

(DRAFT #1 -- Scranton letter)

Dear Bill,

As you will of course recall, ~~xxx~~
~~xxxxxxxxxxxx~~ when you submitted the report
of the Commission on Campus Unrest on Saturday
Morning Sept 26 - I was about to leave
for Europe, and explained I would not have time
to study the document until I returned. ~~xxxxxxx~~
I very much wanted the document ~~xxxxxxxxxxxx~~
released at that time, however, as ~~I~~ it is as
much or more addressed to the ~~univ~~ students, professors
and academic administrators of the nation, and to
the public generally, as to the Federal government
~~as such.~~

2

as such. The new academic year was beginning,
and there was every reason to ~~want to know~~ hope
that your report would set the tone for that
year.

Since my return I have been preoccupied --
as is commonly the lot of any President -- with
foreign affairs, ~~specifically~~ specifically in the quest
of a stand still & cease fire, and other measures
to end the war in Indo-China. I have nonethelss
~~formally~~ had the opportunity to study the Report
I I should ~~formally~~ state formally at this time
what I stated informally to you ~~and~~ your fellow
commissioners, and perhaps ~~the~~ especially, the staff
of the commission. You have done an important
service to your country, ~~and have done so in~~
~~circumstances that made the utmost demands on~~
for which you have my sincere ~~thanks~~ appreciation.

The principal portions of the report relate to the internal governance of campuses, and hence are properly the concern of college administrations, faculty members and students. Iⁱⁿ my ninth week in office, March 22nd, 1969, I laid down the policy of the administration which is to avoid at whatever cost the direct involvement of government in the internal affairs of colleges and universities. Whatever the motive -- no matter how high sounding, no matter how genuinely compassionate and concerned in motive -- such involvement would destroy precisely those qualities of free & enquiry and self directing community which it might ostensibly be designed to preserve. That policy has not changed. It will not.

4

The question of the indirect influence
of the Federal government on university and college
affairs is a very different matter, however. It is
easy to deny, or to avoid it. ~~And increasing~~
Increasingly it is a form of dishonesty to do so.

The Federal government has enormous
influence on the life of our campuses because
it provides enormous sums to finance ~~them~~ *higher education.* In your
~~chapter~~ final chapter you call attention to this
influence, and I fully accept your judgment,
It is, I believe, almost precisely parallel with
the ~~view~~ position I stated in my Message to
~~Congress~~ on Higher Education sent to the Congress

6 March ~~22, 1969~~

1970

x x x

A

I take it your analysis would
very much support the establishment of a National
Foundation for Higher Education, which I have proposed
for precisely the purpose of moving away from
~~narrow categorical~~ narrowly defined categorical
aid programs which, whatever their original intent,
have ~~become~~ increasingly ~~restrictive and steadily~~
~~less productive~~ come to be seen as restrictive
and ~~undesireable~~ undesirable.

I especially welcome the Commission support
of the student aid provisions of the Higher Education
Act Opportunity Act of 1970, which was proposed
by in my message. This Act would utterly transform
access
the ability of low income students to obtain
higher education. It is a fundamental social

social reform that is long past due. Again,

I refer to the March 22nd message ~~as/a~~ for the
facts behind ~~yourxx~~ the bill, and your endorsement
of it.

quote quote

B

I have read, as many will read, the

~~report on the Black Student Movement~~ Chapter three

on The Black Student Movement with close attention

and the utmost interest. I wholeheartedly accept

your proposal that there be greater Federal aid to

~~black colleges~~ colleges that have traditionally

had a predominately black student body. ~~On August~~

~~_____ , in the aftermath of a task force~~

established _____ an additional \$30

million ~~of NEW funds was~~ Federal education

funds was ~~reprogrammed for the~~ reprogrammed

so as to go to black colleges. With _____ of

the overall student body of the nation, these

colleges are now receiving _____ of overall Federal

aid. ~~Even so~~ This is a disparity, which

~~few persons, I believe, will object to, and which~~

the administration proposes to maintain.

I very much ~~agreewiththeproposal~~

~~oftheCommissionxxxxxx~~

share your opposition

to legislation that would terminate federal aid to
institutions where disruption or violence occurs.

~~I/We~~ The administration has actively opposed
such legislation in the past, and will continue
to do so in the future. ~~/~~ Nothing would deliver
greater power into the hands of the nihilists than
a Federal policy of severely punishing any institution
of higher education which the nihilists choose
to disrupt. To the contrary, our policy should be
to prevent the actions of a few from ~~punishingthe~~
affecting the lives of the many.



I beleive it is not necessary~~k~~ , or even
proper, for me to comment at any great length ~~a~~
with respect to other portions of the report
dealing with internal affairs of the academic
community. I applaud, as will ~~almost~~ the ~~vast~~ nation
you categorical rejection of violence -- whatever
~~its purpose, whatever its form, whatever its justification,~~
~~its purpose, whatever its form, whatever its~~
its origin, whatever, its form, whatever its
justificationn. The nihilist terror\$sm of which
the report ~~spp~~ speaks with passion and insight
contintues apace. Whatever government can do to
punish those involved, and to prevent others from
becoming involved, will be done.

(E)

I have also asked the Secretary of Defense to give careful attention to the possibility of carrying out the proposals with respect to the Reserve Officers' Training which the Commission has set forth.

The report makes a number of recommendations concerning youth employment which I am asking Secretaries Hodgson and Richardson to review. As ~~youxxx~~ ~~youxxxwillxxxofxxx~~ you are of course aware, these are not new proposals, and there are ~~considerable~~ difficulties associated with ~~allxxx~~ each of them. But ~~thexxixmaxixxallogahterxappx~~ they certainly warrant ~~of~~ reconsideration.

NATIONAL GUARD

D

ROTC

E

Allow me, finally, to acknowledge those portions of your final chapter which are especially addressed to the institution of the Presidency/ .

~~and which I have actually read with~~

I fully agree ~~with~~ with your ~~assertion~~ proposal that the moral authority of the Presidency be used " to convince all Americans of the need to confront candidly the serious and continuing problems of the nation."

~~xxxxxxxoughtxxxx~~

For its part the administration has sought to confront those problems. In September I sent to the Congress a 12,000 word message entitled "A Call for Cooperation" in which I outlined ~~thex~~ a very considerable range of ~~proposi~~ reform proposals which I have proposed be enacted. I know ~~thax~~ of your own vigorous support of many of these ~~proposals~~ measures, perhaps especially the Family Assistance Program. This measure, which has been justly, as I would think, described as the most important item of domestic legislation proposed in two generations would ~~providexxxx~~ establish a floor under the income of every American family with children. This measure would do more to end poverty than perhaps any other single ~~p~~ item of legislation in American history, indeed in world

13

world ~~h~~history. If I may be allowed, rather too many persons ~~de~~ who have been calling attention to their own righteousness by demanding ~~xxxx~~ a change in the national priorities have ~~been~~ painfully silent and evasive when confronted with the issue of supporting this historic measure which would do ~~just~~ that. Much the same painful point would have to be made about the administration's proposal to put an end to the draft by the establishment of an all-volunteer armed force. For a decade now it has been evident that the existing ~~so~~ Selective Service ~~Legislation~~ system in effect confers a class privilege on the children of the well off. They go to college. The children of the working people go

14

to the Army, and of late this has ~~been~~ meant going to war as well. Nothing would seem more equitable or urgent than to put an end to this system. Yet I have been disappointed in the silence with which this ~~xxxxxx~~ proposal has been ~~xxxxx~~ greeted in those circles which now benefit from this privilege. ~~Indxxxxxx~~ In candor, it would have to be said that despite ~~widex~~ abundant ~~/~~ testimony that the selective service system is the source of much campus unrest, the Commission's R^{pt}ort treats with the matter hardly at all.

~~Butxxxx~~

These are details. The fundamental thrust of your assertions ~~/~~remains, and I should like to respond to it. I ~~/~~do believe the moral authority of the Presidency must be used

"to convince all Americans of the need to confront candidly the serious and continuing problems of the nation." But I would like to make clear

~~my own understanding of what that moral authority entails that moral authority involves moral obligation indeed this is the only way it can~~

my conviction that the moral authority of the Presidency derives ^{Solely} ~~only~~ from the presumption that the office will be conducted with a rigorous concern for objective truth, as much as such truth can ever be ascertained, and ~~for~~ and with an informed and concerned respect for the opinions of all persons who make up the American democracy.

~~Agxhasxx~~

For myself, I accept the judgement
increasingly prominent in scholarly & circles
that there has ~~gwp~~ grown up in America a presidential
cult, and I propose to resist that tendency.

Presidents are not priests. They are not supermen.

They are neither all wise, nor all powerful. They

beings who
are mortal ~~xxxxxx~~ they put their trousers on

one leg at a time. ~~They have no moral authority~~

~~xxxxxx moral authority where it exists if it~~

~~xxxx~~ The moral authority of the Presidency is, as

I say, at most derivative. It attends the proper

conduct of the office, but is not ~~xxxxxx~~ implicit

in ~~the~~ either the office or the man. Moral authority

is an awesome thing. It is the power to loose and

to bind. It is the power to bless. And to damn.

I do not believe political figures have that,
nor should they. Others may view the matter
differently; this however is my view. I believe
Jefferson would have shared it.

To repeat, the task of the Presidency
is to seek ~~truth~~ the truth and to respect the
opinions of the electorate. Thus, for example,
I would have to say that an effort "to confince
all Americans of the need to confront candidly
the serious and continuing problems of the nation?"
is a matter far more complex than ~~might~~ at first
seem the ~~A/A~~ case. ~~I believe I understand~~
That complexity begins with the fact that there
are widely divergent views ~~in~~ within our society
as to just what our problems are. In many respects
the views implicit in the Commission report are

This ~~ises~~ not make them wrong. Or right. Nor should the Commission have refrained from expressing them. (Just the ~~of~~ contrary! ~~As~~ I said on the occasion of receiving the report / that I was sure it would be controversial and felt that to be a necessary condition of any creative ~~eff~~ event.) The Commission can, in a sense, ignore the diversity of ~~the~~ opinion in favor of its own views. But a President cannot.

Similarly, while I fully understand how many persons, especially young ones, are confinned that the rise of ~~antirationalist~~ campus unrest is associated with immediate political issues in the nation at large, I WOULD have to say that the evidence is simply other~~ise~~. (Which, ~~of course~~ to be sure, the Commission acknowlges.) Thus Professor Paul

Seabury of Berkely, a political scientist of
impeccable scholarly credentials, recently
wrote:

"Before Cambodia ... the campuses of many
American universities were in an unprecedented stage
of uproar and violence/ -- the Chicago Seven issue
probably "justified" much more physical trashing
than anything which took place after Cambodia. Before
Cambodia, the New Left demand had been to "shut
the place down." Afterwards ... the demand was to
keep it open -- this time as a viable base for
political action.

Seabur ~~continues~~ goes on to note a developement
that all might be alert to.

The tranquility of a whole-politicized
university may be more unattractive than the chaos
of one only partly so. Many American campuses this
spring had an air of sinister serenity as the
academic year straggled to a close.

~~ixdxxmxxmxxmxx~~

I do not mean to concentrate attention
on the so-called Left. Their counterparts ~~so~~ on
the right are very bit ~~s~~ as much a danger and
a reality. There ~~is~~ has indeed grown up, in
the workds of Clark Kerr, an "unholy alliance

20

against Democracy. "That is something a President may never forget.

Nor may he forget that the experiences now so common on many American campuses are ~~in~~ ~~fact~~ ~~worldwide~~ ~~xxx~~ Professors to be ~~found~~ encountered in almost precisely similar forms in other democratic nations which none or almost none of the immediate political issues so often cited as the basis for campus unrest here in America. Professor Seabury ~~makes this point~~ warns us against the provincialism of thinking only of our local experience. "What many Americans still fail to realize," he writes "is that the modern university is at a crisis point in nearly all non-authoritarian and non-totalitarian societies." Indeed migration of scholars have already begun that are fearsomely reminiscent of the 1930's. Only ~~in~~ at that time

the great intellectuals of Europe, ~~could find~~
~~have been~~ driven into exile by Nazism
 and Fascism, and of course Communism in the
 rare case of a successful escape, could ~~be~~
 find ~~have been~~ refuge on American campuses.

I would hope they will continue to do so. But

I am not confident of that, ~~and this is a~~

~~matter for the President to~~ and neither are they.

This is a matter no President may forget.

But I ~~can~~ go on, perhaps, at too
 great a length. I write essentially to thank
 you and the commission, and your redoubtable
 staff for the Report, and to assure that it
 is now receiving and will continue to receive
 the closest attention within the Administration.
 I trust and hope that this will be true ^{also} among
 the nation at large.

THE WHITE HOUSE

WASHINGTON

October 15, 1970

MEMORANDUM FOR DANIEL P. MOYNIHAN

From: Checker Finn *cf*

Subject: Scranton response

1. I have no idea what your context looks like, but I submit these two "inserts" with the full expectation that you'll change them to fit. Also, you should know that I have people working on both, and may want to modify my recommended language by noon. However, you can be pretty sure this draft will be "staffed out" and that the facts will be carefully checked before anything happens. (In fact, you should insist on it; to prevent a recurrence of that Call for Cooperation fiasco.)

2. re National Guard:

 "I find myself in general agreement with the recommendations that the National Guard receive additional training in controlling civil disturbances and be issued special equipment for use in such situations. Accordingly, I am directing the Secretary of Defense to take all action appropriate within the realm of Federal authority to ensure that these recommendations are carried out. And I call upon all 50 governors to cooperate in this endeavor."

3. re Black Colleges

 "This Administration shares the Commission's concern over the financial situation of traditionally black colleges and universities. Because of our concern, in July the Department of Health, Education and Welfare announced that it was re-directing \$30 million in additional funds to these institutions. This brought their share of Federal aid to higher education to more than 3%, although they enroll only 2.2% of the nation's college students. In addition, the student aid reforms included in the Administration's proposed Higher Education Opportunity Act would greatly improve the financial situation of many students attending these colleges and universities and would thereby assist the



institutions as well. Furthermore, black colleges would be fully eligible to seek funds from the National Foundation for Higher Education, also proposed as part of that legislation. Indeed, there is every reason to think that the Board of the National Foundation might single out the strengthening of black colleges as one of its top priorities."

4. I would like to see your draft this morning.

REPORT ON UNREST

Scranton Comments Arouse Nixon's Ire

By JOHN MATHEWS
Star Staff Writer

President Nixon was so angered by the public statements of William W. Scranton, the chairman of the President's Commission on Campus Unrest, that it is still uncertain whether he will meet Scranton to discuss the report, a key White House source said today.

"Ungracious" was the way the source characterized Scranton's statements at a press conference on Sept. 26, just an hour after he presented the campus unrest report to Nixon, and the following day on a nationally-televised news interview program.

At the press conference, Scranton said that since the killings of students at Kent State University and Jackson State College the President had not provided "the kind of leadership needed to bring about the kind of reconciliation that we're talking about." A key commission recommendation called upon the President to lead the nation towards a reconciliation between warring factions.

The next day on the television news program Scranton said there had been some evidence the White House had begun to lower its rhetoric and attacks on students.

The White House source, in a discussion with a group of reporters today, also described the commission's report as "banal," but added that it could have been "disastrous" had it not been for the work of a few social scientists behind the scene.

He said that initially the commission was heading towards an analysis blaming most student unrest on the "malignancy of society" and actions of government.

However, once papers by Harvard sociologist Nathan Glazer and others arrived, the analysis became more complex. It went into a lengthy explanation of worldwide youth culture and pointed out how student demonstrators had evolved a successful style of protest it called "The Berkeley Invention" after the first "free speech" protests at

See SCRANTON, Page A-10

SCRANTON

Remarks Irk Nixon, Conference in Doubt

Continued From Page A-1
the University of California in 1965.

The thrust of the report's introductory sections saying that the President alone can bring the nation together is an example of the "presidential cult" that has taken hold with the liberal left, the White House source said.

Only this past week Scranton, former governor of Pennsylvania, said again that he hoped to meet soon with President Nixon to discuss the report and its two supplements on the Jackson and Kent State killings.

"For the sake of America," Scranton said in the interview with the Associated Press, he hoped Nixon would take a more favorable view of the re-

port than did Vice President Spiro T. Agnew. The vice president has called the report "scapgoating" and more "pabulum to the permissivists."

Scranton said of the vice president's comments, "I don't know why he is saying what he is before the President ever gets a chance to study it." Nixon has yet to comment directly on the report.

Other White House officials have taken a different view. After Agnew's statements, Robert H. Finch, a White House counselor, said he disagreed with some aspects of the report, but felt it was a "scholarly piece of work" with many specific recommendations for college officials and law enforcement officers.

PRESERVATION

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NEWBOLD NOYES, Editor

A-8

TUESDAY, OCTOBER 6, 1970

Kent and Jackson

Some critics have complained—wrongly, we believe—that the main report issued last month by the President's Commission on Campus Unrest was too rambling and wishy-washy to be of much value. But certainly no one can say that about the commission's later products—the special reports on shooting episodes last May at Kent State University and Jackson State College. These were specific and, in our view, dealt with the tragic events evenhandedly.

The commission's work can be worth many times what it has cost the taxpayers if its analyses and recommendations are studied and discussed by a large segment of the citizenry. Students and law enforcement officials especially should give the reports a respectful reading, but the whole public needs to know more about the forces at work in last spring's time of torment, and about the terrible failures.

The latter have been illuminated without fear or favor by the commission in its reports on the college bloodshed. Blame was laid heavily on both students and the enforcers of order. In the Jackson State report, the police practices were severely condemned, and that drew a quick back-blast from Governor Williams of Mississippi, who implied that the "slandorous" analysis was just another example of Eastern prejudice against his state. Surely he did not expect the country to be moved by that outburst. The memory of that bullet-riddled women's dormitory is too fresh, and the commission's conclusion that the fusillade was "an unreasonable, unjustified overreaction" is too compelling, in view of all available evidence.

Still, the demonstrating youths at

Jackson State were strongly criticized for their provocations, and those at Kent State were rapped even harder. Both reports are powerful indictments of campus violence and disruption as expressions of dissent. The Kent assessment takes fully into account the grueling test of temper and discipline to which the National Guardsmen, who finally fired on the demonstrators, were subjected.

But the most frightening picture is of poorly trained lawmen and guardsmen panicking and laying down barages, of a ghastly new dimension in the quick-trigger tradition. There are well-tested methods of handling such disturbances that do not entail gunfire and bodies strewn on the grass and in college buildings. Had Department of the Army guidelines been followed at Kent, the commission said, "no one would have died."

The lessons are clear: Military and police units must be trained and equipped for non-lethal handling of potentially explosive confrontations with demonstrators. If cool heads aren't available on the scene, they must be sent in. And the federal government should exert every possible effort to anticipate, prepare for and defuse such uproars.

A dark aspect is that the Kent and Jackson incidents helped shape or reinforce many people's attitudes toward youth. Too many immediately applauded the shootings; an ominous strain of mental violence was revealed. Perhaps that can be dissolved to some degree by reflecting upon these reports. They are neither whitewashes nor flagellations, but reasoned appraisals of awful experiences that must never be repeated.

PRESERVATION

"Letters to the Editor"

Hook's Views on Riots

To the Editor:

The Sept. 23 news analysis of President Nixon's stand on campus disorders unwittingly gives a misleading impression in its statement that I "share the President's views."

My views on the campus crisis were formulated long before Mr. Nixon succeeded to the Presidency and have been restated from the point of view of a philosopher and educator, in complete independence of the Administration and its policies. It would have been more accurate to say that President Nixon shares my views.

Abstractly there is no logical difference between saying "X shares Y's views about Z" and "Y shares X's views about Z." However, in a historical and psychological context there may be considerable difference.

Naturally, I am highly gratified that President Nixon has endorsed the validity of my analysis of a complex and troublesome set of issues. Since their resolution is so fateful for the health and future of American higher education and the American political process, they should be approached by all discussants in a spirit that transcends partisan political loyalties.

SIDNEY HOOK
Professor of Philosophy, N.Y.U.
New York, Sept. 25, 1970

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CROSBY N. BOYD, Chairman of the Board

JOHN H. KAUFFMANN, President

NEWBOLD NOYES, Editor

A-14

TUESDAY, SEPTEMBER 22, 1970

Advice to the Campuses

Since the academic community always has felt free to give unasked advice to the President of the United States, it should not be taken amiss if he occasionally returns the favor. Mr. Nixon has done so, sending a letter to 900 educators telling them it is their responsibility — not his — to preserve “order and discipline” on the campuses. The President enclosed, with his endorsement, copies of an article by Dr. Sidney Hook, who also recommends firm handling of campus disrupters and gives some specific suggestions along this line.

The motivation behind the unusual presidential mailing is not completely clear. One theory is that Mr. Nixon wants to anticipate criticism in the forthcoming report of his own Commission on Campus Unrest, which is expected to point to administration policies as causing the kids to act up. Nevertheless, the educators should weigh the Nixon-Hook advice on its merits — and it does have the important merit of backing a hard line against coercive demonstrators.

Some college administrators, indeed, have failed to establish and enforce reasonable behavioral guidelines for student demonstrations, and some far-out faculty members even have joined forces with disruptive student elements. As the President noted in his Kansas State University speech last week, some educators have sought to blame government for the campus turmoil instead of emphasizing their own role in assuring that the “rule of reason” prevails in the academic world.

There are signs that university administrations are moving in the direction suggested by the President. Yale, for instance, has issued more specific regula-

tions on student behavior and has listed a range of penalties for violations. This is the Yale of Kingman Brewster, who was criticized for his tolerance of last spring’s pro-Black Panther nonsense.

While the President is within his rights to demand that the educators do their job without seeking off-campus scapegoats, his gesture has an unpleasant washing-of-the-hands look about it. He is the President of all the people, but he is not taking any responsibility for the brats who barricade college buildings. And he doesn’t want to absorb any of the political heat that student riots generate. So having unloaded his advice, Mr. Nixon is telling the educators, in effect: “You do your job, and I’ll do mine.”

The trouble with such a neat division of labor is that the jobs overlap. The President — as well as the professors — has the duty of teaching that the rule of reason must prevail over violence if the immense problems of the world and the nation are to approach solution.

The most important aspect of his teaching role is the example he sets. Will Mr. Nixon follow his own advice and stand firmly for order and discipline and free inquiry, and against violence, in the off-campus portion of his realm? Even though the offenders might be pro-war hard hats, or Panther-chasing policemen or whites resisting school integration? Or friendly military governments?

Everyone agrees that the President, with the whole mixed-up country as his bailiwick rather than a compact campus, has a harder job than the average dean of students. The academic community, having taken his advice to heart, perhaps will be content to judge him on how hard he tries.

PRESERVATION

FOR RELEASE 6:00 P.M. EDT, SUNDAY,
SEPTEMBER 27, 1970

SEPTEMBER 25, 1970

Office of the White House Press Secretary

THE WHITE HOUSE

TEXT OF A LETTER FROM THE PRESIDENT
TO EDUCATORS, AND COLLEGE AND
UNIVERSITY PRESIDENTS AND TRUSTEES

Earlier this month Director J. Edgar Hoover of the Federal Bureau of Investigation addressed an open letter to college students in which he outlined the tactics used by extremists in their effort to promote their schemes on campus. Mr. Hoover's letter is a cogent and enlightening analysis of the strategy these extremists employ as they attempt to trick college students into support of lawlessness, disruption and violence.

This letter impressed me as a worthy companion piece to the article by Professor Sidney Hook, which I sent to you recently. In view of your deep and continuing interest in these problems, I am sending you a copy of the letter. I hope that you will make every effort to see that the message it contains will reach as many students as possible.

With my best wishes,

Sincerely,

/s/ RICHARD NIXON

#

Campus Officials Hear From Nixon on Strife

President Nixon has written the nation's college presidents and trustees that campus administrators, not the federal government, have the primary responsibility for maintaining order in institutions of higher learning.

In a letter released last night by the White House, the President renewed his criticism of what he called "the growing tendency of college

administrators to place the primary blame for campus violence and disruption on the failure of government to solve all our major problems at home and abroad."

"I would appreciate receiving the benefit of your views on this vitally important subject," said Mr. Nixon, who also is scheduled to receive a report on the same topic from a commission he appointed.

Administration officials have privately expressed fears that the commission headed by former Pennsylvania Gov. William Scranton will contain more criticism of the Nixon Administration than of campus officials.

Mr. Nixon enclosed in his letter excerpts from testimony before the Commission on Campus Disorders by Sidney Hook, professor of philosophy at New York University, and called it "among the most cogent and compelling documents I have read on the question of campus violence."

Hook rapped some college administrators for allegedly "seeking to muddy the waters" by asserting "that the chief threat to academic freedom today comes from without and not from within." Hook said such assertions were "noisome hogwash."

PRESERVATION

MARCH 22, 1969

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

This week the Secretary of Health, Education and Welfare has sent a letter to the presidents of the institutions of higher education in the nation calling attention to the provisions enacted in law by the 90th Congress which provide for the withdrawal of various forms of federal support to students found guilty of violation of criminal statutes in connection with campus disorders.

He did this in the exercise of his responsibility as the Cabinet officer chiefly charged with the routine enforcement of federal laws pertaining to education, however, the state of our campuses have for some time been anything but routine.

I should like to take this occasion to make some more general comments which I hope may be of some assistance in moderating the present turmoil.

First, a measure of perspective is in order with regard to the action of the previous Congress. The new regulations are moderate, and they are justified. It is one of the oldest of the practices of universities and colleges that privileges of various kinds are withdrawn from students judged to have violated the rules and regulations of their institution. Congress has done no more than to withdraw federal assistance from those students judged, not by university regulations, but by courts of law, to have violated criminal statutes. Almost by definition, given the present tactics of disruption, anyone so convicted may fairly be assumed to have been assaulting the processes of free inquiry which are the very life of learning. Any society that will not protect itself against such assault exhibits precious little respect for intellect, compared to which the issue of public order is very near to de minimis.

For there is a second issue, of far greater concern to me, and, as I believe, to the Congress, to the American people generally, and the faculties and students of American colleges and universities especially. That is the preservation of the integrity, the independence, and the creativity of our institutions of higher learning.

Freedom -- intellectual freedom -- is in danger in America. The nature and content of that danger is as clear as any one thing could be. Violence -- physical violence, physical intimidation -- is seemingly on its way to becoming an accepted, or at all events a normal and not to be avoided element in the clash of opinion within university confines. Increasingly it is clear that this violence is directed to a clearly perceived and altogether too conceivable objective: not only to politicize the student bodies of our educational institutions, but to politicize the institutions as well. Anyone with the least understanding of the history of freedom will know that this has invariably meant not only political disaster to those nations that have submitted to such forces of obfuscation and repression, but cultural calamity as well. It is not too strong a statement to declare that this is the way civilizations begin to die.

The process is altogether too familiar to those who would survey the wreckage of history. Assault and counter assault, one extreme leading to the opposite extreme; the voices of reason and calm discredited. As Yeats foresaw: "Things fall apart; the centre cannot hold. . ." None of us has the right to suppose it cannot happen here.

MORE

(OVER)

The first thing to do at such moments is to reassert first principles. The federal government cannot, should not -- must not -- enforce such principles. That is fundamentally the task and the responsibility of the university community. But any may state what these principles are, for they are as widely understood as they are cherished.

First, that universities and colleges are places of excellence in which men are judged by achievement and merit in defined areas. The independence and competence of the faculty, the commitment, and equally the competence of the student body, are matters not to be compromised. The singular fact of American society -- the fact which very likely distinguishes us most markedly from any other nation on earth, is that in the untroubled pursuit of an application of this principle we have created the largest, most democratic, most open system of higher learning in history. None need fear the continued application of those principles; but all must dread their erosion. The second principle -- and I would argue, the only other -- is that violence or the threat of violence may never be permitted to influence the actions or judgments of the university community. Once it does the community, almost by definition, ceases to be a university.

It is for this reason that from time immemorial expulsion has been the primary instrument of university discipline. Those who would not abide the rules of the community of learning have simply been required to leave it, for any other form of coercion would cause that community to change its fundamental nature.

FACE ?
The difficulty of this moment, as of most times when fundamental principles are challenged, is that many of those posing the challenges, and even more of those supporting them, are responding to very basic problems. To reassert, in the fact of student protest, the first principles of academic freedom, while ignoring the issues that are foremost in the minds of those students, is less than inglorious: it is slothful, and dishonest, an affront to those principles and in the end futile.

Students today point to many wrongs which must be made right:

-- We have seen a depersonalization of the educational experience. Our institutions must reshape themselves lest this turns to total alienation.

-- Student unrest does not exist in a vacuum but reflects a deep and growing social unrest affecting much of our world today. Self-righteous indignation by society will solve none of this. We must resolve the internal contradictions of our communities.

-- There must be university reform including new experimentation in curricula such as ethnic studies, student involvement in the decision-making process and a new emphasis in faculty teaching.

I have directed the Department of Health, Education and Welfare to launch new initiatives toward easing tensions in our educational community.

This administration will always be receptive to suggestions for constructive reform. But the forces of separation and non-reason must be replaced by vigorous, persuasive and lawful efforts for constructive change.

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SEPTEMBER 18, 1970

Office of the White House Press Secretary

THE WHITE HOUSE

TEXT OF A LETTER FROM THE PRESIDENT
TO EDUCATORS, AND COLLEGE AND
UNIVERSITY PRESIDENTS AND TRUSTEES

The enclosed article by Dr. Sidney Hook is among the most cogent and compelling documents I have read on the question of campus violence. I commend it to your consideration, for I know that you share my deep interest in resolving the crucial problems which our colleges and universities are facing at this time.

The heart of the matter -- and of Dr. Hook's thesis -- is that the primary responsibility for maintaining a climate of free discussion and inquiry on the college campus rests with the academic community itself. As I said in my news conference in California in July, I hold this same point of view.

Thus it is with concern that I have noted -- as did Dr. Hook -- the growing tendency of college administrators to place the primary blame for campus violence and disruption on the failure of government to solve all our major problems at home and abroad. I recognize that many deeply concerned students and faculty members disagree with governmental positions at the national, state and local level, but while government can and must accept and carry out its responsibilities in connection with policies which may be unpopular on college and university campuses, there can be no substitute for the acceptance of responsibility for order and discipline on campuses by college administrators and college faculty.

The university is a precious national asset, a place in American society where the rule of reason and not the rule of force must prevail. Those who cannot accept that rule of reason, those who resort to the rule of force, have no place on a college campus. Only when college administrators, faculties and students accept and act on these premises will all of our universities again be able to go about the vital and important work of preserving and expanding our cultural heritage and training the future leaders of America.

I would appreciate receiving the benefit of your views on this vitally important subject.

With my best wishes,

Sincerely,

/s/ RICHARD NIXON

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TOPICAL COMMENT: GET AT ROOTS

A Plan to Achieve Campus Peace

BY SIDNEY HOOK

American colleges and universities today face the gravest crisis in their history. Some university presidents to the contrary notwithstanding, it is *not* a crisis caused by lack of money. It is a crisis caused by the lack of a coherent educational philosophy, by a betrayal of the primary commitment of the university to the quest for truth and integrity in inquiry, in learning, and teaching. All the money in the world cannot remedy the failure of nerve and intelligence entailed by the loss of central purpose.

Nor is the crisis one of student unrest—if unrest is related to the pursuit of an education, to interest in ideas and beliefs. Intellectual unrest is not a problem but a virtue, and no university can have too much of it if it is engaged in genuine educational tasks.

The problem and threat is *not* academic unrest but academic *disruption* and *violence* which flow from substituting for the academic goals of learning, the political goals of action. Some administrators who have abetted the erosion of the academic ideal are seeking to muddy the waters by pretending that the public is getting fed up with controversy, and that the chief threat to academic freedom today comes from without and not from within. This is noisome hogwash.

The objection is not to controversy, for intellectual controversy is the life of mind. The public objection is to *how* controversy is carried on—to the use of bombs, arson, vandalism, physical assault and other expressions of violent strife and turmoil.

Objections Mount

Most of the problems that plague the American campus today and threaten its future as a genuine educational institution can be traced to the view that unless "the major social and foreign policy problems of our society" are met satisfactorily, campus disruption and violence will continue. Leading university administrators have endorsed this proposition. One of them has even proclaimed that academic violence in part "derives from the distance separating the American dream from the American reality."

This view and the actions that flow from it lead first to the political polarization of the campus, then to the political alienation of the campus from the democratic community. If unchecked it will result in academic genocide—the destruction of academic freedom.

What is wrong with it? Many things. First, there will always be a disparity between the American dream and reality, even if, as we raise our sights higher, we redefine the meaning and content of that dream. There will always be social and foreign policy problems in an open society of uncoerced opinion, so that we are confronted by a perspective of unending academic violence if we accept this view.

Second, it perverts the university's function, which is to *study* these social and political problems and to analyze alternative purported solutions to them. It transforms an agenda of study into an agenda of action, and therewith converts the university into a political organization agitating for the adoption of partisan political goals. It not only prejudices the university's tax exempt status, but invites political reprisals from a public that does not share its political commitments.

Sidney Hook is professor of philosophy at New York University and president of University Centers for Rational Alternatives. He is the author of numerous books, including most recently "Academic Freedom and Academic Anarchy." This article is adapted from his statement before the President's Commission on Campus Disorders.

Influential Fraction

Third, and most important, it violates the fundamental principles of political democracy by threatening to resort to force and violence unless the community adopts the solutions to social and foreign policy problems advocated not by the majority of the electorate, but by an elite minority.

To whose satisfaction must the "major social and foreign policy problems of our society" be met before we have surcease of campus violence and turmoil? Even if there were complete unanimity among students and faculty on how these problems are to be solved—which is far from being the case—what right would they have to make ultimatic demands on the community that the solutions they advocate be adopted? Such decisions are for the representative legislative bodies of a democracy to make.

The political process is open to students and faculty on the same footing as all other qualified citizens to express their point of view. It shows profound contempt on their part for democratic due process to use or to threaten or even to condone violence, when they have failed to persuade or convince the electorate.

Suppose the trade unionists or the farmers of the nation, who are also minorities but much more numerous than students, were to threaten violence unless "the major social and foreign policy problems of our society" were met to *their* satisfaction? Everybody would recognize such threats as subversive of the democratic process, as harbingers of fascist rule no matter what the revolutionary rhetoric in which such threats were clothed.

Fourth, actually the university community is not homogeneous. The most militant of the student factions are small minorities. They make no bones about their hostility to democracy, their scorn for rational process. Their heroes are the leaders of the most ruthless dictatorships—Lenin, Mao-Tse-tung, Castro, Ho Chi Minh, Che Guevara. They openly declare that "our major social and foreign problems of our society" can never be solved to their satisfaction, for their goal is the destruction of our society. How, then account for their influence, for their ability to create a major crisis in American higher education?

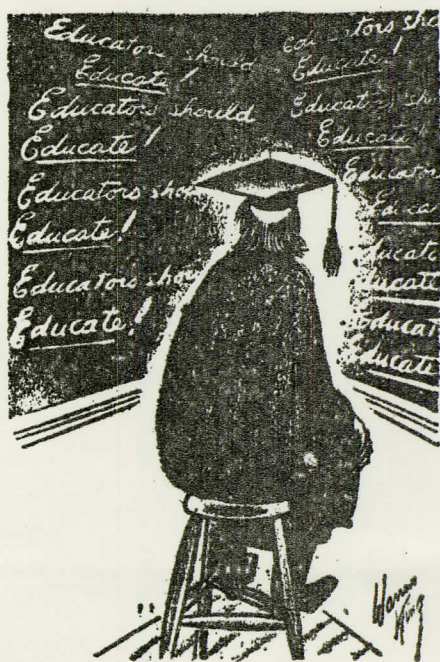
There are many reasons. Among them are the build-up and great publicity extremist student groups and their irresponsible leaders have received in the mass media. Liberal students who do not threaten to blow up computers are not news, no matter how intelligent their programs of educational reform. Much more important is administrative cowardice, and in consequence of this cowardice, administrative connivance.

The scenario runs something like this. Different extremist groups vie with each other in making all sorts of demands on the university under the threat of tearing the university apart. In hopes of winning them over or purchasing peace, the administration, often with the support of the faculty, yields to threats,

grants amnesty for previous defiance of rules governing student conduct. The mood of peace at any price, together with actual physical fear of harassment, become dominant.

The extremists escalate their demands until administrations and faculties, to avoid further confrontation, yield on issues that politicalize the campus. The university is saved by destroying or transforming its *raison d'être*. The prestige of a handful of extremists is thereby enhanced while those who disagree with them appear ineffectual. Violence and the threat of violence seem to pay. When violence gets out of hand, and measures of meeting it also get out of hand (as at Kent State), a sense of collective guilt weakens the will to resistance of almost all administrators and faculty bodies against arbitrary demands to politicalize the university.

Fifth, an obvious consequence of the politicalization of the university is the erosion of academic freedom—of the right to teach and the right to learn—of faculty and students.



Keep Universities Open

Once the university as a corporate body takes a political stand, members of the faculty who disagree with that stand are harassed.

When classes are suspended for purposes of political demonstration or colleges are closed down by strikes, the teacher's freedom to teach has been abridged and the right of students freely to attend their classes destroyed. Even before recent events led some prestigious universities to mobilize all their educational resources in order to influence Congress to take political action, or to strike in behalf of causes that had nothing to do with educational issues (like the Yale strike in behalf of the Black Panthers) or to announce the closing down of the university in the fall (as at Princeton) to permit electioneering for so-called "peace candidates," the intimidation by extremist students of faculty members and students had become widespread.

It is no exaggeration to say that on many American campuses today academic freedom has been severely crippled. Certain extremist groups have interfered with the rights of students and faculty to hear views that disagree with or challenge their own. The aftermath of the so-called Free Speech Movement at Berkeley is that in many areas free speech has disappeared at that campus. And not only at Berkeley.

At scores of universities speakers are shouted down, sometimes assaulted. While spokesmen for movements hostile to the government have unlimited freedom to incite to violent action in opposing government policies, spokesmen for these policies are often barred from campuses or can appear only under heavy police escort.

By and large, in these institutions faculty and administration either remain silent or issue ineffectual releases mildly deprecating the worst excesses. Even when official guests of the university have been insulted or scandalously mistreated, they seem loath to introduce or enforce disciplinary action. On some campuses fanatical student extremists have disrupted with relative impunity classes of professors of whom they have disapproved.

And most shameful of all, these students have faculty allies who encourage and extenuate attacks on the academic freedom of their colleagues.

It is clearly demonstrable that universities which permit themselves to be politicalized are betraying their mission to serve as "citadels of reason, sanity, and civility in a deeply troubled world." Although opportunistic administrators with flexible backbones have opened the doors to the academic vandals, in the last analysis it has been the faculties who have been chiefly responsible for the decline in academic freedom. For they have lacked the moral courage to uphold the professional standards of their calling as teachers and seekers of the truth.

It remains to be asked: what is to be done? What measures must be adopted to insure a change in the climate of violence and confrontation that has engulfed so many of our colleges and universities?

The following tactical proposals have emerged out of a union of experience and common sense. They are not to be blindly followed anywhere or everywhere, but are to be adapted to specific emergencies.

1—The first thing to do is to convoke an assembly of the constituent bodies of the university community—faculty, students and administrators—or their representatives. Its chief order of business should be to draft the principles that are to serve as guidelines affecting the expression of dissent on any matter of interest to the academy whether great or small. The principles should then be followed by specific rules of implementation that spell out clearly—among other things—the kinds of conduct and behavior that shall constitute *prima facie* violations of the limits of legitimate dissent.

Outline for Action

2—The rules implementing the principles should make provision for the establishment of a representative faculty-student discipline committee. The procedures for conducting hearings and the rules of behavior for defendants, complainants and witnesses should be explicitly endorsed by the academic community or its representatives. The rules should clearly set forth the sanctions to be invoked against members of the academic community, not only students but teachers as well, who disrupt the judicial proceedings of the discipline committee.

3—Violations of rules should be promptly punished by the appropriate sanctions.

4—In the event of forcible disruption of the academic process, the first line of defense should be faculty and student marshals, equipped with cameras, empowered by the academic community to maintain order, report participants, and remain in liaison with the responsible officers of the university.

5—When a situation acquires a gravity beyond the power of faculty and student marshals to cope with it, the administrative authorities, after consultation with the executive or other appropriate committee of the academic community, should apply to the courts for injunctive relief without suspending their own sanctions.

6—If the court injunction is disregarded, its

enforcement should be left to the civil authorities.

7—If and when matters reach an extreme pass and hazards to life and limb from student violence—arson, assault, vandalism—can be contained only by use of police power, faculty and student marshals should accompany law enforcement officers so that their mission can be accomplished without force where resistance is not offered, and with minimum force where it is.

Police Under Control

8—Where the scale of violence, for example, through intervention by large outside non-student forces, takes on a magnitude that makes the previous steps inadequate or creates an atmosphere in which teaching and learning are impossible, the university may have to shut down for a limited period, and the preservation of life and academic property entrusted to the civil authorities. In such a case, before reopening, academic sanctions against those found guilty of violence or inciting to violence, whether students or members of the faculty, should be strictly enforced. Amnesty for "crimes of academic genocide" can only invite their repetition.

These measures are designed to preserve or restore peace on the campuses, to forestall costly and senseless acts of violence, and to obviate the inescapable punitive legislation which continued violence will precipitate. I wish to conclude, however, with the reminder that in the long run the most serious threat to the integrity of teaching and learning comes not from the criminal violence of extremists but from measures of appeasement and capitulation in the vain hope of curbing their frenzy.

The wounds that the academy may inflict on itself in its bewildered and hysterical efforts to ward off further attacks by its enemies, chiefly the enemies within its own walls, may prove most dangerous to the survival of academic freedom without which the university is undeserving of its name.

The history of American higher education is a history of change. Violence has never played an appreciable role in that history. It need not play a role today if it is recognized that the primary function of higher education is the quest for knowledge, wisdom and vision, not the conquest of political power; that the university is not responsible for the existence of war, poverty and other evils; and that the solution of these and allied problems lies in the hands of the democratic citizenry and not of a privileged elite.

The universities can by indirection help in their solution by providing the knowledge, wisdom, and vision required for intelligent action—but only if it retains its relative autonomy and objectivity, and freedom from partisan political bias.

Los Angeles Times
Sunday, August 30, 1970

C. F. M.
September 13, 1970

EXEC.
HU3-1

Dear Judge Juadice:

The enclosed article by Dr. Sidney Hook is among the most cogent and compelling documents I have read on the question of campus violence. I commend it to your consideration, for I know that you share my deep interest in resolving the crucial problems which our colleges and universities are facing at this time.

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The university is a precious national asset, a place in American society where the rule of reason and not the rule of force must prevail. Those who cannot accept that rule of reason, those who resort to the rule of force, have no place on a college campus. Only when college administrators, faculties and students accept and act on these premises will all of our universities again be able to go about the vital and important work of preserving and expanding our cultural heritage and training the future leaders of America.

I would appreciate receiving the benefit of your views on this vitally important subject.

With my best wishes,

Sincerely,

RICHARD NIXON

Honorable Joseph Judice
County Judge
Court House
Poughkeepsie, New York 12601

Enclosure

RN:PJB:JK:mm

The Campus Report

There is some danger that, because it has the makings of controversy, the advice given to the President by his Commission on Campus Unrest will overshadow the rest of the long report. This would be a shame, because the commission, created because of last spring's violent disorders, has useful words for all of us.

For the public at large, the principal message is that unrest in the colleges is a complex phenomenon in which issues of the day interact with the emerging "youth culture." The report, by pointing out the wide variety of student attitudes and by distinguishing between the good and bad in the protest movement, should make it harder for politicians to score simple points at the expense of national unity and understanding.

The commission speaks to everyone, as when it notes that university administrators "cannot do their jobs without the support of alumni, citizens and government leaders. All three of these groups have been guilty of substituting thoughtless criticism for helpful support precisely at a time when the welfare of the nation's institutions of higher education is in grave peril."

Not that commission Chairman Scranton and his associates have let disruptive or violent students, or vacillating administrators—or anyone, for that matter—off the hook. The report takes a strong stand against disruption

and violence, and offers plenty of specific advice about how to handle it and how not to. On the last point, police overreaction is blamed for sometimes worsening the problem, and the commission makes recommendations for improving the performance of police and National Guardsmen.

Getting back to the President: The commission regards as its most important recommendation its call to the President to use "the compassionate, reconciling moral leadership that can bring the country together again." This may be the least successful of the commission's attempts to advise us away from destructive campus turmoil, because the President sees himself as having very limited responsibility in the field. Since Mr. Nixon probably will continue to view the majority of campus disturbances as primarily the problem of college administrators, he can serve better by working on the issues that are the ostensible causes of many demonstrations—ending the war and achieving a better measure of racial and social justice.

The President should perform one small service by accepting the commission's idea that "no one play irresponsible politics with the issue of 'campus unrest.'" Though Vice President Agnew is not mentioned in the report, he is the main offender in this respect and Mr. Nixon is the only one in a position to do anything about it.