since the hearings were conducted much that is new has transpired that has had great impact on the Nation's campuses and their problems. Further, the report should note that it is designed only to reflect the substance of the particular hearings referred to.

Also, I find certain deficiencies in the report, as follows:

1. During the course of the hearings I suggested that the subcommittee hear, in addition to the educators and police officials who did testify, the testimony of students, of ROTC trainees, and of defense-related corporations which had had campus experiences, and that the subcommittee hear also certain Members of the House of Representatives who, under the general "chairmanship" of Congressman, now Senator, William Brock of Tennessee, had toured campuses on a private basis in 1969 and had made a very enlightened report. Further, I had hoped that the subcommittee would hear the views of other knowledgable persons such as Dr. Milton Eisenhower who, as chairman of the National Commission on the Causes and Prevention of Violence, had prepared and released a report on campus disorders. None of these witnesses was called by the subcommittee.

2. Events since the hearings have greatly altered the campus picture. The disturbances at Kent State and Jackson College, for example, and the resulting fatalities have changed the entire character of student disorders. Any report which does not explore these events is outdated. Further, the findings and recommendations of the President's Commission on Campus Unrest, chaired by former Gov. William Scranton of Pennsylvania, are not taken into account. Moreover, the 18-year-old vote and its applicability to Federal elections as sustained by the Supreme Court may have had some ameliorative effect and should be taken into account.

3. The subcommittee has concentrated on describing only those campus situations where violence was not averted. There is no discussion—nor were there witnesses called—concerning successful efforts to avoid violence on campuses. I believe a more complete and useful picture would have been presented if the subcommittee had explored situations which were potentially explosive, but which remained calm, and had ascertained if this was due to some special effort on the part of the college or university administration, faculty, or students. It would also have been useful to know what happened on the specific campuses studied during the academic year following the hearings. If lessons were learned, changes made and trouble avoided, we should have these facts in the report.

4. The hearings themselves did not focus on the causes of the disorders, the relevance of the Vietnam war, for example, or the disparate living conditions of our affluent and poor. The report states that "the subcommittee had intentionally refrained from addressing itself to the substance of the broad social and international issues which frequently characterize the material used and the inflammatory speeches often made by radical groups and their collaborators. Other congressional committees have primary jurisdiction to deal with these problems." I do not believe the subcommittee could limit its hearings in such a way especially when examining the nature of student unrest. How can we possibly understand "college campus disorders" or attempt to suggest remedies unless the underlying causes are also considered? The educators who testified spoke about the relationship of such social conditions as poverty, hunger, slum housing, unequal opportunity of education, health and jobs and social tensions, and the Vietnam war to the unrest and suggested the treatment of these ills as a primary way to alleviate college disorders.

Some of the report's recommendations have merit. I agree that "all alleged (student) grievances, having the appearance of substantial merit, should receive attention, be heard, and be acted upon."

I believe also that the colleges and universities should take the opportunity, if that is what is necessary, to call on the courts for injunctions to stem disorders.

The value of others of the report's recommendations must be questioned, however. For example, I believe it is of limited preventive or remedial value for a university to take moving pictures or sound recordings of disturbances merely to aid subsequent court proceedings. On the contrary, such a practice is fraught with a potential for abuse—and more disorders.

Further, I do not view mandating all campus groups to file a list of their officers and faculty advisers with the college officials in order to fix responsibility when school regulations are violated as a substantial means of discouraging violence. Those who will disrupt will merely avoid forming groups.

Recommendations suggesting firmness and order alone are insufficient. If we are to offer a truly sound basis for campus harmony and tranquillity such recommendations must be accompanied by suggestions of social and administrative reforms.

I believe it would have been proper to suggest in this report the strengthening of the capacity of our colleges and universities to enlarge contact with and involvement in the communities around them, for example. Columbia University saw the folly of failing to communicate with its neighboring "ghetto" communities.

Moreover, I also believe it would have been in order to suggest that new institutions and arrangements—in which the student would be guaranteed the right to participate—be built into the colleges and universities, and thereby insure an opportunity for a continual process of reform and responsiveness to change.

JACOB K. JAVITS.