



# **The daily cardinal. Vol. LXXIX, No. 31 October 26, 1968**

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# The Daily Cardinal

University of Wisconsin, Madison, Wisconsin 53706  
VOL. LXXIX, No. 31 Saturday, Oct. 26, 1968 5 CENTS

## Student Radicals Call on Midwest Deans: 'Join Us'

By LEN FLEISCHER  
Cardinal Staff Writer

Three radical students Friday provided midwestern university administrators with a critique of the modern university and the "racist, imperialistic society into which it is integrated."

The students, WSA Vice-President Paul Grossman and Students for a Democratic Society members William and Michael Kaplan, were conducting a panel discussion on "The Politically Active Student."

They challenged the assembled officials, meeting at the Wisconsin Center for the Second Annual Midwestern Regional Conference of Academic Affairs Administrators, to abandon their official "neutrality" and move in the direction of meaningful change in university and societal affairs.

"Don't expel students who sit-in against Dow—join them," said Michael Kaplan, explaining that university officials must take a stand on the moral issues of the day and join in the struggle of creating what his brother William referred to as "participatory socialism."

All three students stressed the futility of reforming the university without altering American society, which they agreed was fundamentally irrational and corrupt.

William Kaplan challenged university "complicity" in the military-industrial complex, asserting that today's university is "integrated" into the system.

Kaplan cited the Army Math Research Center on campus as well as Armed Forces recruitment, ROTC and the alleged government research undertaken by many professors.

## Madison Police Deny Presence In U Classroom

By RICH WENER  
Cardinal Staff Writer

Madison Police have denied the charge leveled by English teaching assistant Morris Edelson that two city policemen entered his classroom about ten days ago.

Edelson claims that around Oct. 15 two men with Madison police department badges showed up in his classroom. He said he wanted to find out why.

Police Inspector John Harrington said "so far as we know they were not Madison Police Officers."

When Harrington was told that Edelson had reportedly seen the men's badges identifying them as Madison police, he commented "I would have to doubt it. We can't find anybody in our own plainclothes bureau who went."

Edelson had mentioned that three of his students had transferred from his Freshman English class because of a recital by poet D.A. Levy. He speculated that these students might have considered the poetry obscene and reported him, thus causing the police to come.

One of these students, whose name is withheld by request said she was offended by the poet, and his use of four letter words. But, she added, the poetry was not the only reason for her transfer. She said she just did not like the way the course was run.

Another transferred student, Betsy Reese, said the poetry was "very obscene" but says she left because she did not "care for his style of teaching."

Miss Reese stated, however, (continued on page 4)



## Special Today: 16 Pages Of Fashion

Full Text on P. 5-12

## Mermin Report: Part III Recommends Exclusion of Police in Crisis Response

By JAY WIND  
Day Editor

The Daily Cardinal features today the full text of Part III of the report of the Ad Hoc Committee on Mode of Response to Obstruction, Interview Policy, and Related Matters.

The investigative committee, chaired by Law Prof. Samuel Mermin, was organized shortly after demonstrations against the Dow Chemical Corp. last Oct. 18 disrupted campus life for a week and affected students for a year since.

Part III is an appendix to the main report of the Mermin Committee, which was published earlier as Parts I and II. It consists of statements and communications that document the interests and viewpoints of the com-

mittee, but does not include any recommendations for faculty action.

Publication of Part III was postponed to await the return of students and faculty members who are away from the campus for the summer, according to the report.

The major thesis of the report is that "the best way to respond to a situation" in which protest action threatens the functioning of the University "is to respond to the issues that have provoked the threat." The report states immediate response should exclude the use of police, however, for "such participation removes the control of the situation from the hands of the administration, because the local police will proceed to carry out whatever action they deem necessary."

The report also emphasizes that "the University serves itself ill when it assumes judicial functions," especially in acts of misconduct. "The enforcement of rules puts the administration in a punitive and restrictive posture."

Condemning lawbreaking for the sake of idealism, the report reads: "Whatever moral basis there may be for the use of violence or other illegality in a repressive university system which has closed the legal avenues of redress, that basis is lacking here."

## History Grads Issue Demand Over Grading

The graduate students of the newly elected History Department joint student-faculty committee presented a demand Friday to meet with Department Chairman David Cronon over the issue of grading within the department.

Benjamin Bycel, graduate student member of the committee said the demand was to meet with Cronon and/or the faculty members of the committee.

"The first item on the agenda has to be the whole issue of how grades are administered," Bycel said.

Bycel stated that he was not so concerned about Prof. Robert Starobin's case as he was about the general policy of grading. Starobin's class was called into question this week when it was learned that his class voted nearly un-

(continued on page 4)

## Cohen on "How I Won the War" See P. 2

By NANCY SLATE  
Cardinal Staff Writer

The Community Action Commission, a subsidiary of the Office of Economic Opportunity, is planning to institute a program to rehabilitate the houses of the low-income housing area on the near east side of Madison.

The CAC, which has directed such programs as Headstart in the Madison area, has asked for materials from merchants and has received paint from local hardware stores.

The Commission is still in dire need of both materials and volunteers to get the program under way.

The purpose of the program is not merely utilitarian. The main objective is to improve the housing conditions in the Jennifer St.-Williamson St. area. An underlying objective is to perpetuate the "together" spirit that has developed on the near east side in regard to community welfare.

Tom Pearson, treasurer of Realty Associates, a local realtor, recently petitioned for a zoning change in the Williamson St. area so that his company could construct a high-rise apartment building. In the event that this apartment building is high-rent (and there is a very good possibility that it will be), many of the tenants of those buildings which will be cleared

will not be able to afford to live in the proposed high-rise. Consequently, those people may have nowhere to live.

This issue aroused the interests of the community and such organizations as the Near East Co-op were formed to oppose this petition.

The Co-op feels that the way to improve housing conditions is not to replace the existing structures but to rehabilitate them.

The City Council approved the petition at their meeting last Tuesday. But the CAC hopes, by their proposed program, not only to improve the housing conditions, but to perpetuate the avid interest in community welfare.

# lester's HOW I WON THE WAR

HOW I WON THE WAR  
Produced and directed by Richard Lester  
with Michael Crawford and John Lennon; also starring  
Roy Kinnear, Lee Montague, Jack MacGowran,  
Michael Hordren, Jack Hedley and Karl Michael  
Vogler  
Screenplay by Charles Wood based on the novel by  
Patrick Ryan  
Photographed by David Watkin  
A United Artists Film  
At The Union Play Circle (through Sunday)



(Fine Arts Editor's Note: With a few stylistic changes, following review is a reprint of the one published last February during the release of "How I Won The War" at the Hilldale Theater.) With "Petulia" (Cardinal review, September 19), his sixth and most successful film, Lester's ironic style became more defined and unified in an artistic coup. At the same time, it evidenced an expanded vision, focusing for the first time on people and emotions in its portrait of cannibalism in this country.

"How I Won The War" is this weekend's Movie Time at the Union Play Circle.

By LARY COHEN

Fine Arts Editor

Richard Lester's fifth full-length feature film is his first one. The factual presence of his previous movies—everything from the promising "Running, Jumping and Standing Still" short subject to his version of "A Funny Thing Happened on the Way to the Forum"—does not dissuade me from insisting that HOW I WON THE WAR signals his real debut on the screen. It gives depth to the entertainments that preceded it, indicates the scope of his real genius and when you reflect upon it, "How I Won The War" proposes a unique vision that makes Lester one of the few personal directors in a medium that has too few original talents.

This stance of mine is strictly a rhetorical one, but it does emphasize the sort of value judgement I have in mind. Of his prior work—the first Beatles film, "A Hard Day's Night", remains the best—there is plenty of evidence to suggest alive, brisk filmmaking. But Lester came from television commercials and if his first movies were punchy, they were also suffering from an overabundance of inventiveness, very much like a terrifying splurge of 60-second hard-sells repeated over two clever but ultimately exhausting hours.

One would just never associate Lester with emotional impact much less a profound sense of feeling. For that reason alone, HOW I WON THE WAR arrives as a marvelous, breathtaking surprise. What completely defeats any expectation of the film's style—flippancy very specifically intermingled with melancholy. The juxtaposition of the two are revamped in a new way, a highly mannered technique that forces a reevaluation of Lester and war films, especially how they have affected our consciousness. If "Dr. Strangelove" and "The War Game" seemed to represent the apex of approaches—one insanely comic, the other insanely realistic—the wall scaled was an illusion that someone has finally disintegrated. Lester replaces both Kubrick and Watkins's visions with a complex series of attitudes and formal techniques that are infinitely more sophisticated and intelligent: the memoir of all wars, past and present.

It is precisely those qualities which make WAR a brilliantly startling film that will confound more of its viewers than it pleases, irritating them and muddling a simple reaction. The tendency will be to minimize Lester's accomplishment because it is extremely complicated; we like to be told how to feel and think and we are used to so-called "good" directors preparing us for what is to come by fairly simple strategy.

Most filmmakers feed us instructional devices within the film to insure that we respond as an audience. A few—Jean-Luc Godard, of course, is the first example to come to mind—teach us by their reputation that expectancy is one thing that will not be met in their works. We are not allowed in "Masculin-Feminin" to have preconceived, patterned ideas except those which Godard provides.

Lester, I'm happy to say, is alert to the excitement of such an approach finally using film as a form of criticism itself to look anew at everything: his subject, the film, his audience. For an art form to maintain itself and regenerate, new standards must constantly replace the old solutions because they may no longer be viable in stimulating us. The sense of this vital revolution—in both form and content—is overwhelming in WAR. If certain parts are exasperating and seem awfully risky in their construction, they are conceived with this revolution in mind.

For Lester insists that the audience responds to his terms; he establishes the conditions of the interaction and adamantly refuses to compromise them even if he sacrifices a large portion of his viewers in the process. If we allow ourselves to be malleable as auditors, the film proposes an utterly new, outrageous experience and Lester will win the war singlehandedly as the title suggests.

In the period since "Running, Jumping and Standing Still" (1959)—a brief, music-hall goon show with Peter Sellers—Richard Lester has exploited comedy and backed it against the wall. In his hands, it was an off-and-on, slap-happy genre; the further he went and the longer his films lasted, the more he leaned toward exploding himself in one frenzied, pop-goes-the-easel. And then news came that Lester was making a new film with John Lennon in Germany and Spain; rumors filtered back that no one in the movie had seen a complete script, the kind of chaotic approach that suggests only disastrous chaos.

No one could possibly have been ready for WAR. Lennon, whose name appears with that of star Michael Crawford, plays a relatively small, token role. No one could have guessed that what begins as a debunking satire of a remote World War II, seemingly designed as a lampoon of war and war movies, would lurch from its ostensibly comic path and deviate onto a quite unfunny course plotted out by mastermind Lester. Absolutely no one could have predicted that the spirit of "Oh What A Lovely War" minus its sentimentality was what Lester was after, converting it into a contemporary indictment of our most sophisticated attitudes toward both war and art, a pretty brave task.

But he has done all of these things and considering the immense difficulties inherent in chewing off such a proposition, he has made a beautiful work that is excessively superior to what the materials suggest. We follow Lieutenant Ernest Goodbody (Crawford), an idiotic and thoroughly clumsy young man who leads his British patrol through Dieppe and Dunkirk until almost every member except a coward and himself are killed and he no longer possesses either of the attributes his name suggests. Lester is interested not so much in the insanity of Goodbody and his fervent, almost boy-scout crusade (although the situation and character are clearly absurd) but rather, in the stupidity that allows the lieutenant to shoot down one of his own planes and

triumphantly regard it as a victory.

Lester's earlier techniques were fractured flickers in search of a conceptual base and WAR begins with the same characteristic spirit: infectious falderol which seem to be hardly more than mere quips. There are patriotic peptalks about the "wily Pathan," enlisted men exchanging bubble-gum cards of battles with all the sobriety of five-year-olds, green recruits and Milton-Bradley game huddles of strategy in dugouts. They are amusing if hardly original; what is important is that they set up a chain of giggles that leads us right into every trap that Lester has outfitted with psychological grenades.

Very early in the film, there is an indication—breathtaking in its genius—of our gullibility. After Colonel Grapple (Michael Hordren) and Goodbody confer, the camera pulls back to reveal the two on a proscenium stage with the curtain going down. The film audience in the film is sparse and hardly demonstrative in their appreciation; when the film is over, one can safely predict that the audience watching WAR will duplicate the same lack of affection.

Lester is establishing a concrete relation between the film and us; it shows us many of our responses before we ourselves respond. As the film progresses, the style alternates between alienation and frighteningly drawing the cord tauter around our necks. Comedy is being exploited for all it's worth because of its close relation to the sicken rat-a-tat-tat of machine gun barrages.

This insistence upon consciousness continues through the film in gradually increasing doses. Battle sequences—some real footage, some patently phony—are shown in monochrome tints (reminiscent of the director's first short subject) to remove their realistic content a step further into the pastel never-never land of nightmarish fantasy. As the troupe suffers a casualty in each successively staged battle, a tinted man appears to replace the "dead" soldier. Finally, Goodbody is leading a platoon of rainbow ghosts, a subtle, stinging illustration of what has transpired, made that much more haunting because it is uncommented upon.

Similarly, the characters in the troupe are multi-functional. They comment on the film and their roles in it as actor-characters, address us directly in mock interview-monologues (manage to pull it off unlike the actors in Watkins's "Privilege.") In one gutsy, bizarre sequence that is one of the best in the film, a young man stares at us with his bloody face and says "Well, you see? Good." Earlier, Lester's camera cut to a movie theater and two old biddies chirping calmly away, watching this same soldier crazed with thirst. Horror is being undercut by callousness; pop art explodes newsreels; unfunny zaniness is refracted in a grisly reflection of vomit; myth and reality are forever confused.

If it's possible to be aware of all of these elements and the skill with which they are intermixed, the viewer is still only half alive to what Lester is ambitiously trying to make us cope with in two hours. The narrative structure of the film proposes three complementary threads, one proceeding in flashbacks that chronologically start in 1939, one in 1945 and a final scene in the present.

It is 1945 and Goodbody is conversing with an ironically sympathetic Nazi. This time level is juxtaposed against the campaigns in North Africa and the difference is one of tone, once you sort out the overlap. 1939 and onward is a lampoon, severing the comradery films of Audie Murphy, "Lawrence of Arabia" and "Bridge on the River Kwai" by literally incorporating the theme songs of the latter two David Lean movies. 1945 by contrast is callously sophisticated, the German officer and captured Goodbody both picking flowers and agreeing that the men they led "all had the same faces." The abstract conversation is appalling; how Goodbody "wins" the war and what happens to the Nazi as a result sting the viewer in places that earlier anti-war films didn't even know existed. The final candy-stick crunch of the movie testifies to Lester's brilliance and his ability to think in terms of perfectly expressive images.

These two major levels—the narrative time structure and tone alteration base—ought to give some indication of how necessarily complex Lester's film really is and the difficulty of an admirable objective. There are some faults; the soundtrack is technically and frequently crude, blurring much of the dialogue. One respects Lester for having made a deliberately impossible choice of World War II; he misses the rejection of the target but here one feels the blame lies outside of the film's sphere, in the ambiguity and, for the present, irreconcilable nature of history.

There are endless, memorable details: the Punch-and-Judy caricatures of Eisenhower and Churchill; the wife of the fat, baby-faced Clapper (Roy Kinnear) who writes him of false sexual involvements; Lennon's comments when he is shot in the stomach; the now infamous sequence in which a woman tells her man with his legs crushed under a truck "run them under the tap, luv."

As the film catalogues virtually every cliche from all war movies ever made—the obvious with the sophisticated—motifs assume patterns and the uniqueness of Lester's vision gains greater clarity. The early battles alternated between newsreel and movie war; they were over quickly. The last battle is shot all in blue tint and its duration is painfully, exquisitely timed; there is also no alternation because mythic phony and real war are no longer distinguishable as separate entities. They form one huge, obscene horror and we witness three deaths, not one. A terribly subjective viewpoint expressed by a terribly encompassing film.

Critics bitch constantly about the quality of films to their readers but a film like Lester's validates all the squabbling. Praising Mike Nichols's "The Graduate"—this year's film darling—with a carte blanche review and ignoring technical indirection makes no sense; one registers complaints precisely in order to differentiate Lester's radically finer film. The faults of WAR drastically disappear on a second viewing because the auditor does not have to cope with narrative complexity; it is easily one of the most impressive films of this decade.

Music hall, minstrel show, circus and farce; blood, callousness, shot-out entrails: just like our own familiar, lovely war.



Michael Crawford as Lt. Goodbody

# Think About Violence: NSA Day of Thinking

By SUSAN GOETZ  
Cardinal Staff Writer

The University will participate in a Day of Thinking sponsored by the National Student Association on Oct. 29.

David Goldfarb, president of the Wisconsin Student Association, stated that the executives of the WSA and the NSA decided at a joint meeting that the University's theme for this day is violence. The WSA has sent letters to all faculty members asking them to devote their classes to a discussion of the relevance of violence to their subject matter.

The theme of violence will be directed at the entire campus. Goldfarb stated that the WSA will work in conjunction with such groups as the Wisconsin Draft Resistance Union, by financing varied activities like the distribution of leaflets. The Guerrilla Theatre will attend several classes throughout the day and will present outside performances at strategic locations on campus.

Rep. Robert Kastenmeier has promised to speak on campus. No definite place has been arranged at the present. James Boll and Harold Fager, candidates for Madison district attorney, have been invited to speak on campus, but they

have not yet responded to this request.

The Day of Thinking, innovated by NSA, will involve colleges and universities throughout the country. NSA has invited more than 1600 schools to take part. 100 schools have already indicated their desire to participate, according to NSA.

\*At the University of Maryland the theme will be state support of higher education.

\*Berkeley will discuss the present, controversial grape boycott.

\*The University of Chicago is holding a Day of Inquiry on the Vietnam war.

\*The University of Minnesota is devoting the day to discussion of electoral politics.

According to NSA the purpose of devoting Oct. 29 to discussion of pertinent local affairs is to "take time out to decide where we go from here."

Leon Epstein, dean of the College of Letters and Sciences, stated that he will not recognize any of the activities in the classrooms on Oct. 29. The decision to devote classtime to a discussion of violence is entirely up to the discretion of the individual professor.

## The Daily Cardinal

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### Lutheran Worship at the University.

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Sunday, October 27, 1968

Services at 8:00-9:30-11:00 a.m.

"Choose You This Day"—Pastor Robert Borgwardt.

7:30 p.m.

"Bring Me Up Samuel"

Pastor Amos Stolen

Holy Communion at 12 noon

#### CAMPUS MINISTRY (ALC & LCA)

1025-39 University Ave.

Ph. 257-7178

Sunday Night Supper at 5:30 p.m. at Student Center followed

by an excellent film.

Wednesday night at 5:30 p.m.

Holy Communion will be celebrated at the Student Center Annex, 1309 University Ave. A cost supper will follow.

#### UNIVERSITY CATHOLIC CENTER

723 State St. 256-2696

#### SUNDAY MASSES

7:30, 9:00, 10:30, 12:00, 1:30...

4:30, 7:30...

#### DAILY MASSES

University Catholic Center

723 State St.

7:00, 7:30, 8:00 a.m., 12:05,

5:15 p.m.

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Mon., Tues., Wed.

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At Catholic Center

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Service 9, 10:10 & 11:15

Dr. J. Ellsworth Kalas speaks

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sermon title will be "To Be

Continued"

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(But, on the First Sunday of

each month, the 11:30 service will be Holy Eucharist, Choir, Sermon.)

Wednesdays:

12:10 noon hour, every Wednesday, Holy Communion and Intercessions.

Prayer Book Holy Days:

7:00 a.m., The Holy Eucharist in the chapel.

Fr. Paul Hoornstra, Rector

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Rev. Andrew C. Davison

Class for students 9:30 a.m.

Morning Worship — 10:45 a.m.

Free bus service at 10:05 from

the corner of Johnson and

Mills—at 10:20 a.m. from Liz

Waters Hall.

#### METHODIST UNIVERSITY CENTER

1127 University Ave. 255-7267

Sunday, October 27, 1968

9:30 & 11:00 — Services of Celebration.

"International Human Rights: Some Basic Questions" Prof. Richard B. Bilder, U.W. School of Law, speaking.

#### CHRISTIAN SCIENCE ORGANIZATION

315 N. MILLS ST. 255-4066

Reading Rooms are open 8:30 a.m. to 4:30 p.m. Mon.-Fri.

Tuesday Evening Testimony Meetings are at 7:00. All are welcome.

#### CHRISTIAN SCIENCE CHURCHES

First Church of Christ, Scientist

315 Wisconsin Avenue

Second Church of Christ, Scientist

202 S. Midvale Blvd.

Reading Room 234 State Street & Westgate Shopping Center.

Sunday Morning Services: 10:30 a.m.

Title this Sunday:

"Probation after Death"

Sunday Schools—to age 20—10:30 a.m.

Wednesday Eve. Testimony Meetings: 8:00 p.m.

Christian Science Radio Series:

"THE BIBLE SPEAKS TO YOU"

Sunday 8:00 a.m. WKOW

Title this Sunday:

"The Prayer that heals broken relationships"

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The University Episcopal Center

1901 University Ave. 256-2940

Rev. Arthur S. Lloyd

Sun. 8, 10 a.m. & 5 p.m. Holy

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Prayer

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ment Bethel Series class

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ment Bethel Series Class

9:30 p.m., Vespers

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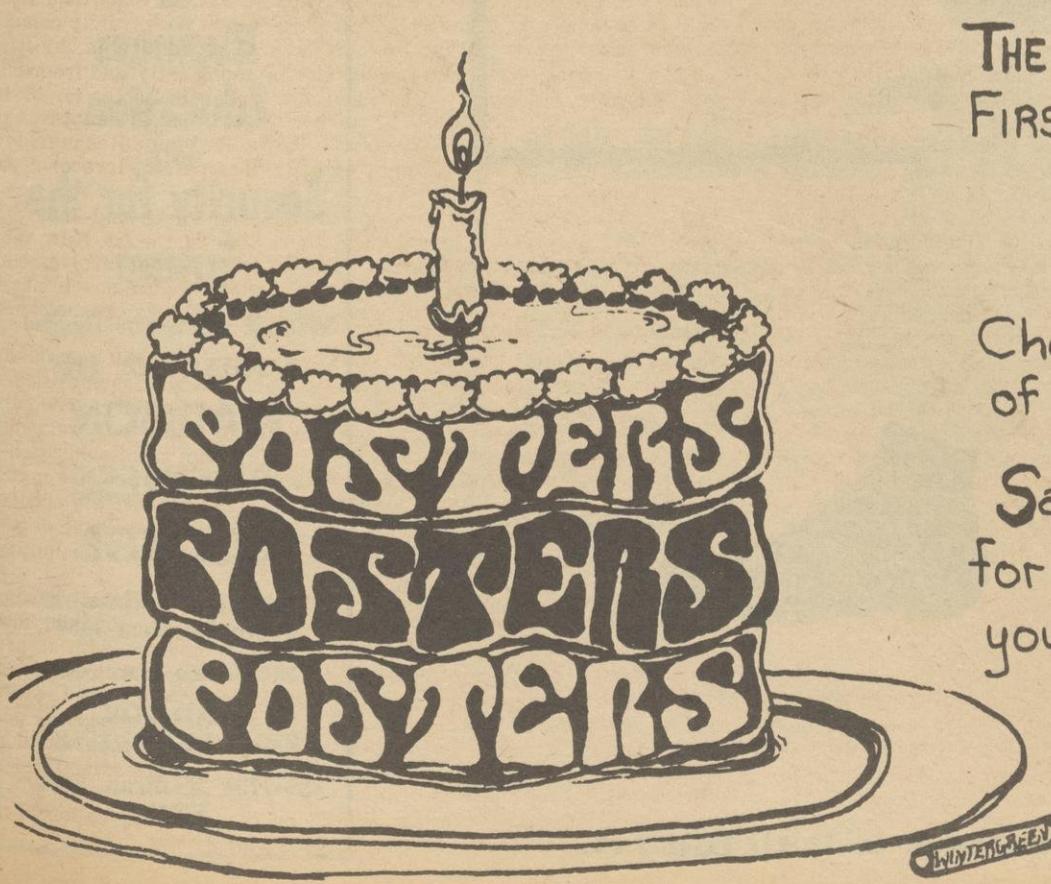
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## Activists Meet Midwest Officials

(continued from page 1)

do not have the right to determine the conditions of their lives.

Kaplan also stated that the New Left is moving in a socialist direction and is "beginning now to propose a fundamental alternative." He noted that in order to forge a broad-based movement the Left would have to make alliance

with the working class.

The reaction of the administrators was essentially hostile to the viewpoints expressed.

One said that the New Left, if in power, would be just as repressive as the system they are now fighting, while another accused Michael Kaplan of deeming them "slobs" and challenged him to propose a viable alternative.

## N.Y.C. THANKSGIVING

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## Police in Class

(continued from page 1)

that she did not report anything to the police or University officials, and was surprised to find out the police had entered the classroom.

Ralph Hanson, director of Campus Protection and Security, said the two men were never positively identified by Edelson. "We checked the sheriff's office and the city, and they both deny sending men up here," Hanson stated Friday night.

Hanson said he will "let the matter drop" unless more positive identification is made. "I feel there were two men there, but I doubt that they were policemen."

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## VOTE

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## History Grads Issue Demands

(continued from page 1) unanimously to be graded on an A-F scale.

The Executive Committee of the department voted Thursday to take or recommend no action this semester on Starobin's course.

Bycel, explaining the immediate action by the students on the committee, said, "Everyone (history majors) who voted, voted for some change in the grading system."

He further said that he wishes to show that the students are not "lackies of the faculty."

\* \* \*

## MARATHON GROUP ENCOUNTER

Marathon Group Encounter, a twenty-seven hour time extended, intense, group-encounter experience, will debut in Madison on Nov. 16-17. The Marathon is being sponsored by The Institute for Sensitivity Training and Educational Programming of New York and will be run by two trained members of its staff. The Marathon will cost \$100 per person for which all food and facilities will be supplied. Interested would-be participants please call Don Moses, 255-0495 between 7 and 11 p.m. on weekdays.

## UPCOMING FINE ARTS

\*A full-page review of Luis Bunuel's "Belle de Jour" (at the Strand)—the great director's masterpiece with Catherine Deneuve, Genevieve Page and Jean Sorel.

\*"Othello"—the National Theater's production on film.

\*"Twelfth Night"—the opening presentation by the Wisconsin Players.

## Co-Op To Elect Board of Directors; Needs New Home

By TIM GREENE  
Cardinal Staff Writer

The University Community Co-operative will elect its first Board of Directors Nov. 20.

Six candidates are presently up for the nine available positions. They are Richard Grossman, Jean Hewlett, Wallace McMullen, Lowell Robinson, David Sack, and John Van Hyning. The elected board will then choose a president from the Co-op membership.

Shortly after the election, the new board may review the proposed merger with the Wisconsin Student Association, which would insure the Co-op of financial solvency. A referendum of Co-op and WSA members is necessary to effect such a merger. The referendum must pass with a 75 per cent majority of those voting in each organization.

The Coop may also join a proposed league of cooperatives under its new board. This league would include housing co-ops in the University area, as well as eating co-ops such as the Green Lantern.

The University Community Co-operative was organized last fall under the corporate laws of the State of Wisconsin. One of its founders, Robert Zorba Paster, has since served as president of the Coop. Its purpose is to sell textbooks and other supplies to students at what it considers more reasonable prices than State St. merchants, and to provide University students with a community center.

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THE MERMIN REPORT—PART III

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June 15, 1968

Report of AD HOC Committee on Mode of Response to  
Obstruction, Interview Policy, and Related Matters

PART THREE:

APPENDICES

1. APPENDIX A: Preliminary Report on the Student Opinion Survey (2/1/68) . . . . .	6
2. APPENDIX B: Thoughts on the Problem of Obstruction (6/15/68). . . . .	6
Statement A. . . . .	6
Statement B. . . . .	8
Statement C. . . . .	8
3. APPENDIX C: Memorandum on Increased Communication with Students (11/26/67). . . . .	10
4. APPENDIX D: Letter Commenting on Proposed Regent Rules (2/15/68). . . . .	11
Acknowledgments . . . . .	12

Publication of this material completes the record  
of the Ad Hoc Committee on Mode of Response to Obstruk-  
tion, Interview Policy, and Related Matters.

Part III is an appendix to the main report of the  
Mermin committee which was published earlier as Parts I  
and II. It consists of statements and communications  
that document the interests and viewpoints of the commit-  
tee, but does not include any recommendations for faculty  
action. Publication of this section was postponed to  
await the return of students and faculty members who are  
away from the campus during the summer.

## APPENDIX A

Preliminary Report on the Student Opinion Survey, 2/1/68

[This was appended to Part One of the Report]

## APPENDIX B

Thoughts on the Problem of Obstruction, 6/15/68

As the Committee was finishing its work in late May it became apparent that the views of the various Committee members on handling the problem of obstruction represented a greater diversity than could be shown simply by "majority" and "minority" positions. Nor was there time to try to reduce the diversity by getting agreement on two basic positions. Some also felt too pressed for time, at the end of the academic year, to formulate in writing their own distinctive positions. It was decided that one view already clearly manifested within the Committee, represented by Statement A below, should be presented and signed by all those in general agreement with it; and those not in agreement could present alternative positions; and those who could not subscribe to Statement A and, for whatever reason, did not formulate their own position, could simply remain silent. The outcome was the Statements appearing below.

## Statement A

## I. The Possibility of Forestalling an Illegal Demonstration

We hope that the principal energies of the various parts of our University community will be directed toward achieving a transformation of relationships to obviate the kinds of problem encountered this year. But this is a large task, with no guarantee of success in the short run. Accordingly it seems prudent to make some suggestions for the immediate future, on the assumption that an issue has arisen and a substantial number of students seem prepared to commit illegal acts to influence the decision process or change the decision structure.

We think that the best way to respond to such a situation is to respond to the issues that have provoked the threat. Obstruction and disruption should be considered by the University as means of communication of a viewpoint, means adopted in the perceived absence of effective legal forms of participation in policy determination. We recognize that some dissenters may have anarchistic goals and that some issues may be mere excuses for promoting revolutionary action, but we doubt the efficacy of dissent which is so based unless it can substantially enlarge its support base to include those who remain committed to democratic reform and the reasonable resolution of real problems. Thus we feel there is a pragmatic as well as principled basis for the recommendation to enlarge substantially the student share in the powers and responsibilities of our participatory democracy. A democratic form of government is the just and proper way to conduct those of our affairs which lie outside the bounds of academic expertise; the alternative -- repeated and escalated challenge to the system -- would diminish the feasibility of rational dialogue and expose us to the risks of continual confrontation. Furthermore, the merits of the dissenters' positions are blurred by preoccupation with the particular forms of dissent, more extreme actions provoke more extreme reactions, and the substantial autonomy of the academic community is brought into serious question by those preoccupied with questions of order and security.

Whenever the potential obstructors can make a good case that they are disfranchised, it is most important that patient and persistent efforts be made to communicate with them, and not merely for the purpose of transmitting a description of the punishments they will be exposed to for such and such offenses. It is our impression that representatives of the administration are at least currently at a serious disadvantage in playing this rôle. We recommend as the appropriate body for action in the face of impending crises a Grievance Committee, a standing committee of faculty and students to consult with all interested parties, arrange public as well as private meetings, and mediate the issues, with the overall intention of forestalling a confrontation by removing the substantial bases for the grievance. The efficacy of this committee will depend in large part on the alertness of its operation: characteristically we have developed a response to problems only when the threat of illegal action is already upon us. Given the inherent unpredictability of the kinds of problem to which the Grievance Committee would have to address itself, we recommend that it have a small permanent core, say six or eight persons, and the power to enlarge itself on an ad hoc basis by adding those kinds of members who appear most suited to make contributions to the resolution of each particular problem.

Although we recognize the likelihood that dissenting groups would view with suspicion and resentment any cooperative efforts from those outside their groups, we consider it important for the University posture to be one of encouragement of effective dissent. For example we suggest that appropriate ways be developed for providing those supplies and services (meeting places, telephones, copying equipment and the like) which are supportive of the formulation and communication of ideas. Whatever we can do to express our belief in the legitimacy of such activities and promote their effective organization, may improve our understanding of the position of the dissenters and the extent to which established political processes may be inadequate to its expression. In turn, we may be better able to advertise the array of legal means not yet exhausted by the dissenters, and clarify the most likely sequence of events if one or another particular illegal means is pursued -- especially the circumstances in which we would be obliged or forced to relinquish the control of protection and security on the campus to outside authorities.

## II. The Immediate Response to Obstruction

Perhaps the most important decision the administration faces once an obstructive demonstration has begun is whether or not to request the participation of outside police in addition to those associated with the Department of Protection and Security. Such

participation removes the control of the situation from the hands of the administration, because the local police will proceed to carry out whatever actions they deem necessary. However the consequences of those actions remain the responsibility of the administration (and of those whose policy the administration is executing). Even if this were not the case, we consider the presence of local police on campus to be a prime source of general student and faculty discontent, almost independently of the provocation for their presence.

We are concerned that there does not at present seem to be effective communication and cooperation between the campus administration and the city administration. We urge a strong effort to secure mutual understanding concerning the best ways of handling illegal demonstrations, since the possibility will always remain that the local police will take part, with or without our request or consent. The problems are apparently not confined to demonstrations: many students are mistrustful of the local police, and complaints of harassment and espionage are too commonplace to be complete fabrications. In ways like this the immediate future of our university lies partly outside our direct control. Accordingly, we should devote more resources to the education of the community which surrounds us, because the possibilities of conflict are large and increasing. In particular we need to institutionalize means for preventing inevitable disagreements between the University and city from degenerating into destructive conflict.

Given the present situation, however, it is our judgment that only when every alternative has been exhausted, and the protection of persons and property is clearly beyond the capacity of the campus police, should the administration request the presence of city police or other forces beyond our immediate supervision. Without pretending to have conducted a thorough investigation, we are of the opinion that the representatives of the Department of Protection and Security have behaved in an exemplary fashion these past few difficult years. We think the problem of reliance on outside forces would be reduced if there were an enlargement of numbers of officers working for the Department of Protection and Security, and we so recommend. Furthermore, we support the recommendation from the Remington Report, apparently not implemented, that a committee be established for consultation between the Department of Protection and Security and the rest of the academic community on matters of policy. Students as well as faculty should be represented on such a committee, following the principle that such is the appropriate structure for all policy-making bodies outside the areas of academic expertise.

We are not unaware of the arguments supporting the introduction of a large force of police at an early juncture in a situation of mass obstruction, to act in a preventive fashion to control the location and numbers of demonstrators, and maintain -- rather than be forced to re-establish -- entry and egress. It troubles us to discuss such strategies of the battleground. In our view, the University acknowledges a symbolic defeat whenever it so acts, and one that may permanently cripple our academic structure. Whenever forces from outside are introduced, we find ourselves in the undesirable position of relinquishing control without relinquishing responsibility; this is the indelible message and warning of October 18.

When all attempts to negotiate the issues have failed, and we are obligated to respond to the illegal activities of a considerable number of politically motivated individuals on campus, we suggest the following procedures:

(1) A public address system should be used to communicate frequently with immediate participants as well as with the less well-defined onlookers. We assume that much of the content of such communications would also have been transmitted in the days preceding the incident. Whatever the actions to be undertaken by the authorities, they should be advertised clearly; whatever the orders and instructions, ample time should be provided for compliance with them. Many injuries could have been prevented last October by broadcasting such advice of intent, and by avoiding unseemly and unnecessary haste.

(2) Police should be employed for the arrest of lawbreakers rather than for their removal. Those who can be identified should be notified that arrest warrants will be served in due course. On-the-spot arrests should be made at a slow pace. Arrests should be of individuals rather than aggregates, because of the intrinsic injustice of dragnet operations. In particular, there should be a sustained effort to separate those who do not intend to break the law from those who are prepared to be arrested for committing acts of passive civil disobedience, and to separate the latter in turn from those who seem prepared to resist arrest actively.

(3) The police officers to be employed in such actions should be in uniform, unarmed and readily identifiable. Name tags would be preferable to numerical badges. Although preparations for violence -- such as riot helmets and nightsticks -- may appear prudent, it is our feeling that these symbols of force are likely to provoke violence, by redefining the situation as armed conflict. It is essential that those who are acting on behalf of the University conduct themselves throughout in a most scrupulous and restrained manner, despite intemperate provocation by dissenters. We need not demonstrate that our forces are superior; we must demonstrate that our posture is just. For example, should there be danger to individuals entrapped as a result of obstruction, it is better to provide them with escort than to clear a path by means of a flying wedge or the random use of nightsticks on the crowd.

(4) Central to the outcome of the encounter is the purpose we attempt to achieve. We can see no argument for placing the objective of quick clearance from the site, whatever it is, above the safety of all concerned, the protection of civil liberties, and the preservation of the integrity of the academic community. Even if the overriding aim is to restore the normal functioning of the University, it will probably be less costly in time (and in so many other ways) to allow an obstruction to persist than to use force to remove it. Finally, the legitimacy of police action is undermined when they attack rather than arrest. An attack labels the scene as a battleground, the dissenters are likely to accept the identification, and they may be led to take risks which seem at the moment less threatening than arrest. The crowds that gather may perceive attempts by police to capture and control a piece of territory as an alien invasion. The consequences for the community are grossly divisive.

(5) Actions by the police cannot be relegated to the level of merely tactical questions; the symbolic freight they bear transforms them into major policy considerations. To ensure that the objectives of the police correspond with the intent of the University, it is essential that the decisions be made on the spot by the Chancellor, on the basis of personal rather than derivative assessment of the situation, and preferably in consultation with representatives of the interests of the diverse sectors of our community. One appropriate vehicle for this consultation would be the aforementioned Grievance Committee.

(6) We also recommend the presence at the scene of confrontation of an official observer team of faculty and student members, clearly identified as such, and responsible for a report to the University on the conduct of all concerned. Their symbolic presence might improve substantially the probability of restraint on the part of students and officials, and assist substantially in securing an unbiased determination of the sources of error and difficulty. However, such a group should take no part in attempts to control the course of events; the context is divisive enough without this.

To this point we have addressed ourselves to the actions of authorities, partly because it seemed wisest to emphasize those aspects of the situation which we may be able to influence, rather than those which are beyond our range of control, and partly because we believe that too little of the public discussion has concerned itself with such matters. Nevertheless it would be remiss of us if we failed to express ourselves on modes of dissent as well as on modes of response. There would be small risk of violence if there were not those prepared to use or provoke violence in their attempts to change policies and political structures. Some members of our community seem so convinced of the rightness of their cause, and so impatient with established procedures for change, that they are prepared to restrict the freedom of movement or expression of those who may not agree with them. This kind of conduct is simply unacceptable in a democratic society, and especially offensive in a University, because its members have a particular stake in resolving questions by reason rather than by passion. Moreover, the persuasiveness of an appeal to peace or justice or any other moral imperative is undermined when the appeal is couched in a violent form. Angry militancy, full of the sour smell of hate, has a disconcerting resemblance to the atmosphere preceding totalitarianism. It would be irresponsible of us to ignore the possibility that we are on the threshold of an era of terrorism from the left and repression from the right. We of the University have a crucial educational challenge facing us: to combat the tendency toward polarization into two opposing but equally anti-intellectual camps, and to re-establish the feasibility of a University in which rational and critical inquiry can proceed. And so, when we speak of the responsibilities of the faculty, the administration, the Regents, the legislature, and the general public to proceed with tolerance and respect for human rights, we must call for the same from the activists. How long will we be able to protect the right to dissent, a pillar of academic freedom, if dissenters persist in employing illegal and dangerous means to their goals?

### III. Some Sequelae to an Obstructive Demonstration

In the wake of an obstructive demonstration like that of October 18 last, the authorities, the citizenry and the press all seem to become obsessed with questions of crime and punishment. We have already expressed ourselves on the matter of sanctions, in the preceding section of our Report. Here we wish to re-emphasize that we think the University serves itself ill when it assumes judicial functions, because it is simply the wrong kind of organization for that function. This is especially the case with respect to acts of misconduct which are directed not so much at the distinctive activities of academic life as at characteristics of the surrounding society. The enforcement of rules places the administration in a punitive and restrictive posture. It obstructs or impairs the development of an intellectual community, and inhibits the development by students of independent codes of self-directed conduct, i.e., maturity. We call for a minimization of rules of conduct imposed from above, and assignment of the prime responsibility for their adjudication to those external agencies designed specifically for such purposes. In particular, the University should eschew restrictive rules in the areas of speech and expression, because the vitality of the University itself requires the widest latitude of such behavior.

If there is widespread opinion among students and faculty that an obstructive situation has been mishandled by the administration, perhaps because of violence subsequent to the introduction of outside police, a strike is a likely form of behavior in sympathetic response. We think it wisest to handle this type of reaction in a very tolerant manner. Should students fail to attend classes which are held, they are in fact penalizing themselves (as they choose to do from time to time with much less cause). Should classes not be held because of the absence of the instructor, we suggest that the department chairman ensure, in consultation with the colleague who chose to absent himself, that the work so missed will be made up in one or another manner. It seems quite improper, as we understand academic freedom, to seek the dismissal even of a teaching assistant for activities which do not reflect directly on the performance of his job. We urge a tolerant response to a strike because we would expect the effectiveness of the strike to require substantial participation, which in its turn provides an index of the degree of reasonable doubt concerning the propriety of the acts leading to the strike. Furthermore, a strike does not seem to us to be a well-chosen mode of protest if the activity being struck has nothing to do with the behavior being protested. Accordingly we would expect such a sympathetic response to be short-lived, and a low-keyed response to be sufficient.

It is not unlikely that some students involved in an obstructive demonstration will choose to drop out of school at least for a while. In our view, charges should be brought against offenders promptly, rather than leave those students in an intimidating state of uncertainty, inflated by rumor. Should it appear that a student has dropped out in order to forestall a charge being made against him by the administration, it would seem appropriate to make the charge in any event, for the record, as unfinished business the student must face if he chooses to return. But in no circumstances is it proper to pervert the readmission procedure into a quasi-judicial action. We view with disfavor any qualifica-

unacceptable conduct of a non-academic kind. Accordingly, we urge that the Admissions Policy Committee reappraise its procedures to determine the extent to which students may be denied admission on the basis of non-academic misconduct, and amend those practices accordingly. In this respect, readmission criteria should be the same as the criteria for original admission.

### IV. Long Run Structural Considerations

In contemplating the problems and possibilities of fulfilling the tasks for which our University has been created, one problem is recurrent and impressive: the extent to which the various parts of the structure of authority have operated in substantial disregard for the interests and views of other parts. Any University worthy of the name is likely to create dissatisfaction with the current state of society in the very process of educating its students to independent thought. As a consequence many in the society may come to perceive the University as a seedbed of revolution, or at least of challenge to cherished institutions. To tolerate such a source of ferment, society must be deeply convinced of the long run contribution of such fundamental criticism. That sense of conviction is most likely to evaporate under the impact of events such as those occurring last fall. It is not surprising that so many immediate responses, stimulated by a less than objective presentation in the mass media, were of anger and fear. It seems to us that the crucial agency in preventing an excess of short-sighted reaction from doing permanent damage to the character of the University is our Board of Regents. When ignorance or ill-will threatens the institution or any of its members, the support of the Regents is essential. In grave crises we should be able to look to the Board to serve as champion of the principles of the University, in recognition of the considerable stake society has in the strength of that institution.

Accordingly, we have been disturbed by a tendency on the part of some Regents to respond to public pressure with less than the stalwart defense all great universities require and deserve. Rather than providing a buffer against intemperate attacks from the legislature and the citizenry, the Board of Regents has seemed at times to be more like a conduit for the imposition of those pressures directly on the heads of the administration and the faculty. We know of the argument that the legislature feels obliged to react firmly, in response to public opinion, that the Regents feel obliged to react firmly, in response to the legislature, that the administration feels obliged to react firmly, in response to the Regents, and that the faculty has no alternative under the circumstances but to remain silent. The reversal of the process at any step requires courage indeed; in our judgment, it is the kind of courage we can only ask of long-term non-political appointees like the Board of Regents.

Part of the problem may be the distance that seems to prevail between the Regents and the faculty, particularly now that there is an interposition of a central administration as well as a campus administration. The absence of communication has been especially evident in several instances during the past academic year when the Board of Regents took action on questions then under consideration by committees of faculty and students. The point is not which body has the legal responsibilities nor even which body is wisest in its judgment, but rather the ways in which students, faculty, and Regents can contribute in a complementary way to the resolution of the problems of the University. Whatever the statutory position of the Regents with respect to governance of the University, and whatever the status of the delegation of policy questions to the faculty, it is a fact that the University of Wisconsin has been attractive to intellectual leaders because of its tradition of government by the faculty, and it is generally believed that this tradition deserves a large part of the credit for the eminence of our institution. Were there a significant change in the role of the faculty in the *de facto* governing of the University of Wisconsin, we doubt that there would be mass resignations on principle, in the spirit of martyrdom, but we are quite convinced that many faculty who would otherwise have chosen to remain here would be tempted to go elsewhere upon receiving the next attractive alternative, and that many potential recruits to the faculty would decide against joining an institution in which the faculty can be ignored.

Likewise this University has been attractive to mature students because of its respect for their responsibility and initiative. Failure to maintain and enlarge this critical facet of a great university would likely lead to a deterioration in the quality of the student body. These are not separate issues: good students go to universities with good faculties; good faculty members go to universities with good students.

Now it would be most unfortunate if issues on which the future of our University depends were to be resolved by a confrontation between Regents and faculty, with the former asserting their undeniable prerogative to rule or overrule, and the latter asserting their undeniable right to leave. In the spirit of the principle that Regents and faculty have a common dedication to the preservation of the character of the University, we propose that a conference be called in the very near future, at which representatives of the Regents, the administration and the faculty would discuss their respective roles and relationships in the governance of the University.

This brings us to the heart of the matter with respect to the problems that have bedevilled our campus and so many other campuses across the nation: student power. In our opinion, illegal actions such as obstruction are resorted to by those who feel deprived of effective legal means for advancing their views. It is essential that the franchise be extended to students, not merely as a way of seeking their opinions, but to provide them with a voice in those decisions which affect their lives and which are not obviously subject to the stipulation of academic authority. To a much greater extent than heretofore, we must treat students as participants rather than recipients, and maximize the consent of the governed concerning the conditions of their being governed, unless there are peculiarly compelling reasons otherwise. Discontent over the absence of self-governance cannot be dispelled by wise decisions of the authorities. Force will always be required at some point if we proceed to educate students in the rights and responsibilities of citizenship in a democratic society and then deny them access to those rights (and protect them from those responsibilities). We support strongly the efforts of the Crow Committee to

about it here because it is directly related to the charge of our committee, and because there is apparently considerable reluctance on the part of many faculty and Regents to accept the principles involved.

Significant steps can be taken to provide students with meaningful participation in the University community at other than the campus-wide level. We recommend that the same questions about student participation in government be addressed at the level of units, like the individual departments, for which participatory democracy is at least feasible because its execution is not impeded by considerations of sheer population size. There is considerable scope for political innovation, to provide channels of influence for students, and a share in those decisions which affect their lives so considerably. This obviously means relinquishment by the faculty of some of the power it now has. While this may be an inappropriate direction of change in areas where faculty authority is based on academic expertise, it is just and proper where expertise is irrelevant. The experience of the Mermin Committee suggests to us that the faculty should not fear this loss of authority. Students are indeed capable of responsible participation in the resolution of important problems.

In looking to the future of our campus, we are hopeful that the initiative for change will not continue to lie exclusively in the hands of the dissident students. In particular we believe that it is time for the faculty to assume their role of leadership in tackling the central questions of our time. If the faculty were the spearhead of dissent, it would be possible to approach the problems of the future without concern that the community would become absorbed in questions of crime and punishment, and the issue of institutional survival in the face of reaction. The shape of those problems must remain uncertain, but we would suggest that they are less likely to concern the war in Viet Nam than the civil unrest associated with race relations. Here is a target for our concern which will demand all the talent and resolve we can muster. How salutary it would be if we could address ourselves to these problems before we have an obstructive demonstration calling for action in this area.

It may be, however, that the most important contribution we can make lies in that area for which we are specifically prepared, and which is the core function of our institution: the creation and the dissemination of knowledge. We think that, if our students were really satisfied with the quality of the education they were receiving at the University of Wisconsin, they would be much less likely to respond negatively to the problems of the society and the complexities of the University's role within that society. There is no area of our economy in which there has been less improvement in sheer productivity. We are being engulfed by incredible numbers of students, and our efforts to respond to the new situation in creative ways have been to date grossly inadequate. Accordingly, we urge that the highest priority be given to the question of the quality of education at our University, in the belief that, by doing properly what is, after all, our central purpose, we can in the end make the most fitting response to obstruction.

Haskell Fain  
Roland Liebert  
Hugh T. Richards  
Norman B. Ryder  
Joel Samoff

#### Statement B

Although I am in substantial agreement with most of Statement A, I wish to disagree with one of its recommendations which I think is neither wise nor well supported.

The following statement appears in Part II of Statement A:

"Given the present situation, however, it is our judgment that only when every alternative has been exhausted, and the protection of persons and property is clearly beyond the capacity of the campus police, should the administration request the presence of city police or other outside forces beyond our immediate supervision."

It is not entirely clear what this directive would require the University to do in a particular case. Two conditions are specified as necessary before outside police can (or should) be requested. They are:

- (1) "every alternative has been exhausted" and
- (2) "the protection of persons and property is clearly beyond the capacity of the campus police."

I shall begin by considering the advisability of condition (1).

What is to count as an "alternative", or at least as a serious, genuine, or feasible alternative (to the use of outside police) will undoubtedly vary from one situation to another. Even so, in the face of a threatened or imminent obstructive demonstration I do not imagine that we would seriously consider permitting a few (or a few dozen) obstructors to occupy a university building for the duration of a semester. So condition (1) must be qualified in some way. Perhaps it is best simply to say that, whenever possible, other reasonable alternatives to bringing in outside police should be exhausted. What a "reasonable alternative" is, however, can again be expected to vary from one situation to another, and someone or some group must make the decision as to whether an alternative is reasonable. In any case, if condition (1) is to be defensible, it must be stated somewhat as follows:

- (1A) every reasonable alternative has been exhausted.

Of course stating the first condition in this way allows for the possibility of requesting outside police before the mass obstruction begins and/or the obstructors become entrenched, for (at some point) there may be no other reasonable alternatives available. The supporters of Statement A have considered and rejected this possibility on the grounds that:

- (i) "the University acknowledges a symbolic defeat when-

our academic structure" and

(ii) "Whenever forces from outside are introduced, we find ourselves in the undesirable position of relinquishing control without relinquishing responsibility."

To the extent that (i) is clear, i.e. to the extent that we understand what a "symbolic defeat" is, it is overstated. If there can be symbolic defeats, then I suppose there can be symbolic victories. Whether the use of outside police will result in symbolic defeat or victory for the University would appear to depend largely upon what happens once they begin to do their job, what the University's public attitude towards that job is (in general and in the particular case), how the students respond both to the police and the University's attitude, etc., etc. In short, if one can imagine the University suffering a symbolic defeat, then one can surely imagine circumstances such that the use of outside police would aid the University in achieving a symbolic victory over obstructive demonstrators. And, I think, one can imagine cases in which symbolism of any sort is simply absent, even though outside police are requested.

(ii) is misleading and is based upon a confused notion of responsibility. When the University relinquishes control, does it still retain responsibility? Statement A maintains, without qualification, that it does. But the question we should ask is "Responsibility for what?" The implication of Statement A seems to be that the University retains responsibility (and perhaps sole responsibility) for everything that then takes place in connection with the demonstration, or at least as much responsibility (and for the same things) as it would have had were it not to have requested outside police. I think it is fairly obvious that this is not the case.

If I call the police to arrest a person breaking into my home, and the police shoot and kill him while he is attempting to flee, am I responsible for his death? I am, of course, responsible for calling the police. But, unless I have strong reason to believe the police are extremely trigger-happy, at most I only share some of the responsibility for his violent death. The police share some of it, and he shares some (perhaps most) of it. If the University requests the presence of outside police, the University may well be partly responsible for what then takes place -- particularly if the ensuing events could have been reasonably foreseen. Of course the University is also responsible (perhaps for encouraging lawlessness, endangering large numbers of people, etc.) if it does not call in outside police to handle certain situations. Surely by relinquishing control to authorities having legitimacy and some expertise in handling illegal obstructions, in addition to the sheer manpower that may be needed (to make arrests, guarantee safety, etc.), the University does, in general, relinquish some of its responsibility.

Regarding condition (2), it seems to me that it is quite difficult to decide whether the campus police are, in some particular situation, capable of protecting persons and property. Moreover, when talking about protecting the life of some person, it seems to me that the qualification that such protection must be "clearly" beyond the capacity of the campus police is too strong. Even if there is only some good reason to believe that the campus police are not capable of protecting someone's life (and that outside police would be more likely to do so), then this provides good grounds for requesting the presence of outside police.

For these reasons, I would reject the recommendation that outside police should never be introduced before a mass obstructive demonstration begins. The administration should, I believe, have more freedom of action in particular cases than the implementation of this part of Statement (A) would appear to provide.

Gary L. Baran

#### Statement C

While there is much in Statement A with which we agree, we find ourselves sufficiently opposed to some of its substance and tone to feel that a separate statement is necessary.

#### I. Can Obstructive Demonstrations Be Headed Off?

We agree that there is hope for the effectiveness of preventive action against potential obstructive demonstrations. We agree that many who have been drawn into such demonstrations have been impelled by discontent with the students' minor role in policy-making on the campus and with the quality of their educational experience. We recognize further that the effectiveness of the relatively few anarchistic or revolutionary obstructors depends a good deal on sympathetic support from the much larger number who join the demonstration but will attempt to avoid illegal conduct, or will go no further than non-violent, non-resisting civil disobedience. It is especially this larger group of demonstrators that can be influenced, we think, by earnest efforts at removing the major sources of discontent.

We therefore join in endorsing a greater role for students in the governance of the University, and in supporting the Crow report's proposals to that end. We find it at least equally important to intensify our efforts at re-examining the methodology and relevance of the educational process.

Two supplementary proposals in Statement A, however, have left us unpersuaded. The proposed faculty-student Grievance Committee will not have, nor should it have, the authority which belongs to Administration, for "removing the substantial bases for the grievance". At the verge of a crisis when time is of the essence, it is less than ideal to rely on a mediating body which can only shuttle back and forth between embattled students and Administration with recommendations. The Administration itself should deal directly, utilizing the advice and contacts which other segments of the University community may have. This seems particularly wise in light of the fact that the Chancellor has inaugurated a new Vice-Chancellorship whose special concern will be the sympathetic examination and resolution of student grievances.

cerns the University's providing "supplies and services" for the "encouragement of effective dissent". We understand that some help of this kind is available now. But if more is needed, we suggest that it not be confined to those who would dissent. We should indeed encourage formulation and communication of ideas on controversial issues -- but those who would affirm should get no less help than those who would dissent.

## II. The Immediate Response to Obstruction; Some Sequelae to an Obstructive Demonstration

Preventive action of the kind discussed may be less than completely effective, particularly as to the small minority of revolutionary obstructors. With or without the support of the more moderate left, they may initiate obstruction. How should the University respond?

We cannot agree with all the answers to this question in Statement A. In general the answers seem to us too rigid and unqualified.

Thus, we doubt that the calling in of outside police should always be a last resort, and that police must never be brought in before the commencement of an announced mass obstruction "to act in a preventive fashion to control the location and numbers of demonstrators, and maintain -- rather than be forced to re-establish -- entry and egress." We think there are times when the Chancellor could reasonably decide that police should be used in this preventive fashion; and that any "symbolic defeat" of the University represented by this decision would be not a defeat of the academic tradition of intellectual dissent but rather of the unacademic technique of violent or forceful, illegal dissent. In any event the Chancellor's freedom of action should not be confined so tightly that he cannot so decide in a particular case.

Similarly, we cannot subscribe to the view that the police should in all circumstances be used without weapons; or that they are never to be sent in greatly superior numbers, into a mass obstruction. Rather we suggest the following will often be a reasonable procedure at an early stage: Public address announcements will be made that uniformed police officers bearing identification on their clothing will be sent in unarmed, to make arrests -- after first allowing a specified reasonable period for people to leave the building; and that should violent resistance to the arrests be made, then suitably armed police will be sent in. The unarmed police would in many situations have to be in superior force. The observation in Statement A that "we need not demonstrate that our forces are superior; we must demonstrate that our posture is just" is noble, but unrealistic. We further feel that even in the case of armed police, superior force will help guard against resistance and the possibly resulting police brutality. Thus, the deficient size of the police force used on October 18 is widely believed to have contributed to the violence on that occasion.

Again, we cannot believe that it will always be less costly to the University "to allow an obstruction to persist than to use force to remove it", so that (apparently) if arrests are resisted, the police should withdraw. Here as in the case of the situations already discussed, flexibility rather than rigidity is desirable. There will indeed be situations -- e.g. involving unusually slight obstruction of the rights of others, unusually large possibility of physical injury, imminence of voluntary cessation of the obstruction -- when the University could wisely stay its hand. But the view that it must always "wait out" the obstructors, no matter how long the obstruction persists and no matter how damaging it is to the rights of others in the academic community, seems to us untenable. We know of no sound reason for showing such rank favoritism to student law-breakers within the academic community (1) as against law-breakers outside, and (2) as against law-abiders within.

Finally we find inappropriate the observations in Statement A to the effect that "the University serves itself ill when it assumes judicial functions" for the enforcement of University rules against non-academic misconduct. These observations echo the sentiments of the Majority Statement in Part Two of this Committee's report, which we think were adequately refuted in the Minority Statement and which were also repudiated by the general faculty's adoption of essentially the Minority position on May 13, 1968.

On the other hand, we concur in a number of Statement A suggestions on this problem of immediate response to obstruction. We agree that the problem should be the subject of more effective communication and cooperation between the campus and city administrations; that our own university police in the Department of Protection and Security have done a commendable job and should have their numbers increased; that there should be more consultative communication between that Department and the academic community represented by a joint faculty-student committee; that final decisions with respect to police should be made on the basis of the Chancellor's personal assessment of the situation; that when police are called in, they should focus on making individual arrests rather than "clearing" a space or "attacking"; that an official faculty-student observer team can play a useful role; that the response to strikes should in general be "low-keyed", so that e.g. the striking teaching assistant can merely be required to make up the work (but we see limits to this tolerance when circumstances such as the length of the strike and the late date within the semester render the make-up work unfeasible).

As to readmission of students involved in obstructive demonstrations who dropped out before charges were brought: It is true that if he "dropped out in order to forestall a charge being made against him by the administration", then the charge could be made "for the record, as unfinished business the student must face if he chooses to return". But a considerable lapse of time before trial creates difficulties of proof. So that in some cases, and where special circumstances do not make it unjust, it may be better to insist on a speedy trial in spite of the individual's non-student status, whether or not he chooses to be present. We further agree that the Admissions Policy Committee should re-appraise its procedures to determine "the extent to which students may be denied admission on the basis of non-academic misconduct." Policies should be more clearly formulated both for cases in which the misconduct occurred during the applicant's previous attendance at the University and cases where it occurred while

the standards evolved should be applied without discrimination against a student seeking readmission after expiration of an explicit period of severance from the University because of non-academic misconduct. I. e., after such expiration, his request should be considered on the same basis as other applicants for readmission, without regard to the conduct for which he had been dropped.

## III. Obstruction As Civil Disobedience

On one other aspect of the obstruction problem we find ourselves in strong agreement with Statement A: the indefensibility of the tactic of illegal obstruction. To the eloquent formulation there presented we have nothing to add. We do wish, however, to develop the position somewhat, in relation to the "civil disobedience" defense we have often heard voiced by students.

The first thing to be noted is that conduct which is defended as "civil disobedience" is generally conduct which deliberately violates a law publicly and non-violently, in order to call public attention to the inequity of that law or some other inequity; and being a violation of law, the conduct is legally subject to punishment. Not usually included in the term "civil disobedience" are those violations which are committed in order to test the constitutionality of a law. In the latter case, if one's claim of unconstitutionality is upheld, the conduct would not be subject to punishment. In the case of civil disobedience, on the other hand -- where constitutionality of the law is not in issue -- the violative conduct is legally subject to punishment. There can be no "right" or "civil liberty" to engage in civil disobedience, in the sense of a court-enforceable right or liberty to be free from legal punishment for the violation of law involved. The most one can claim is a "moral" justification for the conduct -- a moral justification which one would be claiming to be higher than any moral considerations underlying the violated law. This moral justification would not be a legal defense to the crime. As in the case of thefts motivated by a desire to satisfy hunger and in a host of other situations, the criminal law finds it dangerously unwise to recognize "good motives" as a general defense to a criminal prohibition -- though motive may be considered in mitigation of punishment.

The second thing to note is that the practitioner of civil disobedience is legally subject not only to the penalties attaching to the law he violated, but also to penalties applicable to any resistance he offers to being arrested for his law violation. Such resistance is in fact not part of the classic pattern of civil disobedience as recognized, for instance, by Ghandi and Martin Luther King.

A third point is that even the moral justification can be weakened in a number of situations -- e.g. where the inequity is not a serious one; or where legal avenues of redress are open and have not been fully utilized or have been utilized with undue impatience for quick success; or where the consequences of the disobedience may be a serious injury to the freedoms of innocent persons or to the conditions of legal order generally; or where the means used is not reasonably adapted to its end, e.g. where the impact of the disobedient conduct is borne by those people or institutions whose connection with the evil aimed at (in terms of cause, or in terms of capability of cure) is only remote; or perhaps where, as Mr. Justice Fortas has recently argued, the particular law which is violated is not the law that harbors the alleged inequity (though this feature has been part of the civil disobedience pattern followed by Ghandi and others).

On the basis of this analysis, student seizure of university buildings, and other modes of obstruction to protest policies in the running of the university have neither a legal nor a strong moral justification. There is little question about their violation of law or University rule. Moreover, even if it be assumed that the alleged inequity was grave enough, it is usually true that these tactics will seriously interfere with the legitimate freedoms of others. Further, at this university the channels of dissent and persuasion have been open (in addition to the fact that the opportunities for participation by students in actual university governance presently exist to some extent, and are expected to be soon enlarged substantially); hence, whatever moral basis there may be for the use of violence or other illegality in a repressive university system which, like a totalitarian political system, has closed the legal avenues of redress, that basis is lacking here.

The case is somewhat less clear where the inequity is not a matter of university curriculum or the like but involves deeply felt matters of conscience like opposition to a war which is regarded as morally evil. Here certainly the alleged inequity is a grave one. Still the moral justification for obstruction seems to us not strong. For not only can moral considerations be urged in support of the Viet Nam war, so as to make the alleged inequity fairly debatable; but the other factors listed above as weakening the moral justification for obstruction would continue to apply.

To ignore these other factors and to stress only the worthiness of the goal of stopping the war, is, in effect, to make an end-justifies-the-means argument. In order to reject the argument one need not urge that a worthy end never justifies an unworthy means. Assuming, in other words, that some worthy ends justify some unworthy means, one must reckon with the propositions that (1) unconditional withdrawal from the war, or withdrawal under some types of conditions, would be a debatably worthy end; (2) that coercive force and illegality are presumptively unworthy means, carrying a heavy burden of justification; (3) that the burden is made heavier by the fact that the particular means may (a) instead of hastening attainment of the end, serve to harden adverse attitudes toward it, (b) do injury to the legitimate freedoms of innocent persons desirous of attending classes, being interviewed, etc., (c) do injury to a university whose responsibility for the war and capability of stopping it is at best remote, (d) tend to undermine respect for law and to encourage a back-lash vigilantism, (e) erode those habits of rationality, civility and free intellectual intercourse which a university hopes to encourage. It was mainly the force of the latter consideration that led 35 members of the staff of the Columbia Law School to say, speaking of the recent seizure of university buildings by Columbia students: "Disrupting institutional proceedings is an impermissible substitute for rational persuasion. Using muscles instead of minds to express dissent has no place in the academic setting" (N. Y. Times, May 17, 1968).

We understand the frustration of those who point to the past ineffectiveness of peaceful, legal protests against the war, and to the alleged past effectiveness of violent or other illegal methods in achieving various other reforms. But is the ineffectiveness of past peaceful protests itself a justification for violence or other illegality? The fact that a candidate loses an election does not justify his subsequent, violent seizure of power. One does not discard the democratic avenues of legal redress because they do not guarantee instant success.

We are not saying that there could never be moral justification for ignoring the use of open democratic channels which have proved ineffective, e.g. ineffective in achieving an end whose rapid achievement is deemed to be of overwhelming moral importance. Possibly an open violation of the draft law, and submission to its penalties, after long-continued peaceful protest by a student holding deep moral convictions against the war, could be viewed as having substantial moral justification. At least, some of the factors we have listed as weakening the moral basis of anti-war-oriented obstruction on the university campus would be absent in the imagined situation.

As for the alleged past effectiveness of violent or other illegal methods in achieving various reforms: first of all there is usually a difficult question of fact to be decided, namely the relative role of these illegal methods, as against all the other elements in the tangle of social causation, in hastening or retarding a particular reform. Secondly, assuming we have decided these methods played an affirmative, causal role, what were the social costs involved, and is the balance sheet to be preferred to the balance sheet for the situation which would probably exist in the absence of these illegal methods? In this matter of costs we encounter again what we listed as the numerous adverse consequences of the use of unworthy means, in our analysis of the end-justifies-the-means argument. We submit, again, that the argument has little moral force in justifying obstruction on the university campus. We concur in the recent statement of the American Civil Liberties Union: "The fact that significant reforms may be won by violent action does not justify the resort to violence, even if such action seems plausible to some in a society marked by violence both internally and in its external actions, and even if an apparent justification after the fact seems to be provided by a violent response, for example a police action. The so-called 'politics of confrontation' invites, and is intended to invite, such a response, but insofar as it seeks its ends by means which infringe on the liberties of others, it is out of keeping with the principles by which and the purposes for which the university exists."

A final word about our position in relation to the locked-arms technique of the demonstrators on October 18. It was tragic self-deception for some of the demonstrators to view this technique as peaceful or non-violent civil disobedience. This was pitting force against (legal arresting) force. It is not part of the classic civil disobedience technique of violating the law and submitting to its penalties. It was violating the law and resisting its penalties. And it left the resisters open to an additional criminal charge of resisting arrest. We say these things not to allocate blame for the October 18 violence or belittle the charges of police brutality. We wish merely to head off, for the future, the kind of serious misunderstanding which we know some students had on October 18.

Our conclusion after weighing the relevant factors we have pointed to, is that the obstructive demonstrations that have occurred on this campus have had neither a legal nor a strong moral justification. We cannot view them as justifiable civil disobedience.

#### IV. Long-Run Structural Considerations

Under this head, Statement A reiterates a concern for a larger role by students in university governance and has some observations on the roles of the faculty and Regents. We are in general agreement on the student role, but have something further to say on the roles of faculty and Regents.

We have no quarrel with the suggestion that faculty should assume more initiative in tackling the central questions of our time, including the question, close to home, of improving the quality of the educational process. We would add, however, to these matters for faculty initiative, the desirability of public reaction by faculty members to issues that others, e.g. students, have raised. Nothing has been more striking to us as a factor in the student unrest of the past year on this campus than the relative silence of faculty members on the grave issues presented. Probably most faculty have been tacitly condemning the students' tactics and approving most of their goals. But whatever the unexpressed attitudes may have been, their open expression in forums, in letters to the Cardinal, in leaflets or otherwise, would have done much to expose error and obviate student resentment of the apparent faculty indifference.

And what of the role of administration, in execution of policy and general supervision? In our opinion the Chancellor's office has been showing a properly sympathetic concern for student aspirations. Its efforts at reasonable discourse and mediation, rather than fiat and automatic rejection, were recently highly effective in forestalling an obstructive demonstration centering around racial issues. Creation of a new "ombudsman" type of Vice-Chancellor office is evidence of the same spirit.

We concur in the proposition in Statement A that we should be able to look to the Regents as a champion of the principles of the University. We recognize the Regents' obligations to the people of the State. At the same time we believe that as long-term, non-political appointees, they were meant to take a long view of public affairs; and that this includes a realization that the people of the State have a considerable stake in the freedom of thought and independence of its universities. We also agree that the Regents should not permit a distance to develop between them and the faculty or their representatives. The proposed conference of representatives of Regents, Chancellor's office and faculty, to discuss their respective roles in the governance of the university, may well prove fruitful.

But we further believe that the subscribers to Statement A in their zeal for improvement of the Regents' role leave a misleading impression as to the Regents' overall posture. This is the same

Board of Regents which recently responded sympathetically to student concern on issues of supervised housing and women's hours. It is the Board which on the same day that it debated and responded unfavorably to a particular, complex race-oriented issue raised by students -- the request for sale of University stock in Chase Manhattan Bank -- approved a very substantial program of educational aid to the disadvantaged, in which Negroes would be heavy beneficiaries. It is the Board which on March 15, 1968, in "The University of Wisconsin of the Future" "recognize(d) the importance of student participation, particularly in areas which directly affect students"; endorsed the idea of a major faculty study, in cooperation with the Board and the administration, looking to a re-evaluation of University functions and policies; observed that "inquiries on the autonomy of the University and the responsibilities of the Regents have been attempted, and must be anticipated in the future. The surest safeguard of the University's independence is the wisdom and energy of the Board"; declared that the "role of the faculty in the government of the University is critically important but often misunderstood outside the University community. It is the faculty who give standing to the University, whose wisdom must guide academic decisions"; and recognized that "the University's organization cannot be a static one; it must always be ready to change. As the Regents re-examine their own functions, they also encourage the administration, the faculty, and the students to seek new ways to contribute to the total advancement of the institution." In short, we concur in the concern expressed in Statement A, but are less gloomy about the prospects for fruitful cooperation among all elements of the University community.

J. Ray Bowen  
E. David Cronon  
Stephen C. Kleene  
Samuel Mermin (Chairman)

#### APPENDIX C

Memorandum on Increased Communication With Students, 11/26/67

#### M E M O R A N D U M

November 26, 1967

To: Eugene Cameron, Chairman, University Committee  
From: Samuel Mermin, Chairman, Ad Hoc Committee on Mode of Response To Obstruction, Interview Policy, and Related Matters  
Subject: Interim Thoughts on Increased Communication With Students

This memorandum comes from me rather than the Committee as a whole because the Committee quite properly doesn't view it as a major or studiously worked out recommendation, and doesn't wish any general publicity for it. It does feel that you should be apprised of our interim thoughts on the subject treated here.

The subject of this memorandum has a direct relationship to our committee's concern with obstruction, and falls at least within the "related matters" phrase of our title. In the course of our committee discussions as well as in listening to representatives of student organizations, we have been impressed with the fact that one source of the obstruction problem, and of sympathy for obstructors, is in students' feelings of alienation or non-communication.

We know that steps have been taken in the direction of meeting this problem. We think the newly formed University Forum should continue, though perhaps more effectively by radio or TV debates. We feel that the Union Forum Committee, which recently held a successful discussion involving faculty, administration and student participants is an avenue which should continue to be used.

There is also more than one available means of written communication: (1) There is the letter-to-the-editor department of the Daily Cardinal, as well as the possibility of a regular column. (The Cardinal has already shown in its frequent "Focus on Faculty" column, a disposition to give space to faculty views). There is no good reason why the Administration or faculty members shouldn't write in the Cardinal on whatever is of most concern at the time to students, or in response to the inaccuracies that appear in the Cardinal letters, news stories, or editorials. (2) There is the further possibility that the Chancellor's monthly newsletter to the faculty could be picked up by students as well, e.g. at places in the Union and dormitory lobbies. (3) Indeed, as was suggested by a student member of our Committee, why couldn't the students' technique of passing out leaflets in front of the Union and elsewhere be used to pass out Administration leaflets, whenever it is important to combat misrepresentation of fact or shoddy argument on sensitive issues?

Finally a new suggestion emanating from NYU seems worthy of consideration. The New York Times of Nov. 19, 1967 reports that NYU's University Senate (representing the administration, deans and faculty of the University's 15 schools) has proposed the election of an "OMBUDSMAN", a professor elected by the students of his school from a slate of three candidates offered by the faculty. He would be an intermediary who would receive student complaints and attempt to iron out the difficulties. "He would have the power to demand review of official decisions that students consider unfair, ranging from disciplinary suspensions to low grades."

It is our hope that the University Committee will transmit to the Administration, along with these suggestions, the thought that this Committee strongly endorses the steps already taken in the direction of increased communication among administration, faculty and students. The point of this memorandum is to emphasize that our studies so far have pointed to the urgency of stepping up and broadening such

## APPENDIX D

## Letter Commenting On Proposed Regent Rules, 2/15/68

The University Committee transmitted the following letter to the Board of Regents on March 15, 1968, with a statement endorsing the views of the Ad Hoc Committee.

This letter was previously distributed to the faculty as Faculty Document 190, but is here annotated with references both to the original draft of the proposed regulations and to subsequent action by the Regents. The material in brackets did not appear in the original letter.

February 15, 1968

Professor Eugene N. Cameron  
Chairman, University Committee  
30 Science Hall

Dear Gene:

In view of my recent luncheon conversation with you and Bob Atwell on the urgency of the matter, and in view of Bob Taylor's letter to Jim Villemonte of January 22, a copy of which he sent me, I have taken up with my Ad Hoc Committee on Mode of Response to Obstruction, Interview Policy, and Related Matters the question of how we stand on the proposed Regent Rules amending the Wisconsin Administrative Code.

As more fully explained in point 6 below, we doubt that the promulgation of Regent rules at this time would be wise. However, assuming that the Regents wish to go ahead with them anyway, we have debated the merits of the rules and have arrived at the following positions:

1. Section 1.07(4):

[The proposal was to make this section read: "The use of university union buildings and union grounds is restricted to members of the union, university faculty, university staff, and to invited guests as defined by the Union Council or Union Policy Board, except on occasions when the Union Council or Union Policy Board may invite the general public to open events. The university reserves the right to require evidence of qualification for such use of anyone using its union buildings and union grounds and to deny such use to anyone who is not a member of the union, on the university staff, or on the university faculty. Any persons not qualifying for use of union buildings and union grounds as herein provided may be removed from the premises and be subject to the penalties provided in this chapter."]

This provision concerning use of union buildings and union grounds we feel is not close enough to the charge of our Committee to warrant our taking a position on it.

[NOTE: As adopted by the Regents on April 26, 1968, the rule read as above proposed, except that in the last sentence, after the word "premises" it read as follows: "and any person violating this section of the Code shall be liable to a forfeiture of not more than one hundred dollars"]

2. Section 1.07(9):

[The proposal was to make this section read: "The use of public address systems for advertising or other purposes upon university property is prohibited at all times except that the chancellors or deans of the various campuses and the university officials in charge of arboretums, experiment stations, and other university areas are authorized to permit the use of such equipment in rooms or areas designated by them for specific program needs."]

This provision on public address systems we think should be amended as follows:

- (a) The final phrase "for specific program needs" should be deleted.
- (b) Another sentence should be added: "Permission shall be granted without discrimination or censorship, but such grant should be restricted in terms of hours and places, in order that campus academic life be not seriously disturbed by noise."

Our reasons for suggesting deletion of "specific program needs" are first, that it might be interpreted to permit censorship of the ideological content of the program. Second, the word "program" itself seems more appropriate for group activities of faculty or administrators than it does for student activities; there should be no doubt that the rule is intended to cover student meetings or rallies.

Our reason for adding a new sentence is to make explicit what the relevant considerations will be in the granting of permission -- both because as a matter of sound policy these standards should be known in advance, and because as a matter of law they could help save the rule from probable unconstitutionality. Possibly even more specificity of standards is needed; but at any rate, real doubt as to constitutionality of the rule in the form proposed by the Regents is suggested by some Supreme Court opinions, extracts from which are appended at the end of this letter.

[NOTE: As adopted by the Regents on April 26, 1968, the rule read as follows:

"As a measure to permit the use of sound amplifying equipment for the dissemination of ideas and to prevent the use of sound amplifying equipment from interfering

with University functions which inherently require quiet, it is enacted that:

"(a) The words 'sound amplifying equipment' as used herein shall mean any machine or device for the amplification of the human voice, music or any other sound, including all of its speakers. 'Sound amplifying equipment' as used herein shall not be construed as including standard automobile radios when used and heard only by occupants of the vehicle in which installed or warning devices on authorized emergency vehicles or horns or other warning devices on other vehicles used only for traffic safety purposes.

"(b) It is permitted to use any sound amplifying equipment between the hours of 8:00 a.m. and 10:00 p.m. on all property owned or leased by the University of Wisconsin so long as the sound amplifying equipment is at least 175 feet removed from any building owned or leased by the University of Wisconsin or any University research project or posted event.

"(c) It is prohibited to use any sound amplifying equipment closer than 175 feet or inside of any building owned or leased by the University of Wisconsin, or any University research project or posted event, except that the chancellors or deans of the various campuses and the University officials in charge of arboretums, experiment stations, and other University areas are authorized upon written request to permit the use of such equipment in rooms or areas designated by them. Such request must be submitted in writing to one of the aforementioned officials at least 24 hours prior to the intended use of said sound amplifying equipment and shall state the proposed hours and location where the said equipment will be used; a description of the proposed equipment which includes the manufacturer, model number and wattage; and the name of the owner of the sound amplifying equipment and the person responsible for its operation. Permission shall be granted without discrimination or censorship, but volume of amplification shall be restricted so that the maximum volume of sound emanating from the sound amplifying equipment will not unreasonably interfere with the instructional, research, and administrative functions of the University.

"(d) The prohibitions of Section (b) do not apply to any sound amplifying equipment which is used primarily for University of Wisconsin classes or University of Wisconsin sponsored academic, recreational, or athletic activities." ]

3. Section 1.07(18):

[The proposal was to create a new section as follows: "Normal closing hours and closed periods for all university buildings shall be determined by the chancellors or deans of the respective campuses and by the university officials in charge of other areas, unless hours are specifically provided in this code. All persons, other than those assigned to work in such buildings are prohibited from entering or remaining in any university building after the normal closing hours." ]

This provision on closing hours and closed periods for University buildings has no direct connection with our Committee's charge, but we considered it because students have been known to hold meetings past normal closing hours in University buildings in the planning of, or as a sequel to, or in the conduct of, demonstrations.

Our main reaction is that there should be some flexibility here, rather than an outright prohibition. There will be times when an administrator will assess a situation, e.g. a particular "sit-in" demonstration, or "teach-in" as one in which everyone will be better off if it is permitted to extend beyond normal closing hours. The rule should tell him that he has this option.

"Assigned to work" may be an inept way of describing the relation of say, a professor to his midnight office labors. Perhaps "assigned or authorized to work" would be better.

[NOTE: As adopted by the Regents on April 26, 1968 the rule read as follows:

"Except as specifically provided by this code, the Chancellors or Deans of the respective campuses, and other University officials having charge thereof, may establish closing hours and closed periods for University buildings, facilities and areas. Such closing hours and closed periods shall be posted in at least one convenient place on each of the campuses. Closing hours remain in force and effect until modified by 5 days notice, posted as required above, except that the Chancellors, Deans or other University officials having charge of such buildings, facilities, or areas, may, without notice, extend closing hours, or when the safety of persons or property requires it, restrict such hours, until further notice.

"It is unlawful for any person, except those assigned to work or authorized to be present during closed periods, to enter or remain in any University building, facility or area or portion thereof during closed periods fixed pursuant to this section. Any person violating this section shall be liable to a forfeiture of not more than one hundred dollars." ]

4. Section 1.07(19):

[The proposal was to create a new section as follows: "Intentional blocking of hallways, rooms, entrances to rooms or buildings, sidewalks or roadways on university grounds is prohibited." ]

This provision on intentional blocking seems broad enough to cover even the rare legitimate instances of intentional blocking. Perhaps a clause should be added like this: "for the purpose of obstructing or disrupting a University-run or University-authorized activity".

"Or exits" should be added after "entrances". And "walkways" might be better than "sidewalks", so as to include other things, like overpasses.

**NOTE:** As adopted by the Regents on April 26, 1968, the rule read as follows:

"In order to prevent activities which physically obstruct access to University functions or facilities and which prevent the University from carrying on its instructional, research, public service and administrative functions, and to preserve order which is necessary for the enjoyment of freedom by each and every member of the University community, the following conduct is prohibited and any person doing any of the following shall be liable to a forfeiture of not more than one hundred dollars:

- "1. Intentionally physically blocking entrances to and exits from offices, classrooms or other University facilities with intent to deny to others their right of ingress to, egress from or use of such offices, classrooms or other University facilities;
- "2. Intentionally physically denying to others ingress to or egress from, or the use of University offices, classrooms or other University facilities with intent to deny to others their right of ingress to, egress from or the use of such offices, classrooms or other University facilities;
- "3. Intentionally physically restraining others from ingress to or egress from, or from the use of University offices, classrooms or other University facilities with intent to deny to others their right of ingress to, egress from, or the use of such offices, classrooms or other University facilities."

#### 5. Section 1.07(20):

[The proposal was to create a new section as follows:  
"Any law enforcement officer, security employee, or other employee whose duties include controlling the operation of a building or area of a campus may require persons on university property to identify themselves."]

This provision that a person on University property can be required to identify himself seems to us undesirable in this broad form. In situations other than obstructive demonstrations we are not concerned as a committee with this rule, but we nonetheless wish to convey our general reluctance to see such an enforced invasion of privacy permitted at any time and any place on the campus, and without even a requirement of reasonable suspicion. We say "enforced" invasion of privacy because we assume that under Sec. 1.08 of the present Regent rules and the statutes referred to therein, the criminal misdemeanor penalties made applicable to violations of Regent rules will apply to violations of the rule on identification. True, the latter rule doesn't specifically say so, while proposed rule 1.07(4) does specifically refer to penalties for its violation; but the proposed identification rule does use the word "require", so we don't think there was any intent to deviate from the general principle on penalties embodied in Sec. 1.08 and statutes referred to therein, even if such deviation were legally permissible.

In an obstructive demonstration situation, we see some value in officers' asking for identification in order that arrests may be made later, if on-the-spot arrests appear to be undesirable. We doubt whether even there a separate penalty should attach to a self-identification refusal by a demonstrator who wishes to "bear witness" by being arrested at the demonstration. We think though that in the demonstration situation, there being independent grounds for arrest, one who refuses to identify himself should be subject to immediate arrest and/or photographing.

At any rate, an identification rule will not be effective without a requirement of written rather than merely oral identification. And this may well stimulate the production of bogus identification cards.

Finally, the Supreme Court now has on its docket some cases whose decision may well throw some light on the constitutionality of laws which in situations not justifying arrest provide for brief stopping and questioning. It might be wise to postpone consideration of the identification rule until such decisions come down.

**NOTE:** The rules adopted by the Regents on April 26, 1968 did not include an identification rule.]

6. One further thought which applies to all the proposals. We respectfully suggest that it would, on the whole, be unwise for the Regents to enact new rules at all, at this time. One reason for saying this is that the deliberative process of full faculty and Chancellor consideration of campus rule proposals (along with student consideration as well, if the Crow committee proposals are adopted) as a prelude to their approval or enactment by the Regents, is highly desirable as a matter of sound administrative policy. That process has not yet taken place for the proposed rules.

The second reason is that a general re-thinking of the relation between Regent rules and faculty regulations is necessary, especially since in some instances state criminal laws are also applicable to the conduct in question. The sanctions applicable to violations of Regent rules are criminal misdemeanor penalties of \$25 to \$100 fines and/or 10 days to 3 months in jail. [Note: This erroneously appeared as 30 days rather than 3 months in the reprinting of this Letter in Faculty Document 190.] The sanctions applicable to violations of faculty regulations are administrative sanctions (e.g. warning, probation, suspension or expulsion). The student's conduct may be such as to violate a state law (e.g. disorderly conduct, or unlawful assembly) and a faculty regulation (e.g. Chapter 11.02 on disruption or some analogous rule that our committee may recommend) and a Regent rule (e.g. the present 1.07(12) on "drunkenness or disorderly conduct of any kind", or the proposed rule on "Intentional blocking"). Having

such a panoply of sanctions for the same conduct, to be applied selectively or in combination, might possibly be defended, but the Regents should be aware that this confusing situation would be the result of adding a Regent rule on intentional blocking. Our committee, incidentally, has been considering a rule on this same subject. Also pertinent to the present point is the fact that the President has asked the Faculty Assembly to conduct a committee study of possible revisions of Chapter 36 of the statutes -- a study which will raise in a statutory context, the question, among others, of relative roles of Regents, administrative officers, faculty, and students in the control of student conduct.

Sincerely,

Samuel Mermin  
Chairman, Ad Hoc Committee

#### Appendix to Letter (pertinent to Sec. 1.07(9))

##### Extract from majority opinion in *Saia v. New York* 334 U.S. 558, 559 (1948)

"We hold that Sec. 3 of this ordinance is unconstitutional on its face, for it establishes a previous restraint on the right of free speech in violation of the First Amendment which is protected by the Fourteenth Amendment against State action. To use a loud-speaker or amplifier one has to get a permit from the Chief of Police. There are no standards prescribed for the exercise of his discretion. The statute is not narrowly drawn to regulate the hours or places of use of loud-speakers, or the volume of sound (the decibels) to which they must be adjusted."

##### Extract from majority opinion in *Cox v. Louisiana*, 379 U.S. 536, 557-8 (1965)

[In a case involving a statutory prohibition against obstruction of public passages the Supreme Court addressed itself to the fact that the prohibition had been discriminatorily enforced and likened this to a situation where a statute gave unfettered discretion as to enforcement. It said]:

"A long line of cases in this court makes it clear that a state or municipality cannot 'require all who wish to disseminate ideas to present them first to police authorities for their consideration and approval, with a discretion in the police to say some ideas may, while others may not, be . . . disseminate[d] . . . .'"

"This court has recognized that the lodging of such broad discretion in a public official allows him to determine which expressions of view will be permitted and which will not. This thus sanctions a device for the suppression of the communication of ideas, and permits the official to act as a censor. See *Saia v. New York* . . . Also inherent in such a system allowing parades or meetings only with the prior permission of an official is the obvious danger to the right of a person or group not to be denied equal protection of the laws . . . It is clearly unconstitutional to enable a public official to determine which expressions of view will be permitted and which will not or to engage in invidious discrimination among persons or groups either by use of a statute providing a system of broad discretionary licensing power or, as in this case, the equivalent of such a system by selective enforcement of an extremely broad prohibitory statute."

\* \* \*

**Acknowledgments.** The Committee would have functioned less efficiently without the help of a number of others. Various legal issues pertinent to the Committee's work kept cropping up (e.g., application of the anti-secrecy law to Committee proceedings, recent Supreme Court opinions on regulation of demonstrations, etc.), and the following senior law students from time to time performed helpful research on these matters: Mrs. Kay Ellen Hayes, Bruce F. Ehlike, Geoffrey R. Grieveling, Bruce M. Davey and Alan S. Brostoff. Mr. Brostoff, prior to his graduation in early February, was also an invaluable part-time assistant to the Chairman. Speedy and accurate stenographic and duplicating help was furnished by the Committee secretary, Arlene L. Garber, and other staff members of the Office of the Secretary of the Faculty, and of the Law School Office. The Committee also wishes to express its gratitude for the help received from the many members of the campus community who took the time to think about the Committee's problems and to communicate their views.

## Grades Necessary In Education, Says Texas Chancellor

Austin, Texas—No true honor student ever became servile to mere course marks or averages, according to Chancellor Harry Ransom, of the University of Texas.

Emphasizing that "grades cannot be final estimates of education," Chancellor Ransom, in an address to students at an Honors Day convocation, said:

"An F, properly assessed and wisely used in a student's experience, can be more educative than a high grade which is acquired lazily, without learning, and without intelligent relation to a student's knowledge and experience.

"Yet until we get a better system of evaluation, grades will be part of our educational record," he continued. "Most of the honors students I have known in the past third of a century at Texas have taken grades for what they are—temporary indicators of a particular performance at a particular time and place."

Dr. Ransom's address was devoted to "Gaps and Overlaps in Education," particularly the separations usually called "The Generation Gap," "The Knowledge Gap" and the Communications Gap."

Turning to "The Knowledge Gap," Dr. Ransom acknowledged that "University communities are full of random and expedient gaps between bodies of knowledge and organized disciplines," and said specialization had the inherent danger of breeding "close-minded, proprietary and expedient specializers who are comforted by narrow intellectual security."

Among overlaps which are closing the disciplinary gaps, he cited combinations between jurisprudence and the social sciences, physics and the biological sciences "and the quick educational response to institutes and programs capable of combining technological progress with teaching methods.

"In connection with new programs we should look more than twice at the student who is a ready-made specialist by talent or taste or temporary handicap," Dr. Ransom said. "We should find means of capitalizing on the genius in fine arts who can't (or who thinks he can't) understand quantitative method and the talented scientist who can't (or who has been advised that she probably can't) pass language courses.

"As I have suggested, passing courses is an immediate concern; education is a problem of long, long range," he emphasized. "Hence the need of attention to the student who, in an un-Biblical sense, has only one talent."

"The Communication Gap," Dr. Ransom noted, has received even more attention than "The Knowledge Gap." In his remarks on that subject he emphasized "a kind of communication which does not appear in curriculum, budget or joint committee studies"—the student's communication with himself.

"In a world replete with communication, may you learn, amidst all modern stuttering and static, the highly educative lesson of talking to yourselves," Dr. Ransom said.

"That one accomplishment will close the fatal gap between aimless self-doubt and true realization."

## Course Surveys Presidential Candidates

By KATHY HANSON  
Cardinal Staff Writer

Vice President Hubert Humphrey said the United States should adopt a "fair and impartial random system of drafting for the service" while his opponent George Wallace said all people regardless of their status should be required to serve.

Richard Nixon had no comment.

In a report compiled in Professor Kelly's Economics 103 course, students documented comments made by the major candidates on economic issues relating to the Presidential campaign.

Humphrey favored a large U.S. lending program in many areas of the world but said "our military-oriented program should be gradually scaled down, just as our direct involvement in Southeast Asia should be curtailed." He said we should concentrate our foreign aid in Latin America.

Humphrey also said, "we in the rich nations must begin taking more active steps now to help the poorer nations build their economies."

To close the gap between rich and poor nations, he proposes to use the "partnership of government, industry, labor and the university that has been so successful in our space program."

Nixon said the United States should use its foreign aid program to "reward our friends and discourage our enemies."

In US News and World Report, Wallace said, "I have a foreign policy of stopping foreign aid to nations who won't help us in Vietnam."

Wallace favors foreign aid to countries such as South Korea. He said, "Korea is a fine country that we give military aid to. They do a magnificent job, equipping eight soldiers for what it costs us to equip one . . . And they are anti-Communist. So that foreign aid to Korea is in the interest of our Country."

Both Nixon and Humphrey favor some stimulus for business growth.

In a speech earlier this year Humphrey said the country needed "... tax incentives to generate a maximum degree of private investment at an accelerated pace."

Nixon said "... there must be adequate credit available for business to prosper."

Wallace said that he is not against government spending, "just against spending that doesn't bring any return on the investment to the American people."

He said the money spent should be "spent for those things that

enhance property values and bring about trade and commerce . . . highways, docks, harbors, inland ports, and all those things."

The study also contacted Pat Paulsen for his comments on the issues in the campaign. Paulsen replied that "issues have no place

in a political campaign and even confuse the issue."

Of the California green grape conflict Paulsen said, "Viva La Huelga."

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**daily cardinal campus** saturday, oct. 26

**Quicksilver Messenger Service Blows Minds**

The Quicksilver Messenger Service will perform on the terrace at the Union on Sunday at 2 p.m. Also appearing will be the SRC. The program is sponsored by the Union Music Committee.

\* \* \*

**MIDNIGHT FLIC**

LHA BRINGS BACK THE MARX BROTHERS! There will be an informal pillow-in in Holt Commons tonight at midnight to watch the Marx Brothers in "A Night at the Opera."

\* \* \*

**ORCHESTRA CONCERT**

The University Symphony Orchestra with director Otto-Werner Mueller will present a concert in the Music Hall auditorium tonight at 8 p.m. The "Concerto No. 2 in B Flat for Piano, Op. 83" by Brahms and Scheherazade by Rimski-Korsakov are on the program.

\* \* \*

**BLUES FESTIVAL**

The Folk Arts Society presents

its first annual blues festival with two Chicago Blues Bands, J.B. Hutto and HIS Hawks and Johnny Young's Chicago Blues Band. The festival will take place in the Union's Great Hall tonight at 8 p.m. All tickets are one dollar and will be sold at the door.

\* \* \*

**"THE SHOP ON MAIN STREET"**

The Czech film starring Ida Kaminska will have two showings at Hillel this weekend: 8 p.m. tonight and 8 p.m. Sunday. Prof. Robert Jaffe will lead a discussion following tonight's show. Tickets are available in advance at the Hillel Foundation, 611 Langdon or may be obtained at the door. Affiliates, fifty cents and non-affiliates, seventy-five cents.

\* \* \*

**SUN., OCT. 27**

**CHILI SUPPER**

A chili supper will be served at

6 p.m. Sunday at the Lutheran Campus center, 1025 University. At 7 p.m. the film "Anatomy of a Murder" will be shown at Luther Memorial Church.

\* \* \*

**ISSUES OF CAMPAIGN '68**  
Prof. Milton H. Miller, chairman of the university's Psychiatry Department, will speak on "Four Years From Now, What Kind of America?" at 9:30 a.m. Sunday in the assembly room of Luther Memorial Church, 1021 University. The discussion of tensions among the generations is one of a series of forums on "Hard Issues of Campaign '68."

\* \* \*

**COUNTRY JOE AND THE FISH**  
"Country Joe and The Fish" will be in Madison for a gala festival of rock and light Sunday at 8:15 p.m. at the Stock Pavilion. Tickets are \$2.50, \$3.00, and \$3.50

(continued on page 15)

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BROWN Suede jacket Gilman St. Oct. 21. Reward. 251-1667. 5x29

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**MISCELLANEOUS**

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**PERSONALS**

SICK of "Soul?" Take a safe trip at The Gun Club. Blow your mind as the Bubble Bros. beat Progressive Rock. Turn off Monona Dr. at C&P follow BB approx. 10 mi. Sat. Oct. 19 & 26. 6x26

"I Love You." We believe in love. Love is the only answer. Have this message whispered in your ear any time of the day or night through our telephone-love-campaign. For a dollar, The Love People, will call you (or whoever you specify) three times in a week & tell you that we love you. Write: The Love People, P.O. Box 893, Madison, Wis. 53701. Include first name, tel. no., & time of day you wish to receive this message of love. Proceeds go to the W.S.F.L. All you need is Love. 5x31

**daily  
cardinal campus**

SUN., Oct. 27

and are available at the Union Theatre box office and at Discount Records on State St. The program is brought to you by the Folk Arts Society.

\* \* \*

**FINJAN**

Finjan will continue this Sunday at 5:30 p.m. We will bring back the days of chivalry by presenting the flick "Dating Etiquette." Remember the fun of dating in the early 1950's.

\* \* \*

**ARGO**

ARGO will be holding its platform meeting to discuss current campus issues on Sunday at 4 p.m. in the Union. The nominating convention will be held at 7 p.m. on Monday. Come and help ARGO formulate its platform and nominate its candidates. For further information call 262-8385.

\* \* \*

**GRAD STUDENT COFFEE HOUR**  
Dr. Milton Miller, chairman of the Department of Psychiatry will initiate the Hillel Grad Student Coffee Hour series "On Violence" with a talk on "Since Every Man is a Potential Killer . . ." He will speak Sunday at 1:30 p.m.

\* \* \*

**FRESHMAN ENG. PASS-FAIL**  
There will be a meeting of all freshmen students interested in discussing "Freshman English-Pass-Fail" and other related subjects, Sunday at 2 p.m. in the Union. Check the board for the room posted under English Students Association.

\* \* \*

**FACULTY TRIO CONCERT**  
Music from the seventeenth thru twentieth century will be featured in the free faculty trio concert Sunday at 8 p.m. in the Music Hall Auditorium. The program will include works by Zachow, Faure, Poulenc and Henri performed by Professors Robert Cole, flute, Richard Lottridge, bassoon and Leo Steffens, piano.

\* \* \*

**DEMOCRATIC CONVENTION**  
In connection with the prosecution of Chicago police for their actions during the Democratic Convention, information is urgently needed regarding the whereabouts of three people who themselves were victims and witnessed the beating of a newsman. Films and photographs have shown three people (a boy and two girls) in a red 1960 Corvette convertible with a Wisconsin license, a McCarthy daisy, and a Badger on the right side of the windshield. Unprovoked violence occurred when they stopped at a red light very early in the morning of Tues., Aug. 27. If you have any information that might be helpful or think you might recognize these people by looking

(continued from  
page 14)

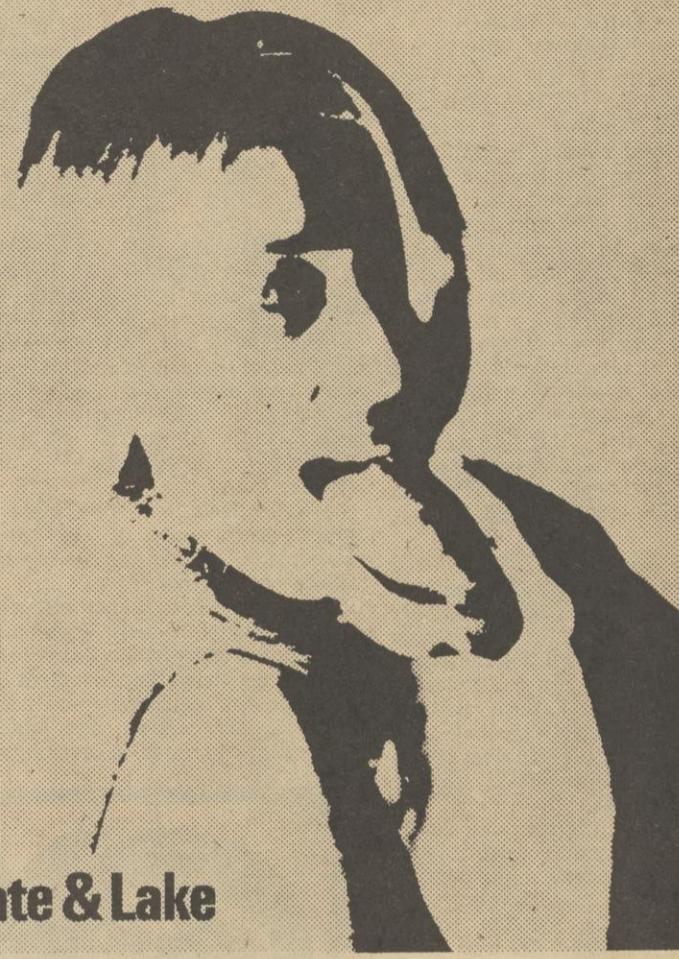
at a photograph, please call Lynn at 255-1248. It is extremely important that they be located.

\* \* \*

**ROBERT HESSEN TO SPEAK**  
Robert Hessen, instructor at the Graduate School of Business of Columbia University, author of the article: "Campus or Battleground? Columbia is a Warning to all American Universities," and a contributor to Ayn Rand's new book, "Capitalism: The Unknown Ideal," is giving a lecture sponsored by the Committee to Defend Individual Rights. The title of his talk is "Reason or Revolution? An Indictment of Student Terrorism." It will be held next Tuesday at 8 p.m. in the Great Hall of the Union. The public is welcome. Advance tickets are on sale now at the Union box office.

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# Hungry Badgers and Cats Clash Today for Ninth Place

By BARRY TEMKIN  
Associate Sports Editor

The battle of the losers will take place at 1:30 this afternoon in Dyche Stadium at Evanston, Illinois. Both Wisconsin and Northwestern have 0-5 records heading into the second half of the season, and for both this game represents an excellent chance to escape the Big Ten cellar berth which they share with Illinois.

The Wildcats have a better excuse for their record than do the Badgers, having opened the season against five of the nation's top ten teams. Northwestern showed an ability to move the ball against these teams and played second ranked Ohio State on fairly even terms last week before bowing, 45-21.

Coach Alex Agase's squad will also move against a Badger defense which has been severely dented in each of the five losses. The crucial question for the Badgers is whether they can generate an offense after three straight scoreless games. Wisconsin will have to mount a consistent attack if they hope to end their winless string at fifteen.

"We're still a long way away," said Badger coach John Coatta. "We have to score some points."

Quarterback John Ryan will supervise that task for the second consecutive week. He had some success in the first half of last week's 41-0 loss to Iowa with short passes, but couldn't get the team into the end zone.

Lew Ritcherson took over for Ryan in the third quarter last week and will again if Ryan fails to move the club and the situation calls for more of a running quarterback. In more of a passing situation, Bob Schaffner would take over.

Injuries have put the running game in a state of flux. Wayne Todd started at fullback for the first time against Iowa after recovering from injuries, and he immediately put some punch into what had been a totally ineffective rushing attack. The 230 pound senior pounded for 91 yards, including one 39 yard trip.

However, Todd reinjured his knee and his status is doubtful. If he can't go, Coatta will start John Smith.

Tailback Randy Marks has missed two games with a shoul-

der separation. Marks has mended, but he hasn't done much hitting and also is a doubtful performer, as is Dan Crooks. Joe Dawkins will take over at tailback.

Stu Voigt will start at wingback, moving in over Bill Yanakos.

The Badgers will field their first string line for the second straight week, having beaten an injury jinx there. Mel Reddick will play split end, with Jim Mearlon at tight end. Brandt Jackson and Dave Salmons or Len Fields at tackles, Wally Schoessow and Don Murphy at guards and Karl Rudat at center compose the offensive line.

"We'll have to throw quite a bit," Coatta said of his offensive plans. I doubt that we can run inside against their size."

Northwestern's offense will present Coatta with other problems. Sophomore quarterback Dave Shelbourne has shown improvement as a passer. He teams with two strong runners, Bob Olsen and Chico Kurzawski, to form a diversified

attack.

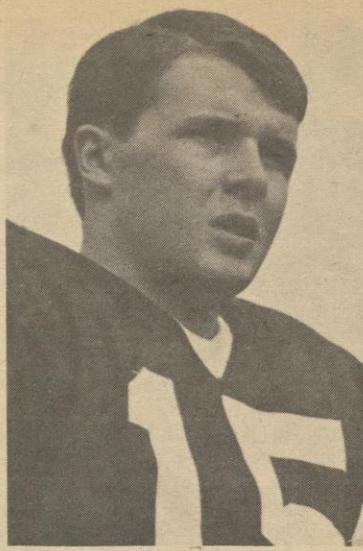
"Shelbourne has been throwing well," Coatta said. "The big thing is to cut off their off tackle play. Olsen and Kurzawski are good runners."

The Badgers will try to shut off this run with a front four of Lynn Buss, recovered from a hand injury, and Gary Buss at ends and Jim DeLisle and Bill Gregory at tackles. Ken Criter, Chuck Winfrey, Gary Kron and Dick Hyland will man the linebacking posts with Mike Cavill, Gary Reineck and Tom McCauley in the secondary.

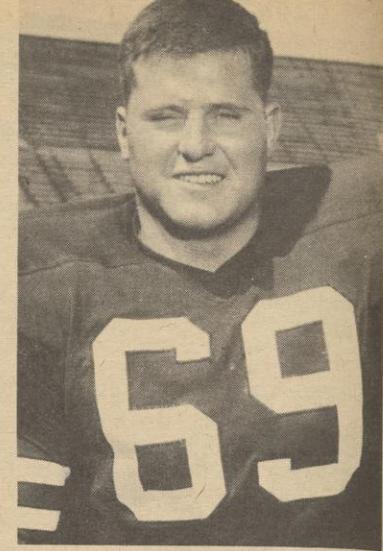
Jackson and Reineck will serve as co-captains for the game.

One thing the defense will have to watch for is Kurzawski's quick kicks which have gone for a 46.2 average.

Wisconsin's kicking game will again suffer the lack of punter Dave Billy's services due to a knee injury. Schaffner, who subbed well with a 36 yard average last week, will again handle the job.



JOHN RYAN  
starts again



BRANDT JACKSON  
starter and co-captain

## ARMCHAIR QUARTERBACK

Badger sports fans: are your friends tired of hearing you complain about the Wisconsin sports scene? Give them a break. The Daily Cardinal Sports Department would like to hear your views in the form of letters concerning any and all sports issues. Please triple space all letters and keep them as short as possible so that we may print as many as we can. Margins should be set at 10-70. Sign all letters and mail to Sports Editor, The Daily Cardinal, 425 Henry Mall, Madison. Names will be withheld upon request.



## FOREIGN IMPORTS

### Ray Arrington Quits Harriers

By MARK SHAPIRO  
Contributing Sports Editor

Wisconsin's cross country team will be without the services of Ray Arrington, one of the nation's top middle distance runners, when it looks for its first dual meet win of the season against Northwestern at Evanston, Ill. today.

Arrington has decided to pass up the cross country season and come back for indoor and outdoor track. The Clairton, Pennsylvania senior indicated that he sought a rest after two years of grueling track competition here and a summer spent attempting to make the U.S. Olympic 800 meter contingent.

The Harriers, who have dropped very close decisions to Minnesota (26-29) and to Michigan State (27-28), are expected to miss Arrington's services sorely. Arrington finished fourth in the Big Ten championship meet as a sophomore and dropped to 26th last year when he raced the last two miles on an injured foot.

"We're scrapping for that fifth man now," cross country coach Bob Brennan said. "Right now, Branch Brady, Bobby Gordon, Don Vandrey and Dean Martell are all running well."

"We'd like to win big over Northwestern to get some momentum going toward the Big Ten meet," Brennan said.

Northwestern is not considered one of the stronger Big Ten teams. Wildcats Doug Williamson, 17th in the league meet last year, and 880 standout Ralph Schultz may give them trouble.

But not so foreign to your tastes. These indisputably well-mannered coats constitute some of Europe's finest.

And where, praytell, lie your tastes? LEFT, RIGHT or CENTER? Mind you now, we're talking clothes.

To your left is the traditional British Basic, a rain or shine put-on with removable liner. And if FALL is hotter than expected, just zip out the sheep's wool into cool wolfian style. Hmmmmmm.

To your right, you'll find touches of Austria attractively etched into tweed checks with

reversible liner. An absolute must for fashionable weekend forays.

Does the center catch your fancy? Can't blame you, really. Our mixture of Lord Chesterfield and the double breasted look should keep your reputation on solid footing. And please note finer details: ticket pocket, buttons, Edwardian lapels, etc., etc. . .

All told, which is really only half the story, the choice is immensely original. But then, did you expect the Clothespost to do less for you? Of course not!

Anyway, pop in soonest for a priceless bit of Europe.

*the Clothespost*  
CHARLES SPETH ASSOCIATES  
TWO TWENTY-TWO STATE



com-  
k. The  
ews in  
triple  
e may  
sign all  
y Mall,

# THE DAILY CARDINAL



**FASHION**  
whoop be bo

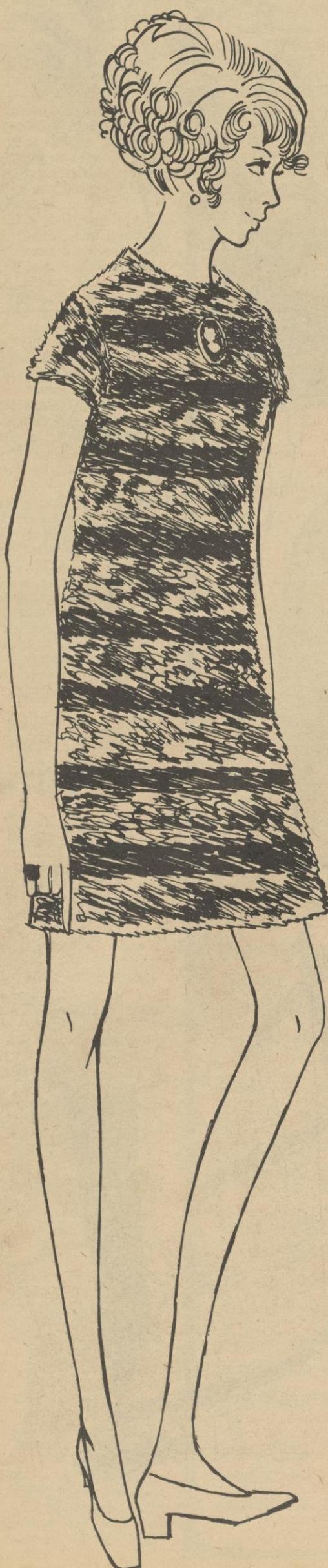
2—THE DAILY CARDINAL

Saturday, Oct. 26, 1968

## DREAM DAZZLERS...

RIGHT: a flirt of a skirt . . . wispy white chiffon . . . sentimental brown satin tie . . . add these up to pure dazzle. Also available in gray chiffon with silver satin. Sizes 3-13 . . . 36.00

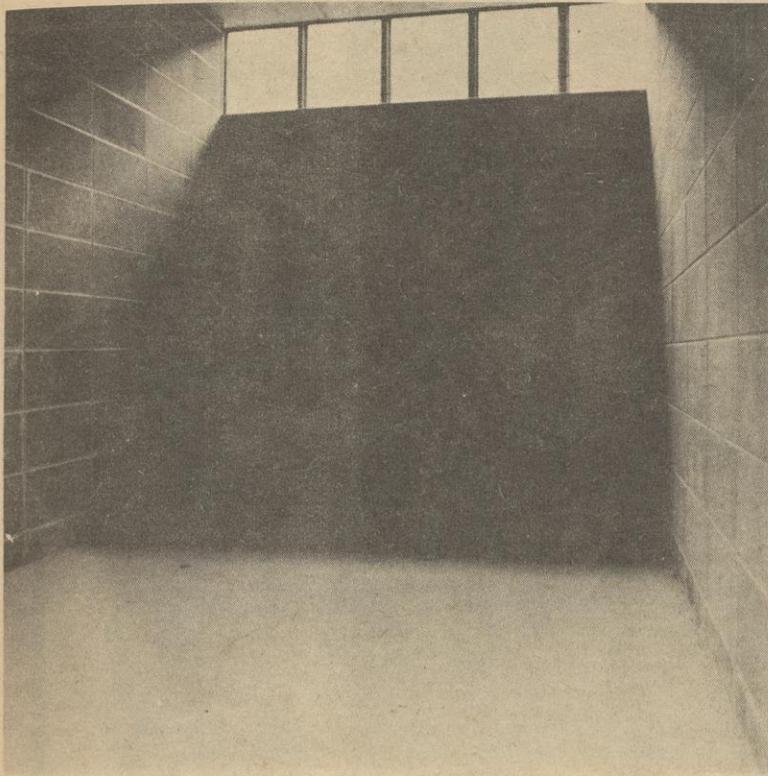
BELOW: Bring out the real you in fake fur. Accent with a delicate cameo and capture a memorable evening. Choose brown or white. Sizes 5-13 . . . 26.00



MISS M. JR. DRESSES . . .  
DOWNTOWN • CAMPUS

**M**anchester's  
madison

Cover by  
Ellen Williams



Below left, Connie wears a flowing chiffon dress from the

Photo by David Guggenheim

Below right, the "action" look in a sweater from Forum.  
The slacks are by Levi. Both at Campus Clothes.

Photo by Jim Kuo



4—THE DAILY CARDINAL



Left, the moorish look makes its Madison debut as Maggie wears a Nehru tapestry jacket and wide white pants. Both are from Manchester's. Opposite Page, The new Art Center is the focus for excitement in Fashion. Left to Right. Double breasted sportcoat by clubsman. Sweater by Revere. Hand printed dress by Chameleon. Sportcoat by clubman. Sweater by Campus. Sportcoat by Botany "500." Sweater by H.I.S. Slacks by Botany "500." All male fashions from CAMPUS CLOTHES.

Photo by Jim Kuo

## The Country Look



**R**edwood & Ross knows how to combine proper fabrics with impeccable Scottish colorings. This is evident in our boldly plaided natural shoulder sport jackets. They will certainly challenge your ego.

40<sup>00</sup> to 60<sup>00</sup>

Country coordinate — our fine Raeford worsted wool trousers. Wide range of new fall classic shades. 18.00

**Redwood & Ross**

traditional excellence

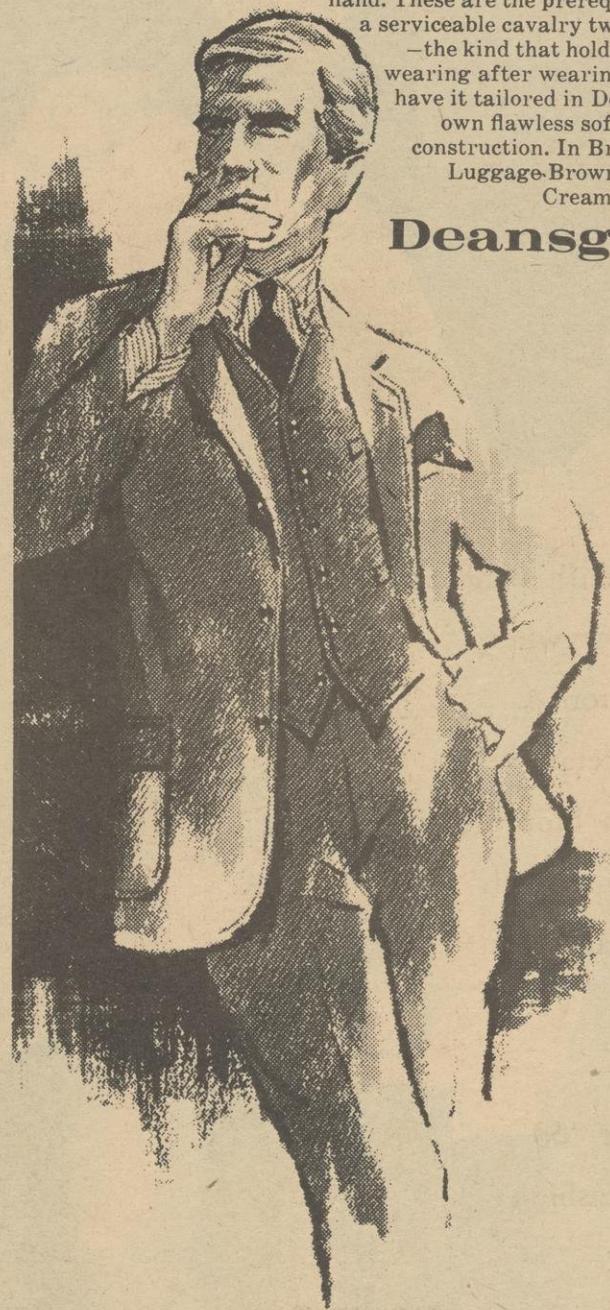
639 STATE STREET

**Edwin O. Olson & Son**

### Cavalry Twill: The Hard-Riding Variety.

It must be rugged. It must have a gentle hand. These are the prerequisites for a serviceable cavalry twill suiting — the kind that holds its shape wearing after wearing. And we have it tailored in Deansgate's own flawless soft shoulder construction. In British Tan, Luggage Brown, Navy or Cream Tan.?

**Deansgate\***



**EDWIN O. OLSON AND SON**

555 STATE AT FRANCES

Customer Parking

Town/Campus Bldg.



FASHION YOURSELF AT *Jeffrey's*

tunic with pants  
go everywhere,  
cotton &  
acetate  
Satin blouse  
inserted with  
detachable scarf  
for '68  
in fashion

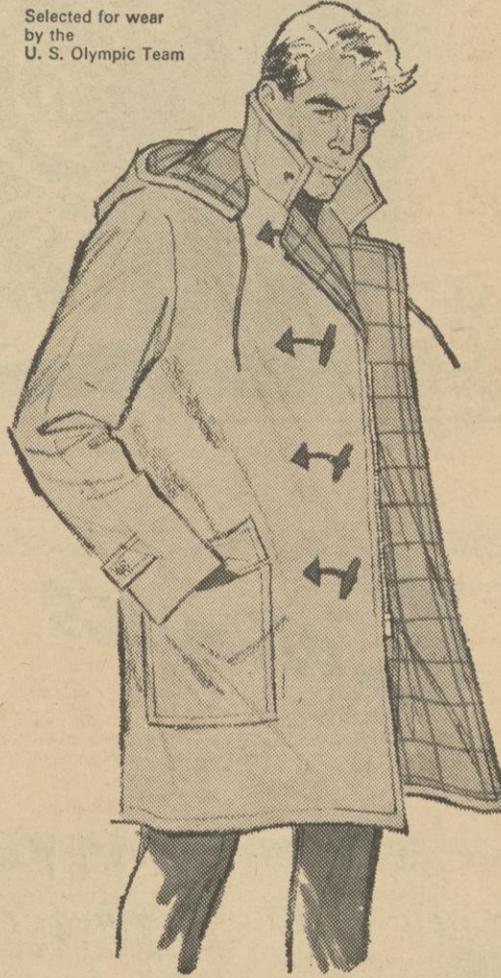


## CAMPUS CLOTHES SHOP

Is Giving Away **FREE**  
one of these Great Winter Coats



Selected for wear  
by the  
U. S. Olympic Team



### The On-the-go Coat

**POWDERHORN** . . . here's a real swinging, on-the-go double wool tram coat for young and old. It's color co-ordinated with solid wool melton one side and colorful Window Pane plaid on the other. Styled with the last word in good looks with zip-fly front plus toggle closures, roomy patch pockets and an easy to zip-off hood. It's a "going" coat.

You'll want one of these fine coats for the slopes this winter, and here's your chance to win one **FREE** in Campus Clothes Shop's Lakeland giveaway.

### Entry Blank

#### LAKELAND WEEK Powderhorn Sweepstakes

Please enter my  
name in your  
Lakeland Week  
Powderhorn  
Sweepstakes.  
I'd like to win the  
free Lakeland  
Powderhorn Coat,  
the Travel Coat se-  
lected for wear by  
the U.S. Olympic  
Team.  
I am under no obli-  
gation whatsoever.

NAME		
ADDRESS		
CITY	STATE	
ZIP	PHONE	

Just fill out the entry blank and bring it into Campus Clothes Shop. You may clip out this blank or pick one up in the store. Winner will be drawn by THE DAILY CARDINAL.





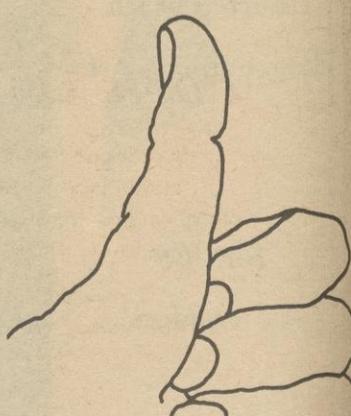
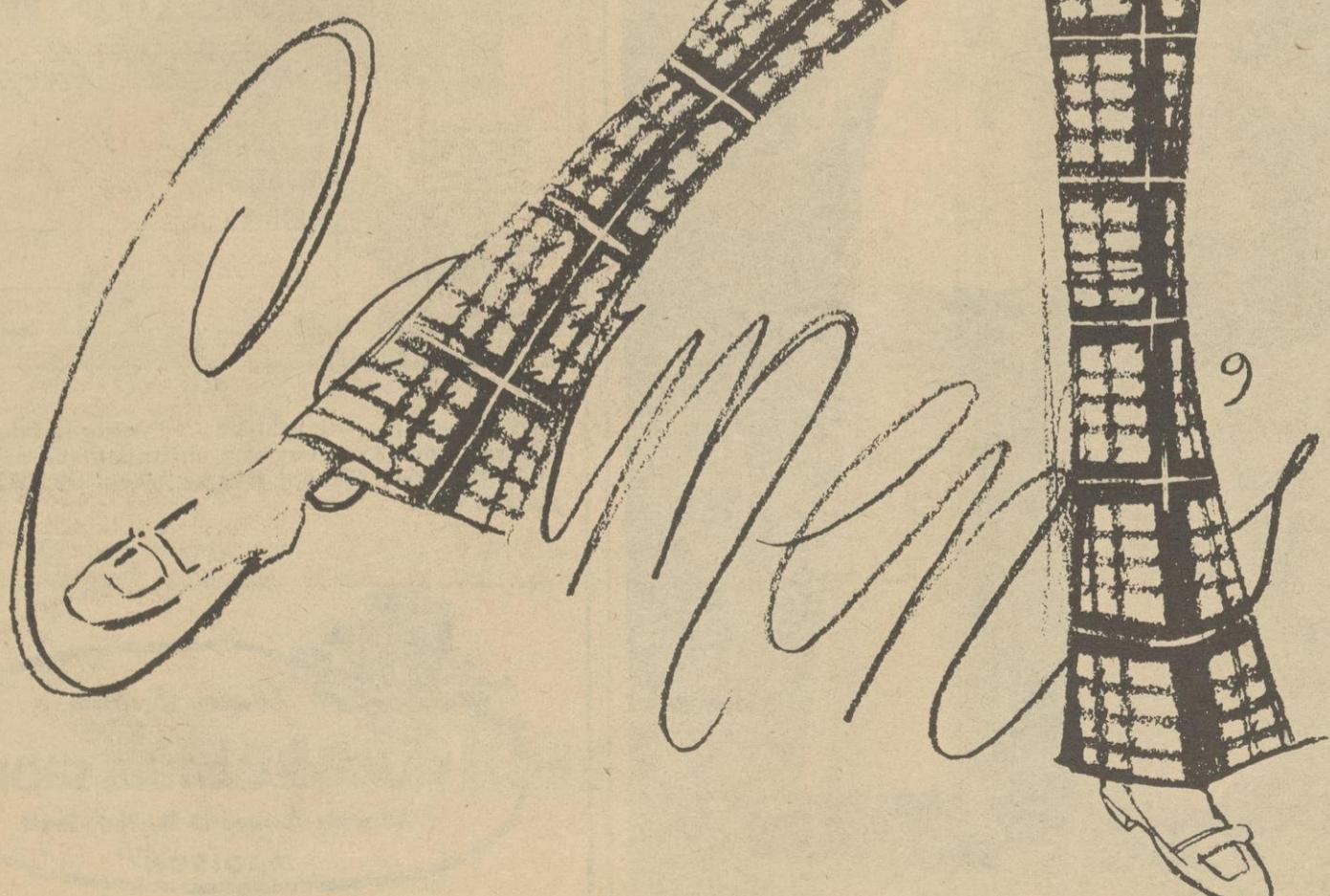
At left Jim Kuo captures a chameleon dress, which is, in turn, captured by two students wearing, left, all wool bold plaid from the Country Collection, and the original Teller coat, all wool, from Austria. The turtleneck, all wool sweater by Hathaway. Men's fashions from Redwood and Ross.

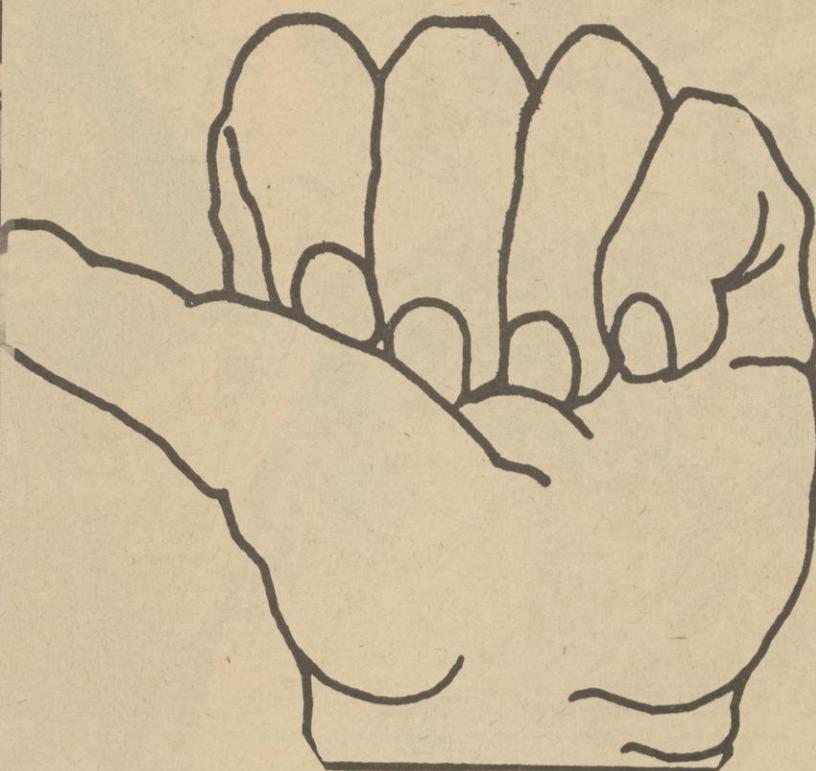
Below, the girl with the flowing hair models a black velvet pant suit. Contrast provided by ornately collared lace blouse. Both from the Peacock shop.



## Carmen's

*Down with stereotypes. Up with you, the new breed. Informed, questioning, articulate. And most of all, individual. Here, one idea that sacrifices not a whit of femininity: Billowsleeved gold crepe shirt with its own wide tie \$12, black velveteen vest \$19, cuffed city pants \$16. Our clothes have a new sense of direction. Come, get involved.*





Eileen is certainly not ready to drive any tractor in black velvet pants and red jacket embroidered with black braid. From Jeffrey's. Photo by David Guggenheim.

## MANLY FOOTGEAR



*Boots On the Go*

Swashbuckled Boot with  
Hand Sewn Vamp takes  
steps to the action! Join 'em  
in Dark Brown Wax Smooth

**SWAGGER**  
a shoe your father  
would never wear

16.95

**MacNeil and Moore**

State and Frances

As seen in SEVENTEEN

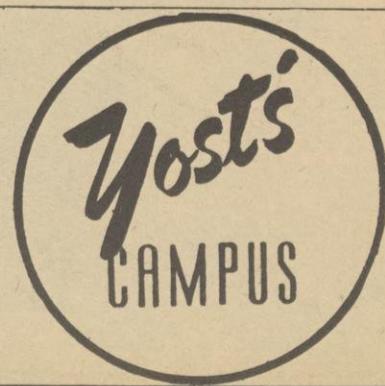
The rough-tailored shoe sports big  
perforations, a great sole, really  
bold lines. Way up front  
with the look. That's  
the Viva Beat U.S.A.!

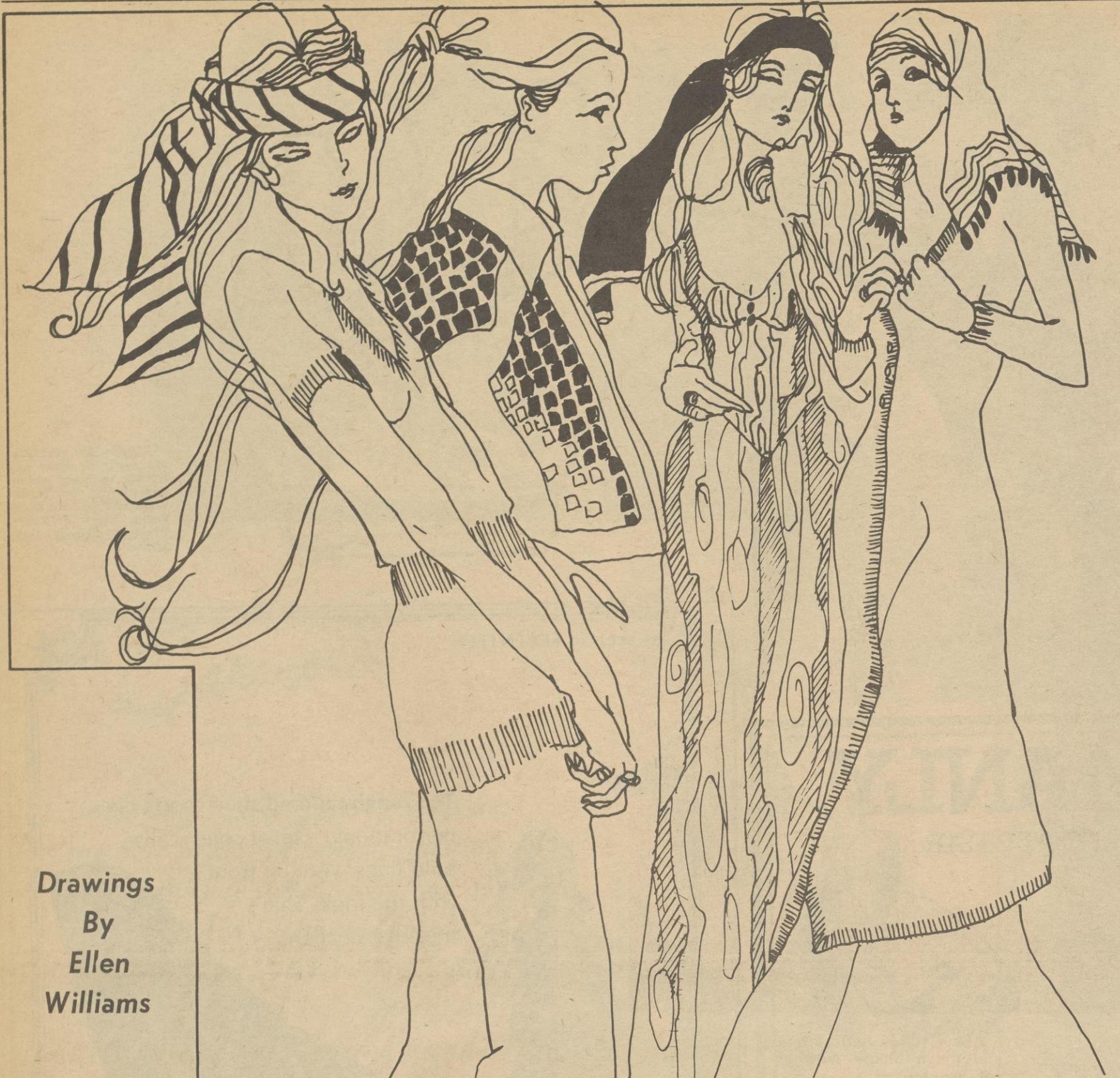


Bonnie 12.00  
In Brown Antique  
and  
Otter Antique

*Viva Americana*  
more fashion than money!

Now at  
Yost's Campus  
on  
State Street





Drawings  
By  
Ellen  
Williams

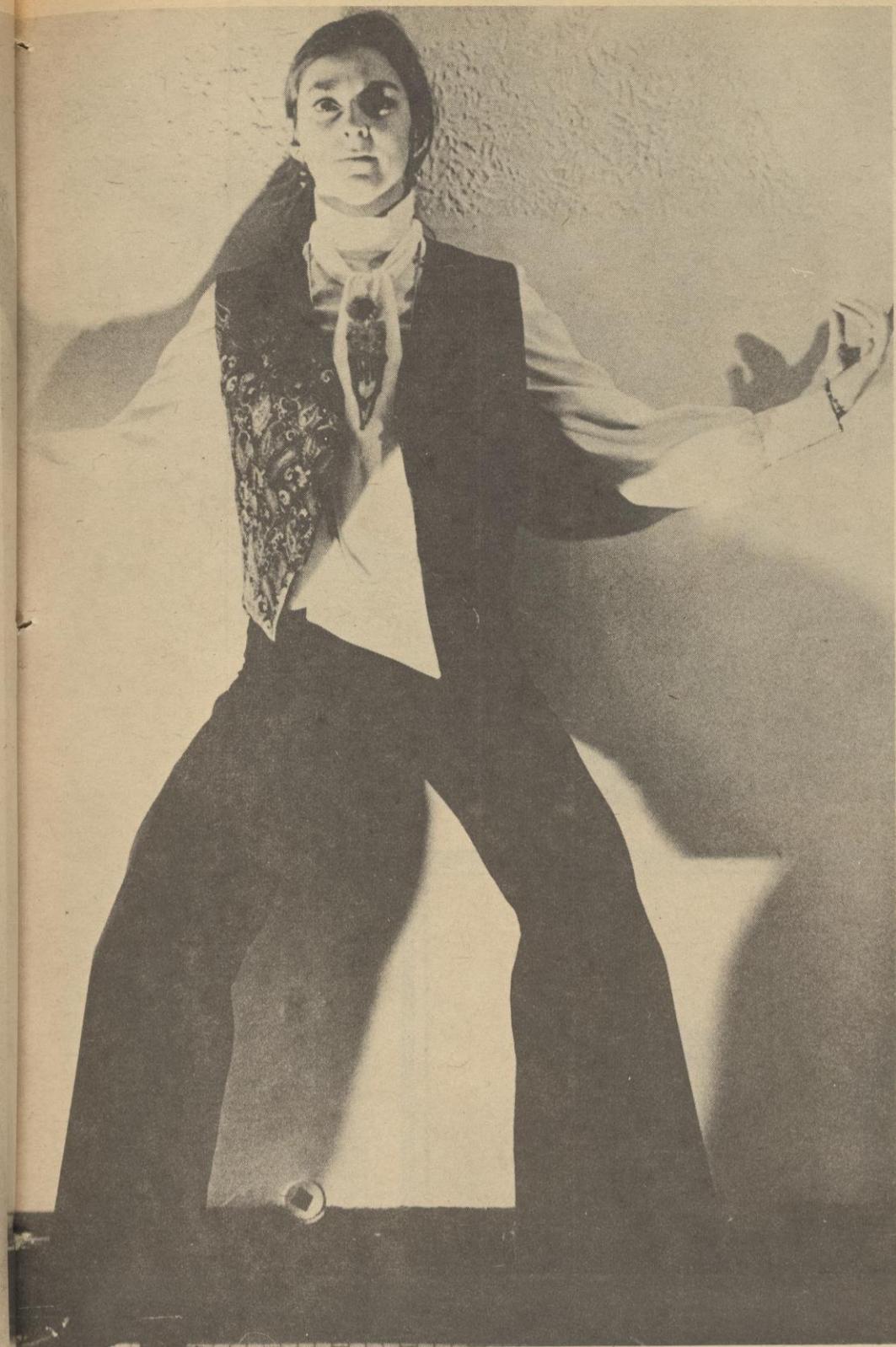


Left, the new Elvehjem patterned cotton A line dress proves an apt spot for this slyly Chameleon Shop.

At right, two graduate students show off the traditional look to its advantage. From left to right: shoulder brown worsted gray worsted glen plaid, with vest.

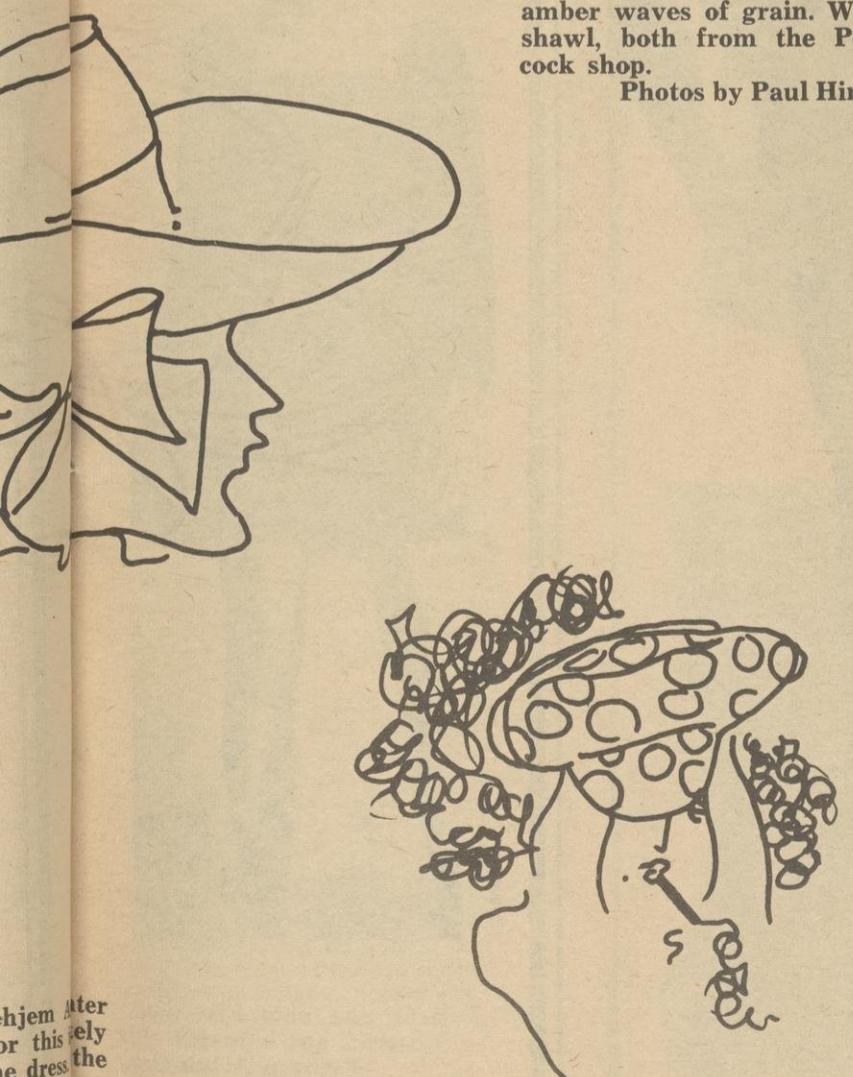
Photos by Kuo

Photos by Kuo

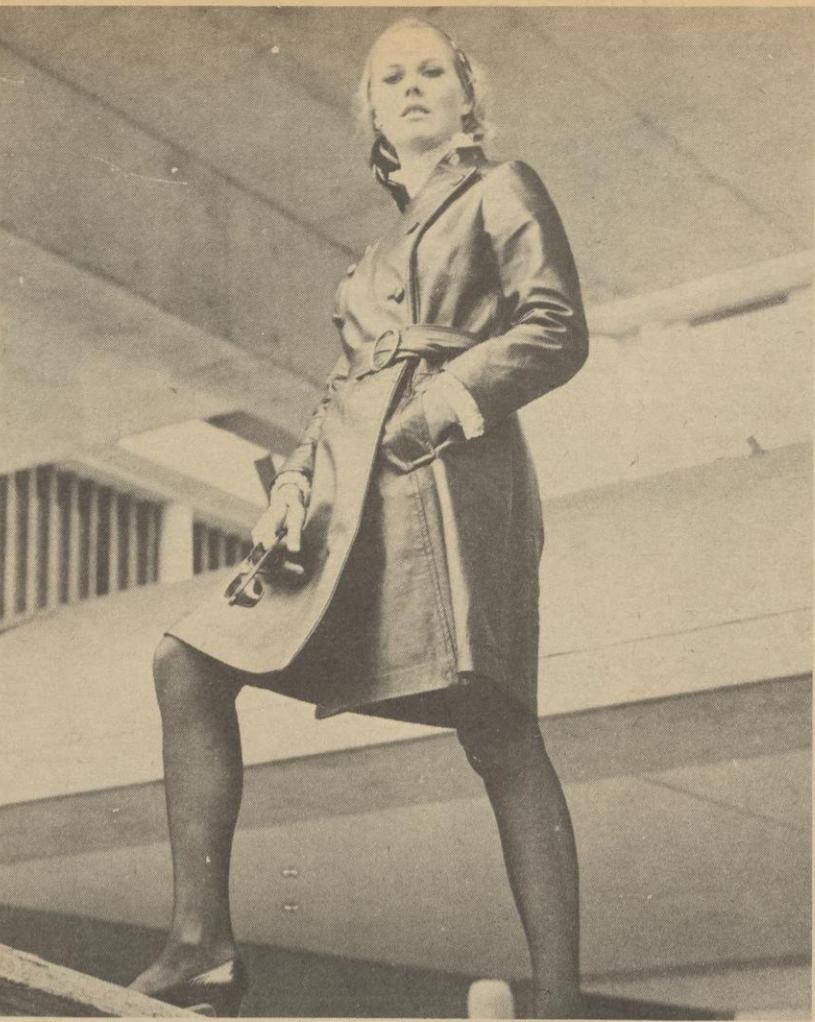


Above. Wide Bell bottoms and nylon blouse with ascot are topped off with a rich, paisley patterned dress. Above Right. Our girl wears this knitted woolen shift among the softly shifting amber waves of grain. With shawl, both from the Peacock shop.

Photos by Paul Hines



hjem after  
or this  
the dress.  
ate stud-  
ook to its  
to right  
orsted gray  
with vest  
otos by Kuo



Alan Paine

MADE IN ENGLAND

Radley



Concord



Repton



Henley



FOR AUTUMN — A NEW DIMENSION IN COLOUR

**Concord.** Individually made slub wool turtleneck pullover with true cable. An ideal sweater for all outdoors. In honey or bone. **40.00**

**Radley.** Classic crew-neck Shetland for campus or country wear. An exciting array of original colours created by Alan Paine. **16.00**

**Repton.** Handsome v-neck Shetland pullover with true cable. Individually made on hand frames. In unusual new colourings. **22.50**

**Henley.** Alan Paine's famous lambswool classic . . . a versatile v-neck pullover with saddle shoulder. **16.00**

**Ascot** (shown with Henley). True turtleneck lambswool pullover with authentic Alan Paine saddle shoulder. **17.00**

All styles available in sizes 38 to 46.

MacNeil and Moore

State and Frances

Lynn Giordano wears Carmens double-breasted leather coat. The belt and flared bottom accentuate the graceful lines of this coat and the model. Photo by David Guggenheim. Bare autumn trees contrast with the simple richness of this pleated black dirndl from the Peacock shop. Photo by Paul Hines.



## Fashion Prognosticator Prognosticates Fashions

By Roy Chustek  
Cardinal Fashion Expert

Strangers often stop me on the street and inquire as to how I, the Daily Cardinal Fashion Expert, arrive at my insightful and penetrating analyses of the current fashion scene on campus. I usually answer that sheer ignorance, along with colossal indifference, prove to be the major factors.

Nevertheless, after a comprehensive survey of Sororities, apartments, dorms, and fraternities in the Madison area, it appears obvious that more people than ever are wearing clothes. The trend started by Stuart Gordon's "Peter Pan," though attractive in an esthetic and financial sense, seems hardly likely to catch on at the University to any great extent, owing to exigencies of climate, and the District Attorney's lack of taste for nude art.

Therefore, if you must wear something, what will it be? The great majority answer "anything," but preferably old jeans, (also known as "dungarees," "Levi's," denims and sometimes, "pants," a shirt or blouse, and some kind of footwear.

Jeans, of course, is a subject with vast implications. First of all, new ones are anathema, because they scratch the hell out of you, especially in "sensitive" areas; secondly, they usually fit loosely yet are too stiff, making walking rather difficult; and thirdly, they lack, as Craig Clairborne of the New York Times has mentioned, what used to be known as "class," but today may be called "cool."

Of course, doctoral dissertations have been written on the breaking in of bluejeans, the care and feeding of which is a more delicate matter than that of beige black or chartreuse jeans. "Good blues are like fine wine," said one scholar, whose name is now mercifully forgotten, "ya gotta age em afore ye kin wear em." He strangled on a pair of Levi's super slims.

But it should not be construed that laziness, or lack of interest in fashion, has compressed everyone into the same dismal mold. It only looks that way. Variation abounds on campus, ranging from Army Surplus Modern and Edwardian Effete to Langdon Street Clean Cut and Dirty Hippie Dilapidated. The common denominator is there, in the ubiquitous jean, but from there onward the great divergence begins.

Fraternity and Sorority people are perhaps the most obvious. There is, in most cases, a cleanliness in the way they dress. A sorority chick in a wraparound skirt with a big pin holding it together and a nylon shell to top it off exudes an air of healthiness, compounded of straight teeth, and hairspray, that is unmistakable. Of course, this is a stereotype, and, undoubtedly an unfair one, but where would we be without unfair stereotypes?

The frat man is more often than the sorority girl indistinguishable from the horde (which, by the way, is also an unfair stereotype) but, if he decides to play the part, you can spot him by noticing his pockets. They run parallel to his legs, in contradistinction to non-fraternity men, whose pockets are perpendicular to their legs, and are directly below the navel. Thus, if a man slouches, rocks on his heels, and sticks his hands down into his pockets, he is a non-fraternity man. If he stands up straight pulls on his nylon shell jacket with the frat monogram on it and slides his hands sideways into his pocket, he is a frat man.

The most radical innovations on campus, though, have come from those I choose to designate as the "new" people, (Hippie" is an abhorrent term, as are all terms, but I suppose labels are every now and then necessary.) They have taken the sterility of the military tunic, the opulence of the Victorian frill, the natural beauty of Indian beads, and buckskins, and combined them with levis and the button down collar to produce some degree of color and excitement in the otherwise sere landscape of gray flannel jockstraps.

But what of girls? Apparently, there are two ways to go with them, in terms of clothes, anyway. The first is the "undifferentiated look," in which a figure of immense proportions is often slammed into

a pair of (hopefully) torn jeans, and a sweatshirt which droops down into the valley of fatigue. Contrary to many erudite opinions though, most males find such a costume most alluring, and it certainly frees the chick from the hassle of constantly crossing her legs.

For those that enjoy crossing their legs, however, the new short skirts ("mini-skirt" is a dreadful term, invented by a midget misogynist) provide literally thousands, and perhaps millions, of opportunities to hide that which it is the purpose of the skirt to show. The basic leg-lock, in its pristine

simplicity and effectiveness, serves admirably in this regard, and if unknown in the "Kama Sutra," is at least familiar to those who ride the bus.

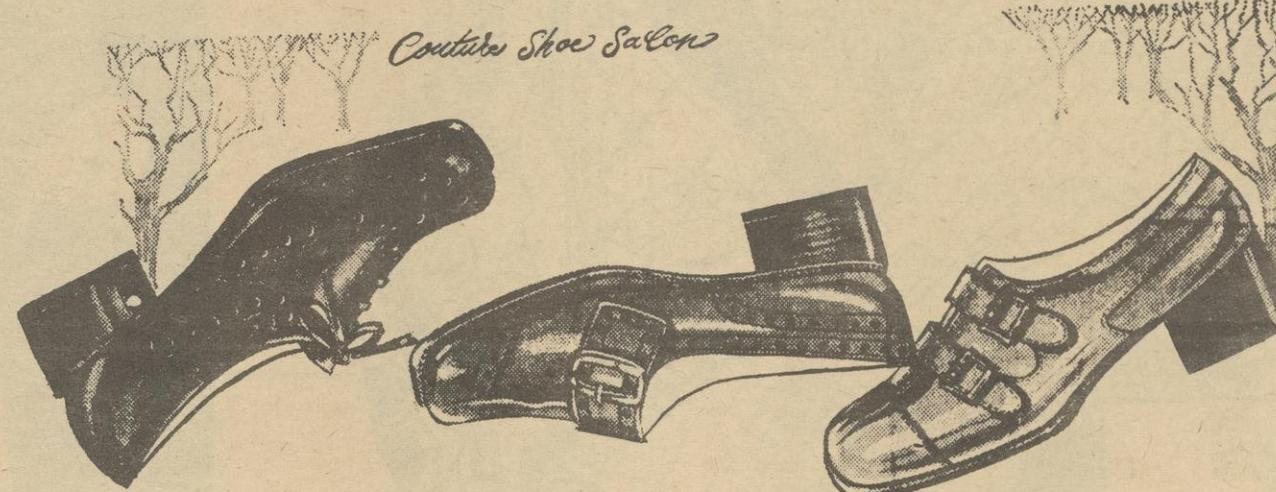
Going in the opposite direction are those incredibly long gowns derived from the Indian sari, which flow gracefully below the ankles. Esthetically they are most pleasing, accentuating the sweep and grace of the female figure, and, because they are for the most part made of colorful material, contrasting with whatever color skin the wearer might have, unless it is a paisley pattern.

Shoes should not be ignored, and the variety of styles available this season is astounding, not to mention diverse. Foremost in popularity is the good old loafer, in its many incarnations. Beloved of Frat men, along with FBI agents wearing white socks and black suits, it is easy to get on and off, and is a convenient stash for small change. There is, of course, much more that could be said of the good old loafer, but why bother? After all, there is also the good old shell cordovan, which beside being almost indestructable, is extremely ugly, cumbersome and expen-

sive. So much for the good old shell cordovan.

Sandals are nice, providing maximum ventilation for one's feet, and an opportunity to have a flarily good conversance with the state of your toenails. Feet can also be very attractive, if well kept, which most aren't. Not to say that it is gauche to wear socks with sandals, and thereby avoid the embarrassment of having not-up-to-par feet, but most people wouldn't be caught dead wearing socks with their sandals.

Women's shoes seem to be fol-  
(continued on page 16)



**VanEli** OFFERS THREE BASIC PROJECTIONS FOR YOUR  
FALL FASHION LIFE . . . SHOES FOR YOUR TWEEDS 'N LEATHERS  
THAT GO CITY-SIDE OR DOWN COUNTRY LANES . . . IN DARK  
BROWN, CORDOVAN OF YELLOW DOG . . . 21.00.  
OPTIONAL CLEATS . . . FOR THE BOLD OF IT.

**Woldenberg's**  
5 NORTH PINCKNEY STREET

**Kickerino**

**SLIM BOOTS  
ARE NOW!**

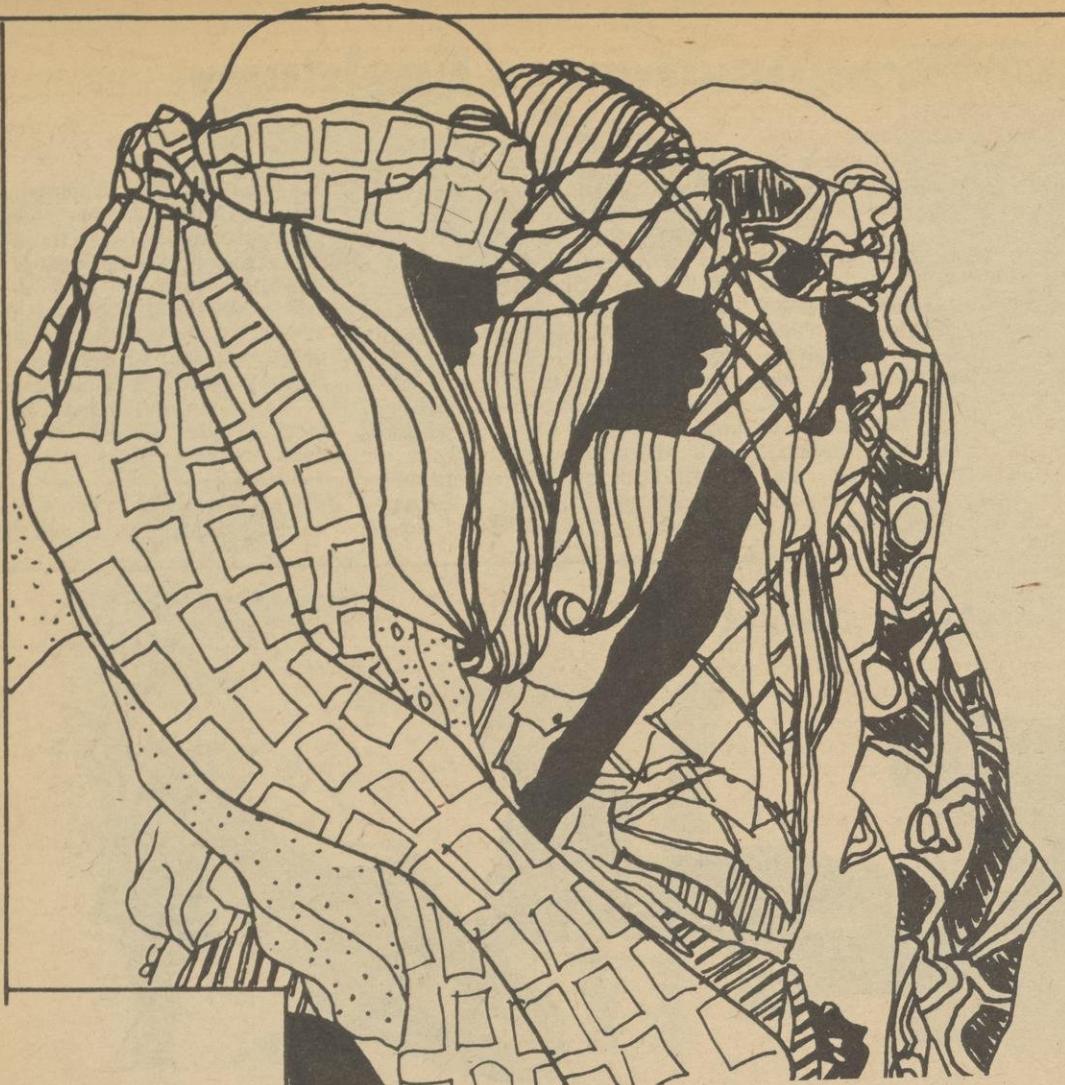
The skinny boot with  
the master's touch . . .  
leg-hugging, shaping,  
flattering in an  
irresistible way.

HOB NOB . . .

LARA . . .

HORIZON . . .

**Arenz**  
204 STATE ST.



Suede leather jacket with zip-in lining provides striking contrast to white turtleneck all-wool sweater. The plaid sta-prest slacks by Levi add an extra dimension to this outfit.

Photo by Jim Kuo

### Tweed Shop



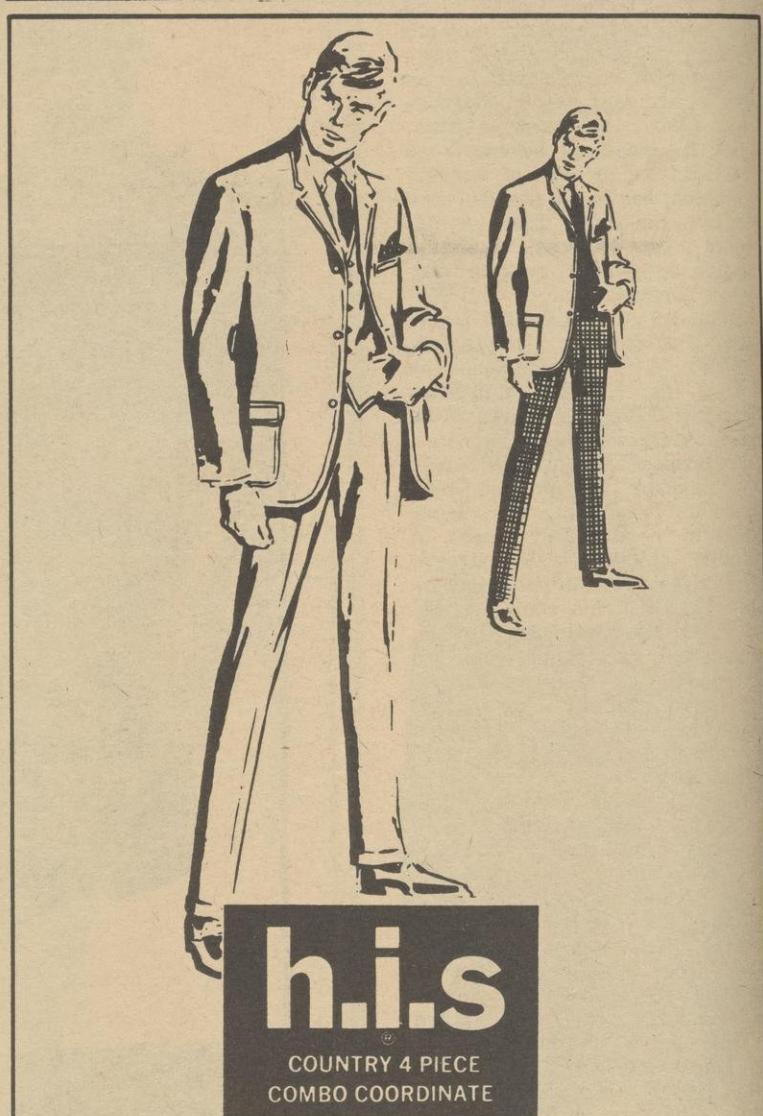
#### Famous Loden Coats by Lodenfrey of Bavaria

You just can't beat them for comfort in our chill Wisconsin weather. Shown is a 3/4 length wool and mohair coat with coin buttons, challis print lining and side vents. It comes in navy with white trim or Loden green with black trim. Just one of the many Loden styles we have in our extensive collection of these great coats.

Coat Pictured 50.00

**MacNeil and Moore**

State and Frances



**h.i.s**  
COUNTRY 4 PIECE  
COMBO COORDINATE

This outstanding color coordinated 4 piece suit with contrasting slacks and reversible vest is available in both Herringbone and Hopsack. .... \$65 and \$55



**MARTIN'S**

Men Fashions - Formal Wear Rental - Tailoring

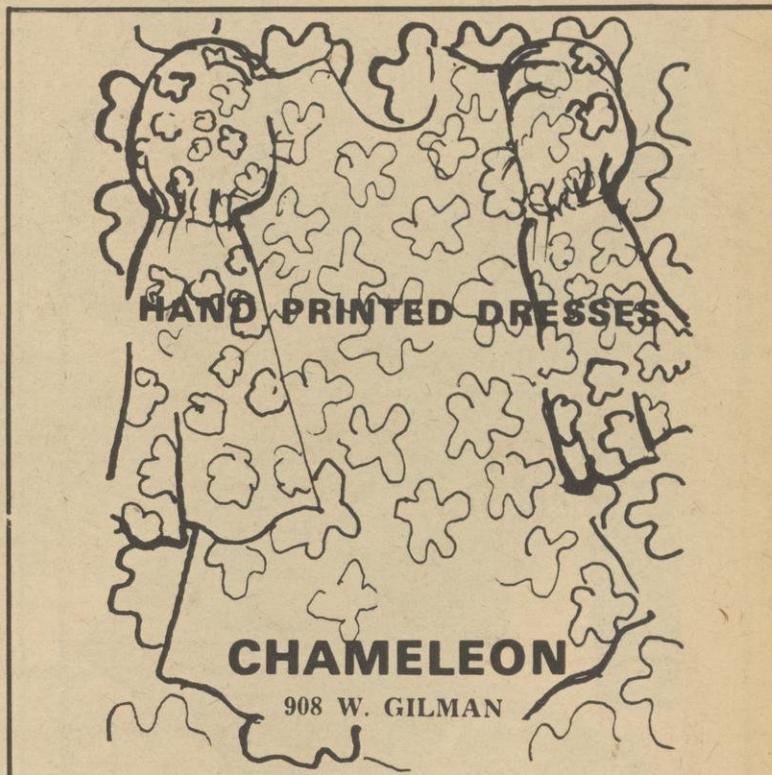
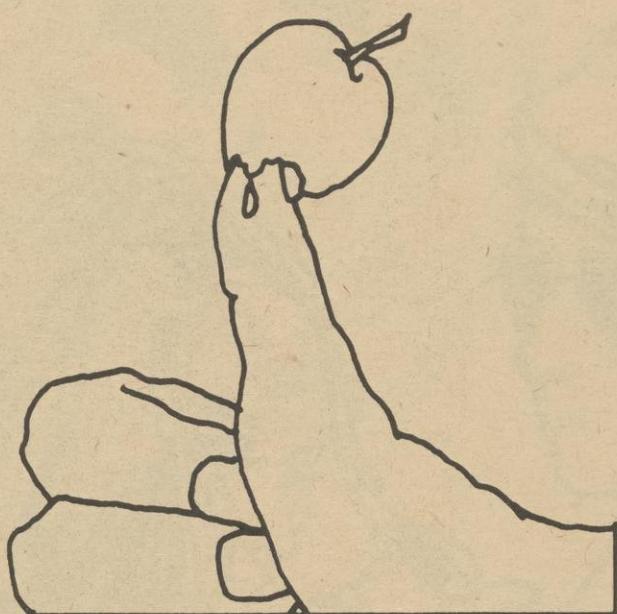
427 STATE ST.

255-2927

OPEN LATE THURS & FRI.

USE YOUR BMCAS OR  
1st WIS. CHARGE CARDS

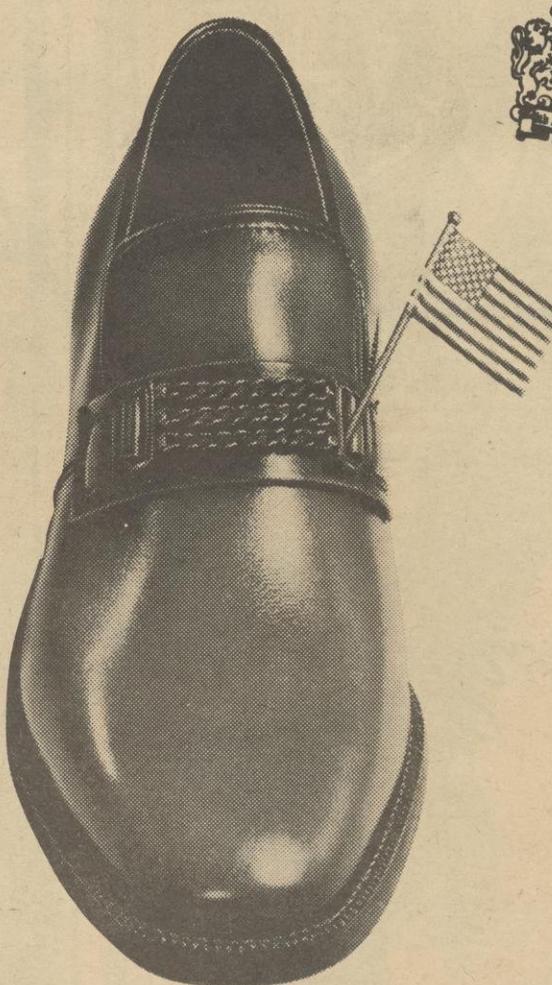
# THUMB



Dapper student wears HIS wool suit with extra coordinated slacks and HIS sta-prest cotton shirt while waiting for a bus between classes. Clothes from Martin's.

Photo by Jim Kuo

In co-operation with our government's request to limit overseas travel, we decided to bring this color over here.



*Chartan*  
by FREEMAN

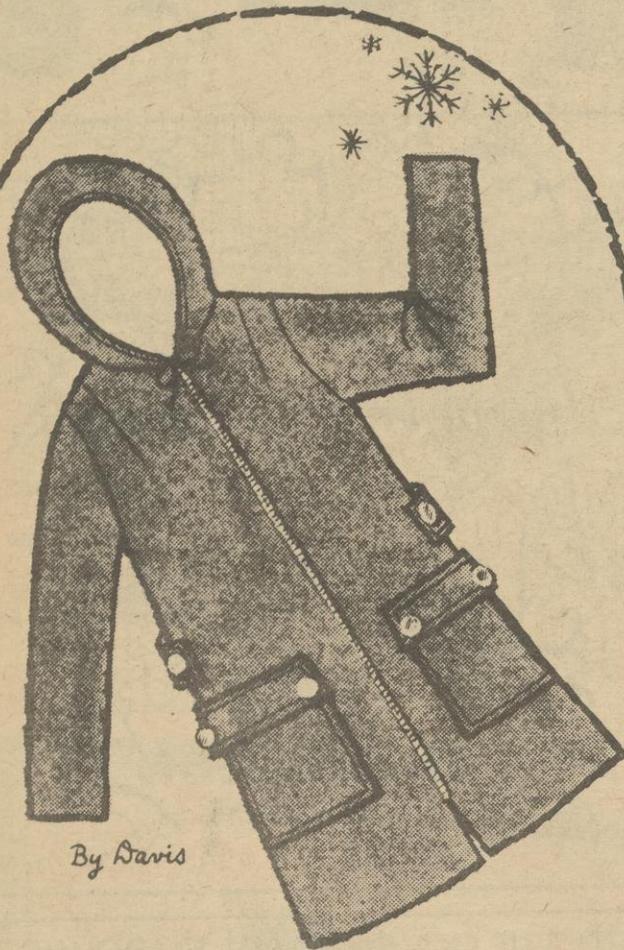
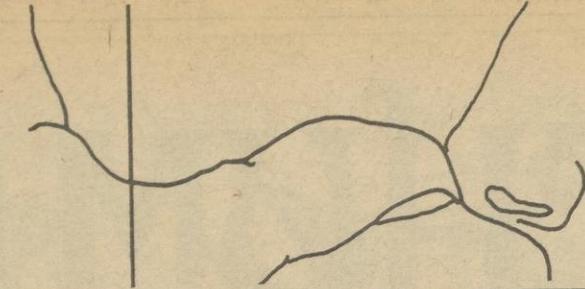
a European color for American feet. Newest Fashion mix of earthy brown and black to complement fabric tones. Exclusive Freeman Free-Flex Slip-on with hidden gore. Gucci chain trim. Smooth Calfskin, leather lined. Also in Black. \$28.00

## C. W. ANDERES

661 STATE STREET



# THINGS



By Davis

Bench warmer coat \$22.99  
 Rah! Rah! for football games  
 or fun and snow games. Warm  
 wool with zip out pile lining.

**Kay Campbells**  
 619 STATE STREET

*Lanz*

Evening Shadow...

A frothy date-time frill  
 from Lanz... in acetate  
 and nylon lace... softly  
 sashed at the waist...  
 in midnight black. Sizes  
 5-15. \$46.



ANTOINE'S  
 662 STATE ST.



Take a  
 fashion stand  
 with young idea  
 clothes from that  
 great young fashion  
 shop on the  
 square at  
 25 S. Pinckney

LEE  Barone's



## YOUR OUT OF YOUR TREE

### Langdon Fashion

By Laurie Regan

The Greeks speak through fall fashion '68, using such themes as individuality, variety and experimentation.

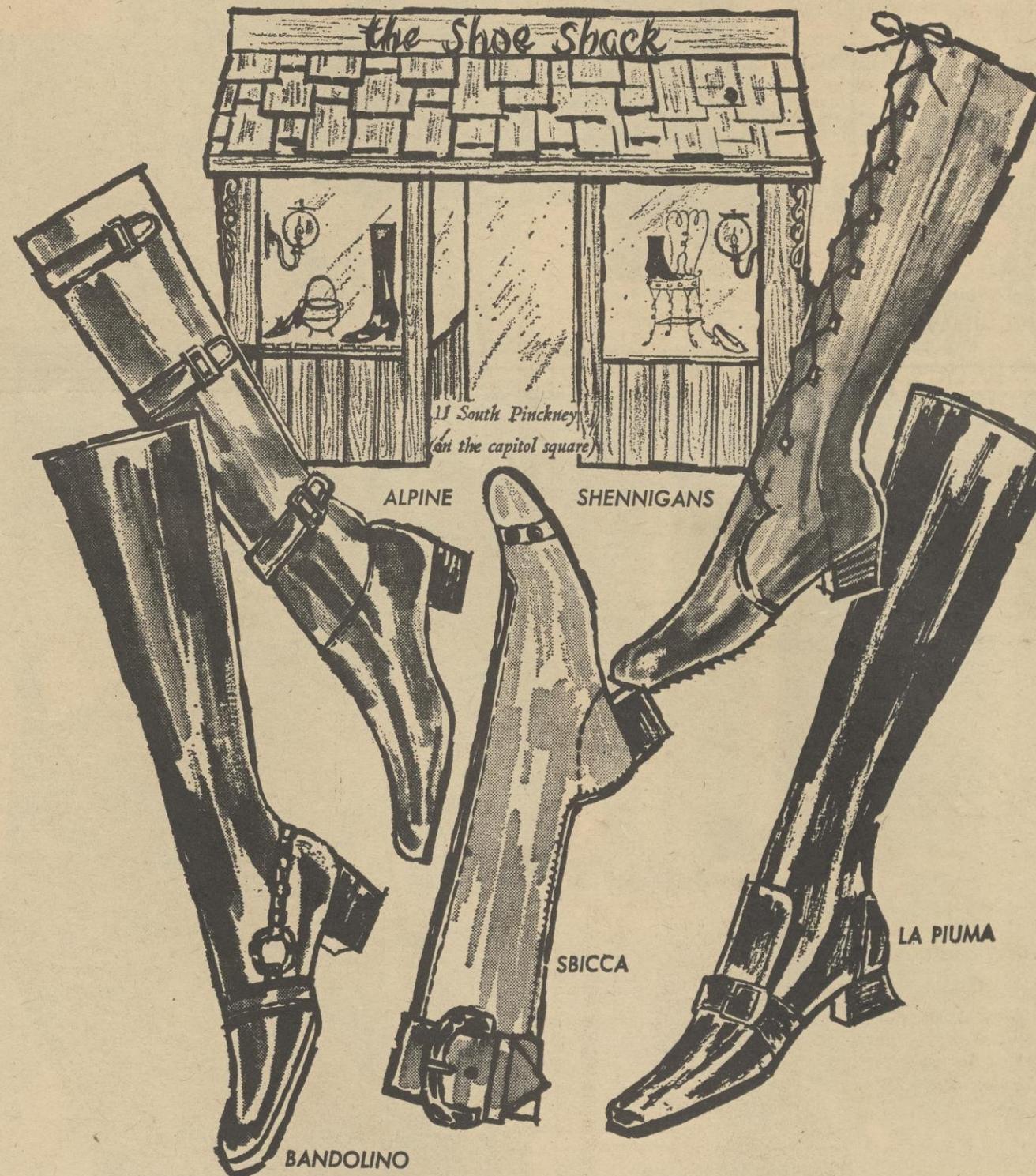
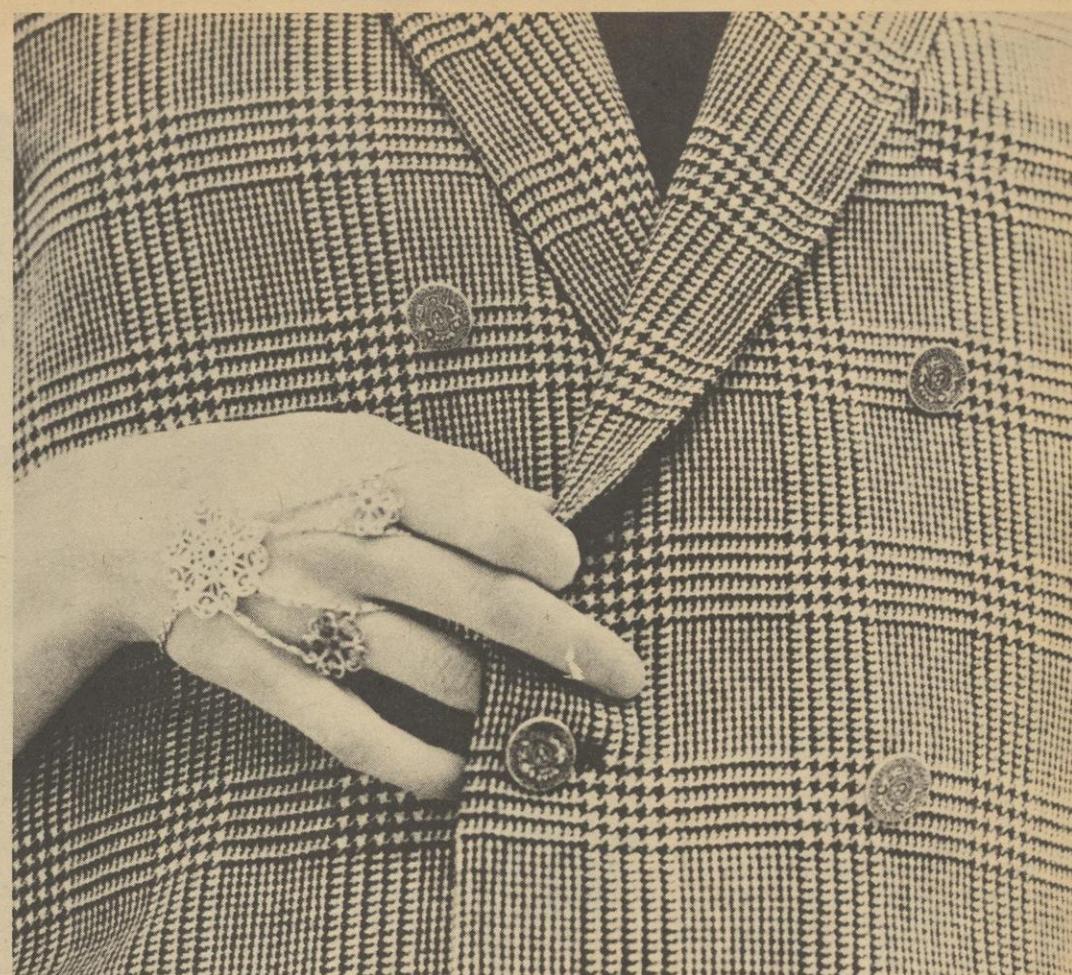
For many years the sorority co-ed has been criticized for fostering and perpetuating the "Villager" stereotype in campus attire. This safety in numbers, however, has finally given way to a non-conformity in dress, making it every girl for herself, with time having greater consequence than assembling layer upon layer of accessories. Resulting from this new line of thought is one set of rules—use as many variations of fabrics as combinations of styles.

Grouping this conglomeration of fashion trends into nothing less than a verbal collage of observations, the most popular attire seems to be that in which nothing should match. This being fashion's big year for separates, shirts and sweaters are being tucked into pleated, dirndl or flared skirts made of anything from wool to leather and wrapped around with scarves and chains.

Moods or occasions may call for something more or less dressy and the varieties found in the pants line are untiring. Traditional tapered pants are still being worn, but those flared at the bottom as well as those which are cut shorter in front than in back are playing a more prominent role for both classroom and weekend wear.

Following suit, conservative dress will always hang on, but the crew-neck cardigans are being pushed aside by vests and heavyweight, v-neck cardigans. These, like their counter-parts in the Villager and John Meyer of Norwich lines are worn with both skirts and pants.

Finally, co-eds have not let their make-over in dress rest with only these observable changes. Rather by carrying it out to their extremities they've made it harder for those so inclined to stereotype them. Penny loafers have stepped aside while the square-toed, heavy soled and thick-heeled shoes with an east coast accent step into the spotlight.



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*the Shoe Shack*

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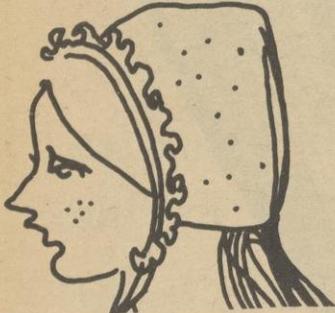
## Fashion and Prognostication

(continued from page 11)

lowing a 1930's trend, with stacked heels and straps and open toes. Suffice it to say that these were ugly in 1930 and today are not only ugly but an anachronism to boot (pun unintentional,) and there is absolutely nothing worse than an ugly anachronism.

Boots, though, which used to be an anachronism, are bigger than ever. Back in the fifties, only motorcycle freaks, cowboys, cops, and sadists wore boots, leading them to have a rather unsavory reputation (both boots and sadists.) This has, in some measure persisted unto the current day, at least when it comes to males. For women it is a different story, because they all wear boots in the winter (and sometime in the summer also.) They all also wear knit stockings, which give the legs of the wearers a distinct look of suffering from terminal leprosy, only leprosy isn't green. However, boots are a groove, and in the multiple styles available such as, desert, engineer, mod, vinyl, cowboy, etc., provide warmth and security in a wardrobe. Some people feel naked without boots, which shows you where they are at.

And so, the fashion scene thrives on, undaunted by the various imprecations hurled by critics and nudists. Furs are now very chic, for both men and women, and synthetics provide variety and inexpensiveness sufficient to brighten up anyone's closet. Maybe Fig Leaves are not too far behind.



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