

Murphy Charges Wackenhuts with Assault

By JOHN LONG and HERB FOX

Student Senate President Donald Murphy, in a report to be released today, has charged that two armed Wackenhut security guards assaulted him and another student, Francis Williams, as they were walking along St. Nicholas Terrace towards the 125th St. IND station, on the evening of January 30.

He claims that the two guards, identified as Sgts. Barcene and Tabb, hit him in the head and side with a blackjack and pistol, and kicked and beat him when he refused to get into a security car with them. He also charged that the guards made repeated threats to his life with their revolvers drawn.

The Wackenhuts claim, on the other hand, that Murphy and Williams were stopped as possible burglary suspects, and that the city police were called when Murphy refused to identify himself or state his business on campus. In an official report prepared by Albert Dandridge, chief of the Wackenhut security force on campus, it is claimed that Murphy struck the first blow of the altercation "with his fist, knocking (Sgt. Barcene) to the ground." (Sgt. Barcene suffered "a serious laceration of the left hand according to Dordridge's report.

The discrepancies between Murphy's story and that of the Wackenhuts also involve the location of the incident, the role of Murphy's companion, Francis Williams, and the reason the actual altercation.

"We were leaving the Senate office," Murphy stated, "after working on the budgets for the spring term with Ken (Carrington, Student Senate Treasurer), as we walked out the main entrance of Finley, we saw a Wackenhut security car pass by the side gate. We climbed over the fence like we always do when it's closed, and walked toward the D train.

"As we were walking along St. Nicholas Terrace, toward 130th Street, this . . . patrol car stopped, two guards jumped out, guns drawn and asked us 'Are you students from on the campus?' I said 'yes.'

"Then they told us that there had been a mugging on



Donald Murphy

Jeffrey Tauscher

campus. We said 'So what?' and the guards told us to get into the patrol car. One of them had his hand on his gun. We weren't going to get into any car with guns showing so we refused.

"Barcene and his accomplice approached them, threw Don towards the car and started physically flailing him with Barcene's 'blackjack' and then his gun. These weapons were used on Don's head and side respectively. Tabb momentarily released Francis when Barcene threw Don to the ground. Consequently, Don yelled at Francis to go and telephone Ken (Carrington, Student Senate Treasurer) and members of the Finance Committee (who were in Finley).

"When Francis left to telephone Ken," the report continues, "Barcene and Tabb kept thrashing Don. They managed to place handcuffs on him, and with his hands behind his back and held in a taut position by Tabb physically, Barcene began striking Don in the stomach region

repeatedly. He managed to tear a sleeve from Don's coat and threw him to the ground again."

The report then claims that Barcene stepped on Murphy's eyeglasses, and repeatedly kicked him in the stomach.

The guards then allegedly drew their revolvers and threatened to kill Murphy, who by then had been thrown into the patrol car. "Barcene drove while Taab sat in the back with Don, needling his stomach with blows when he wasn't choking him," the report continues, "while Barcene kept calling him a 'black mother.'" While in the patrol car, both guards made threats to Don's person, and claimed that they could kill him and get away with it . . .

When the guards arrived at the Security office in Finley, they met Carrington with Williams and other members of the Finance Committee, who tried to stop the guards. "Where he (Barcene) thereupon drew his gun and threatened to kill all of us."

"Barrows, the officers' supervisor came in, and while they were still being detained outside the office, the Finance Committee members requested that the handcuffs be removed (from Murphy) again, Barrows refused, calling Don a 'nigger.' Burchell (of the committee) then proceeded to use the telephone to call (former) Vice Provost Sohmer or Vice Provost DeBerry or someone in authority in the administration. Automatically, Barrows pushed him aside from the phone and threatened to kill him."

Barrows then called the New York City Police, according to Murphy. Carrington produced a letter by Dean Safarty granting the Executive Committee of the Student Senate permission to be on campus when the school is closed (the incident occurred during intersession).

Murphy's report goes on to say that the City police arrived, asked for him and William's ID cards, and then had a 30 minute conference with Barcene, Barrows and Taab.

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observation post

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Special Supplement
on
History Department
Conflict:

Stories begin
on page 5.

To Beer or Not to Beer..?

By P.J. RONDINONE

I admit it. I'm a beer drinker. No, not an alcoholic, but merely somebody who likes to drink a glass of beer once in a while. When a proposal for an on-campus beer parlor was introduced last year, I was overjoyed. High time they open a place where students can socialize and relax over a glass of beer, I thought to myself. Many students thought similarly. According to an OP poll taken in February 1974, a majority of students, 58 1/2% to be exact, indicated they would like to see a

beer hall on campus. But the College doesn't trust us.

The beer proposal was abandoned in the ensuing outcry by College officials and student leaders who feared that on-campus beer would present too mighty a temptation for the vulnerable City College student, whose moral instability and obsession with escapism would certainly lead to abuse in the form of incessant intoxication, not to mention all those SEEK students who would inevitably squander their monthly check on the yellow brew.

Thus the beer parlor was transmuted into a coffee house, which made its recent debut on the College's triste social scene under the name of the Monkey's Paw.

Yes, high hopes were set in the new coffee house, but, alas, word has it that the 'Paw' is ailing financially. It seems that cake and coffee aren't going over as well as expected, and, imagine my delight, there is a rumor that President Marshak is again considering introducing beer in the hope of making the coffee house more popular.

I decided to look into the prospects for a new beer proposal and began my investigation with the Student Senate, since last year's proposal was defeated partly as a result of then Senate President James Small's vehement opposition. Small, a Muslim, vowed to fight "that saloon they want to put on campus" for religious reasons. (He did not deny, though, that he drank beer himself.)

To find out how the present Student Senate feels about beer now that James Small is no longer around, I spoke to Senate treasurer Ken Carrington. "With respect to a beer parlor," Ken insisted, "I have no opinion." He suggested I speak to the director of Finley Student Center, Edmund Sarfaty, to see how he feels about serving beer in the coffee house, located in Finley's basement.

Sarfaty is a short, stocky gentleman with a big smile. "I'm with OP," I explained, "and I'm following up on a rumor that the Monkey's Paw might be looking for new ways to attract students, and BEER is being considered." He looked at me for a second, then leaning way back in his swivel chair he responded. "I don't know where you get your leads from, but I can tell you there is no discussion. The Monkey's Paw hasn't been

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Howdy, folks, we're the neighborly newspaper, Observation Post. We'd like to extend a little down-home hospitality to all you good people in this here college. So come on over to Finley 336, and we'll all sit down on the front porch, swig a few bottles of greased lightning and figure how to get out the next issue.

editorial

Can We Trust The Wackenhuts?

It has barely been two months since the Administration released a report claiming that serious crime on and around campus has fallen off by 66% in the last few years. Praise was given to the Wackenhut security force for their effectiveness.

But within these past four months, three serious incidents—including a rape and a shooting—have occurred on the campus, and they raise enormous doubts as to the actual safety of the school, and especially as to the role of the Wackenhuts on the campus.

The safety of the students is in the hands of these hired guards, yet two out of these three recent incidents involve guards as victim and as alleged perpetrator.

On the evening of January 30, Student Senate President Donald Murphy claims that two armed Wackenhut guards harassed and physically assaulted him and a companion while they were walking on St. Nicholas Terrace toward the IND station.

The Wackenhuts, though, claim that Murphy was stopped as a possible burglary suspect (although no burglary took place) and that he, singularly and unarmed, physically assaulted them first.

As outlined in the story in this issue, there are so many wide discrepancies between the two sides stories that it is apparent someone is lying. While it is still unclear as to who is telling the truth, the Wackenhuts end up on the defensive. Perhaps the most serious fact in doubt is who assaulted whom first, and the obvious question is—are we to believe that Donald Murphy, singularly and unarmed, attacked two armed guards?

Another incident that raises the question of the efficiency of the Wackenhuts, resulted in the death of one of their own men, Sgt. Harry Murray. He was shot while trying to stop an alleged attempted robbery of the Shepard Cafeteria, on October 10. According to a source quoted in OP (Jan. 23, 1975), Sgt. Murray was left alone to hold the three robbery suspects while his partner had to run out of the building for help. It seems that their walkie-talkies were out of order.

It is impossible to say what would have happened had their equipment been in working order, but it is, of course, possible that Sgt. Murray would be alive today.

Other charges made against the Wackenhut security guards include the lack of protection for women at their gym lockers and in the library, and that a guard was himself mugged last year while on duty and in uniform.

It is clear that something is dangerously wrong with the methods and efficiency of the Wackenhut force. Perhaps this is partly due to their lack of training and low pay, but these are obviously unacceptable excuses.

City College exists in the middle of a city on the verge of self-destruction. Factors such as the declining economic situation, ghettos and drugs are all well known for their complex interrelationship to street crime. To expect to be free of this crime before these conditions are radically altered is a naive assumption.

But the students at the college should be able to expect that the security force that has been hired to protect them, be free of victimization due to their own inefficiency, and be free of charges of brutality and incompetence.

Student Senate Treasurer Ken Carrington has called for an investigation of the Murphy-Wackenhut incident, and of the entire security system at the school. OP wholeheartedly supports Carrington's request, as it is apparent that the students cannot trust the Wackenhut force to look out for even their own best interest, let alone the students.

We also recommend that the now secretive air about Wackenhut operations be lifted (getting information on the Murphy incident was like pulling the teeth of the Administration), and that students be granted a role in the security system of the school. It is for the students sake, after all, that the Wackenhuts exist, and the students should at least have a say in how they are being "protected."

observation post

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Requiem For A Lawn, or,



What's An 80 Year Old Tree For, Anyway?

By Paul Richter

I can't say it was a surprise. I mean, I had read awhile ago that they were planning to turn the South Campus lawn into an athletic field. But I figured I'd be long gone when that came to be. I mean, spectator stands in front of Finley and Eisner. No, I just couldn't picture it and I still can't picture it.

But when I came up from Brooklyn to check out my marks and pay some \$58 fee, I hear these buzz saws which are probably the same brand they advertise on TV during the football games—Black and Decker. I hear the buzz saws and stand there looking through a chicken wire fence and watch them cut down fifty some odd trees. I watch them cart some mean looking bulldozers onto the lawn, which wasn't really that much of a lawn anyway, but, well, to me there was never any grass greener on any side of any fence. And these bulldozers do a great job of turning the greenest, and, in fact, only lawn on the City College campus into sad looking brown hills.

I feel like I'm watching someone rob me. But what can I do? I mean, I can't even begin to find some way to get past the chicken wire.

The next day my sister shows me the picture in the Times of the trees going down and right away I figure they took the shot from the Finley balcony. It's this great aerial view of the whole lawn and there's the row of trees on each side and it doesn't really look that bad in the picture. I mean, only one tree's down and anyway that one was always in the way of the frisbees and those aerial touchdown attempts. But it sure was a cool spot in April and May when things had a tendency to get hot, and it was a great place to meet friends between classes, or even during classes. And I even remember sitting under that tree, what now seems about a decade or two ago, and watching the Eagles finally come on stage.

But it really doesn't look that bad in the picture because I still see that tree-lined path to those temporary huts and I tell my sister how nice and really relaxing it was to walk down there in April and May or anytime for that matter. And how sometimes these kids from the nearby public schools would be there along with everybody else hanging out. And when there were blossoms on the trees, there was always this cool little breeze there that made the blossoms come down like it was snowing. And it was even fun when it rained and you dared to cut across the lawn, which was really mud at this time, and you'd get to the road and everybody'd be looking at you like you were some kind of weirdo because you're jumping up and down, stomping the mud off your shoes. But it was all fun and it sure turned your head from all those damn books.

But my sister just shakes her head as if she can really picture all that because even now I'm not sure all that's true. But I've got the picture right here in front of me and I see the tree-lined path but only there's that tree coming down and those next to it look dead anyway. The ground's covered with snow and it looks as if all the blossoms from the last eighty years fell at once and that really cool breeze went and scattered them all over the lawn.

But I know that's not true. No one can show me that lawn and actually point out the trees with the blossoms. I mean, blossoms on trees at a college campus? In the middle of the city? In the middle of Harlem?

Well, I know it's not true, I just passed there the other day on my way to a class which I think I'll drop because I'm really trying to avoid that now depressing Campus ex-lawn because they've turned it into a bulldozer training ground.

I tell my sister that they have trees on other parts of the campus. And they even have a nice little kind of park up north. But it's really rumored that the engineers engineered some way to fool everybody and made the trees out of concrete and steel and set it up in a little quadrangle and still made it look all so real.

And I tell my sister that nobody's fooled at all because everybody hangs out at the South Campus lawn and knows what it's like to sit under a real 80 year old tree and maybe even fling a frisbee through the leaves or maybe just sit there and watch the clouds float by.

But she just shakes her head because it's no real big thing. So they cut fifty some odd trees down. Big deal. I mean, she's right when she asks me if I'd still go and sit under those trees if they were still there after I graduate.

But that's not the point. I mean, sure won't be here forever, although my mother thinks so, but people went through a lot for those trees. And to some they meant a great deal. I mean, I heard people actually sat in front of bulldozers some five or six years ago, I think, so the huts wouldn't be put up. I mean, sat in front of a 4 ton bulldozer to save some trees that were in the back anyway and hardly anyone even sat under those trees. But they tried to save them.

Well, everybody's a lot smarter these days. I mean, they went and cut down the trees when there were no more than fifty people on the whole campus. And even if the whole campus was there, who'd go and sit down in the snow and get their ass wet in front of some damn bulldozer just to save a tree?

Yep, that's the way it all goes. I mean, why should we care. I know they'll engineer some way to put some sort of new tree in to go along with the spectator stands. I hear they're coming out with a great line of trees this year.

Besides, we've all got a nice little spot we know they'll never take from us, where we can just go and sit under a tree and simply watch the clouds float by.

Letter to the Editor

The scumbag-of-the-year award goes to President Marshak who has been active in vetoing a C.C.N.Y. Beer hall, and for his failure to halt the destruction of the peaceful south campus atmosphere with his athletic field.

As far as Marshak, who lives in a high-priced luxury apartment like a king, is concerned, the City College campus must be radically altered and the trees and grass that God gave us destroyed to make room for "progress." If this is progress, he can shove it up his ass.

Sincerely,
Andrew J. Padilla

Rally Mobilizes For Boston Forum

By MATT SEAMAN

Ten years ago a racial war was raging in this country. It was being fought mainly in the South, in the Black Ghettos of large cities, in the courtrooms--and in the schools. Today, a similar war is being fought in Boston, where a white majority is violently opposing court-ordered busing.

Demonstrations and violence erupted in Boston last fall after a court-ordered desegregation plan went into effect there. A few weeks ago, 130 Black schoolchildren were trapped inside South Boston High School while a white mob numbering 1,000 rioted outside, demanding that they be lynched. Days later, a white bus driver was brutalized by the all-white South Boston track team for being a "niggerlover."

Among other things, the situation in Boston is giving the Civil Rights Movement fresh impetus. 15,000 people demonstrated in the streets of Boston in support of desegregation two months ago, and now a National Student Conference Against Racism is scheduled to take place at Boston University this weekend.

To help mobilize support for this Boston conference, a rally was held at Columbia University last February 7. The rally, entitled "A Public Forum — Little Rock 1957, Boston 1975 — The Fight for Desegregation," featured speeches by a dozen well-known civil rights activists, among them Kenneth Clark, the renowned Black social scientist who has played an important role in the Black Civil

Rights struggle since the 1950's (Clark is a member of the College's Psychology Department.)

Other speakers were Luis Fuentes, the former superintendent of school district I who was suspended because of his advocacy of community control over public schools; Johnathan Kozol, a former Boston schoolteacher and recipient of the 1968 National Book Award for his expose of the segregated Boston school system, *Death At An Early Age*; and Robert Harper, a Harvard student who is the coordinator of the National Student Conference Against Racism.

These and the other speakers presented an excellent case for forced busing. They assailed the white middle-class liberals who, after having been instrumental in the implementation of desegregation plans in the South, oppose them at home. The fact that racial integration has progressed further in the South than in the North was stressed, as was also the need for cooperation with poor whites affected by busing.

The most eloquent speaker was without doubt Jonathan Kozol. He criticized Boston's liberal Mayor Kevin White "who was twice elected on a pro-desegregation slate," and who, as Kozol charged "has turned

around completely." Because Mayor White intends to bring the Boston school board's case to the Supreme Court, Kozol is seeking

the support of Ralph Nader's consumer protection organization, claiming that "the city of Boston is guilty of consumer fraud. They sell us law, but use taxpayer's money to obstruct it." Kozol also attacked the Civil Liberties Union for lack of support of the desegregation plan: "They always disappear when it gets hot."

An impassioned lecture on the legal aspects of the busing issue was delivered by Nathaniel Jones. He deplored the Supreme Court's ruling against the NAACP in its suit against the segregated Detroit school system, which he sees as an unfavorable precedent for future desegregation attempts. He argued an excellent case for forced busing and demanded that the wealthy white middle-class suburbs be included in city-wide desegregation plans.

Kenneth Clark concentrated on the prospects of desegregation in New York. He contended that the New York State Board of Regents permeates racism by drawing up beautiful integration plans with no intention

whatsoever to implement them. "Words become substitutes for action," he said. Because of Republican legislative pressure against busing and integration, he established that "the Board of Regents has become a political subcommittee of the Republican party." Since political pressure on the Board of Regents constitutes a violation of the New York constitution, Clark and Nathaniel Jones intend to bring a lawsuit against the Board of Regents with the aim of bringing about integration in New York. Clark finally proposed a march on Albany on February 19 and 20, because the Board of Regents is scheduled to meet there at that time.

Finally, Robert Harper in a very emotional speech established a relationship between this struggle and other struggles for equality. "Only this time," he noted, "the law is on our side!"

The forum achieved its purpose. Many of the over 500 students present signed up for the bus ride to Boston. Most also made financial contributions to keep the organization going.

News Briefs

City OKs CUNY Budget

The City University's 1975-76 budget request has been certified by Mayor Beame at a level of \$663-million. Certification is a process which sets the ceiling on the amount of money the University may spend.

Although the original CUNY request was for \$669-million, a 19.4% increase over the 1974-75 budget. University officials regard the Mayor's action as generous in view of the City's financial straits.

The budget has now been forwarded to Albany where Governor Carey must indicate whether he will match the City's contribution to the senior colleges and 40% of the cost of the community colleges. The funding increase is expected to be challenged by upstate legislators who regard the CUNY free tuition policy as a primary factor in the current declining enrollment at private colleges across the state. The budget may also fall victim to Carey's state-wide budget cuts.

After Carey acts on the budget, it returns to the City for inclusion in the Mayor's executive budget. Before a final figure is approved, however, the City Council, Board of Estimate and the Mayor will all have an opportunity to review it and decide upon any final changes.

USS Head Re-elected

Jay Hershenson, the 26 year-old Chairperson of the University Student Senate (USS) has been unanimously re-elected to a second term at the position. Comprised of delegates from every school in the CUNY system, USS is the paramount student governing body in the University's hierarchy.

Hershenson's post makes him the highest ranking student in the eyes of the University's administration and enables him to sit on the Board of Higher Education as an observer.

Also elected to one year terms were Samuel Farrell as Vice Chairperson for Legislative Affairs; Jay Lunzer, Vice Chairperson for Fiscal Affairs; Lenese Lendsey, Vice Chairperson for Senior Colleges; Stanley Frere, Vice Chairperson for Community Colleges; Doris Becker, Vice Chairperson for Evening sessions; and Paul Nelson, Vice Chairperson for Graduate Affairs.

Donald Murphy, the College's Student Senate President and USS representative did not attend the session.



Jay Hershenson

Veteran Tutorial Denied

The proposal that would have made use of two thousand draft evaders and military deserters as tutors at the City University has been scrapped due to a lack of support from both the military exiled and opposing politicians.

One major reason given for the program's rejection was the fear by some that the men might be a bad influence on the students. It was also feared that they would displace those currently employed in the tutorial program.

The plan was originally proposed by

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From left: J. Kozol, author; Robert Harper and Marcia Codling, Coordinators of the National Student Conference Against Racism.

THE AUTO SHOW: FANTASIES ON WHEELS

By PAUL DIMARIA

"What kind of gas mileage will she get?" That question was put to the salesmen often enough at this year's Greater New York Auto Show, but one man, probably an aging sheet-metal worker from Queens, boldly inquired about the economy of the \$25,000-plus Stutz Blackhawk. His wife decided to continue their little fantasy: "Listen, Jerry, if you buy one, let me pick the color."

No matter what catastrophe befell the auto industry, the extravagant exhibition of gimmickry and incredibly bad taste, the auto show had to limp on. As usual, the most notable aspect of this marketing-analyst's wet dream is not the vehicles on display, but the people who for the privilege of wandering around the gigantic showroom. It seems that few people come to the show to actually shop around; most of them look like they hocked their watches to pay the entrance fee. What the graying couples and the packs of pock-marked adolescents come for is to act out their fantasies.

So they sit at the wheels of the display cars, pushing the pedals and fiddling with the controls that often come off in their hands. They frown as they pore over sticker prices, and they banter with the salesmen, for every American dreams of outwitting a car salesman by making a good "deal" or simply impressing him with one's automotive expertise. "Hey, this is a LeSabre, isn't it?", said one man being shown a Buick Century.

He didn't realize that you can't beat the car salesmen; you can only cope with them.

Every year the cars change, but one durable fixture of the show remains immutable—the "glamorous" young women who are hired to promote the products by displaying themselves in hot pants or showing some cleavage, according to the marketing theory that sex and gasoline is a heady mixture that cannot be resisted. Some stand next to or sprawl

"...extravagant exhibition of gimmickry and incredibly bad taste..."

themselves on top of the vehicles, while others continually purr about the delights of a particular car revolving on a platform. This really attracts a circle of males of all ages, who look uncomfortably lustful as they gape at the models (the human ones, that is) on display. Of course, there is always some engineering fanatic nearby who prefers to peer into the intricacies of the V-8 engines enshrined, like the Hope diamond, in glass cases on pedestals.

The Dream Cars are a disappearing lot. In past years there would always be exhibits of the Car of the Future, which was simply a company's most lavish model gussied up with such engineering break-throughs as six square headlights, Firemist paint, silver

leather seats with eight-way power, leopard-skin carpeting and a digital speedometer. Yes, the future sure looked grand.

This year's show featured only one such Dream Car, a Corvette with the innovative Wankel engine, but it is improbable that General Motors will ever mass-produce such a car. What more could one expect from the company that brought you the hidden radio antenna?

The fringes and side-rooms of the show away from the pretentious main exhibits, were, as always, the most interesting. It was there that various odd-ball companies and individuals came to hawk their wares among the slot-car races, pinball machines and other carnival gadgets. An outfit called Roaring Twenties Auto had a fantastic collection of antique cars for sale. Old Packards and Cadillacs may be better investments than stocks and bonds in these inflation-ridden times.

A certain J.T. Freeman, automologist, D.O.A.M.D. (whatever that may be), was there too, peddling a Lincoln convertible customized to resemble what every chic pimp motors around town in. Freeman himself was resplendent; his clothes were made of the same imitation leather material as the car's upholstery. He had not yet sold his super-pimpmobile, but I'm sure by now some lucky motorist is making a big splash every day on the Cross-Island Parkway.

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Martha Langer

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Briefs

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Senator Jacob Javits (R, N.Y.) in conjunction with President Ford's "earned reentry" amnesty program. The volunteers would have provided remedial assistance to academically disadvantaged high school graduates enrolled in CUNY under its Open Admissions policy.

At the onset of Open Admission, its proponents urged that it include a massive tutorial program, but the program proved too costly for the University's limited budget. The Javits plan would have succeeded in arranging for tutorial aid at the expense of the Federal Government.

A large number of exiled evaders and deserters have called the President's "earned reentry" program punitive and have decided to boycott it. To date, 324 men have returned and less than one-half of those are doing any alternate service.

Faculty Parking

The on-campus parking crunch has been eased by the addition of 115 parking places leased from two garages on Convent Avenue - the New York Willie garage at 128th street and the FS&M garage at 144th street. These parking spots are available only to College faculty and staff; they replace parking space lost during the construction of the South Campus Athletic Field and new Davis Center building.

The additional parking space is leased by the Business Office on a monthly basis and it is made available to faculty and staff at the cost of \$100 a semester. The Business Office also has negotiated a shuttle transportation service for College employees.

Even more space may become available in the future at a third garage, as well as through expansion of existing parking facilities on campus, with the possibility of certain spaces being reserved for student use.

—Matt Soeman

The Continuing Saga of Campus Beer

(Continued from Page 1)

open long enough to tell whether it is doing bad or not. It was only opened once before Christmas as a preview for student leaders and administrators. The second time it was opened Tom Paxton performed, and we had a sell-out crowd. As far as I can tell, and I'm the one who knows no matter what you hear, we're doing alright."

"Uh,hu," I said, "but what about beer? Would you object to serving beer at the Monkey's Paw regardless of whether or not it would attract more students?"

"Well," he said, "I have an open mind. I try to keep my figure on the pulse of what I hear from students. Have you ever been down to the Monkey's Paw?"

"No," I admitted.

"Come," he said, and led me out of his office, "let me show you what I mean." We went down to the Monkey's Paw.

"You see those students sitting around that table?" he asked. "You see how they lean over to whisper to one another? This is what the Monkey's Paw has to offer. A place where people can sit and be intimate, not sexually, but in a friendly manner. It provides a nice atmosphere, unlike the other cafeterias with



their noise and chaos. Now what do you think would happen to this atmosphere if beer was served?"

You know that I've actually been complimented on this place?" Sarfaty continued. "Tom Paxton said he liked it; I had a girl up to me and say how peaceful she thought it was; my secretaries come here on their coffee breaks. I wouldn't want beer here. However, beer on a Friday night wouldn't be bad because that's a different crowd. Even beer after four o'clock wouldn't be bad, but no beer during school... It would spoil the place."

I admit that after listening to him I was tempted to agree. It's a nice place. The dimmed lights, straw walls, palm trees, music from the juke box, and delicious pastries, coffee and tea (reasonably priced) make the Monkey's Paw an ideal place to relax.

But still, the fact remains that most students want beer, and even beer after four o'clock is better than no beer at all.

I asked Larry Siskin, the head of the group of student volunteers who manage the coffee house, how he felt about beer. "Sure," Siskin said, "I'd definitely like to see beer here. Sarfaty doesn't know it, but the Monkey's Paw was designed for beer. I know," Siskin pointed out, "because I was one of the students who designed it."

I also talked to Elyse Klein, another student who helps out at the 'Paw.' "A beer parlor would be a welcome sight," she said, "because it could improve the atmosphere" of the coffee house and make it a more interesting place "for students to get to know one another."

Incidentally, there is a place on campus where one can get beer: the faculty dining rooms. In the words of the College's business manager, Robert Morley, "The Faculty Senate went ahead and got itself a liquor licence" after the original proposal for a beer parlor was rejected "as a result of student sentiments." It also seems that the faculty is working on a proposal for a beer parlor of its own, and the prospects don't look bad at all.

Robert Carrol, the College's Vice-President in charge of public affairs and communications (Marshak's PR-man) was asked if President Marshak was considering an on-campus beer parlor. He replied that it wasn't up to Marshak to decide this matter. He did say, however, that Marshak, who had not opposed the original beer proposal last year, was actually "In favor of a beer parlor."

"I don't know if he's been interested in it lately," Carroll added, "but in the past it's been the Student Senate that opposed a beer parlor and not Marshak."

So there we have it. The majority of students would like to see beer on campus, the students who operate the new coffee house are eager to introduce beer, Marshak wants it, Sarfaty doesn't mind beer after 4 PM, and the Student Senate has no opinion.

I began to wonder how one could go about reintroducing the proposal for on-campus beer.

Carroll made it sound simple. He explained that jurisdiction over the beer issue lies with the Policy Advisory Council, a body consisting of numerous high administrative officials, faculty (representatives) and members of the three student senates (undergraduate, graduate and evening).

According to the College catalogue the PAC "reviews and keeps under continuous study all matters of major policy affecting the College, its students... (and) its facilities..."

Providing you're a representative of some student organization you can bring the proposal for a beer parlor before the PAC by asking Prof. Michael Arons, the chairman of the Faculty Steering Committee, to put your proposal on the agenda for the Council's next meeting. (Arons can be reached in the Faculty Senate Office, Shepard 116.) Once your proposal is on the agenda of the Policy Advisory Council, it is up for serious discussion. Beer drinkers, organize!



A NOVEL IDEA

(CPS/ZNS)—President Ford has suggested that Americans boycott the books written by principals involved in the Watergate scandal.

During a televised interview recently on NBC last Thursday, Ford stated "I wouldn't buy the book" of any Watergate defendant. Ford made the statement when asked about the fortunes being amassed by former Vice President Spiro Agnew since Agnew left the government, and about the huge book royalties being paid to Watergate figures.

Ford said he thought it was wrong that some people work hard all their lives and barely earn enough to live on, while convicted felons use their former positions to make financial killings on books they write.

NOW THAT'S GOOD SHIT!

(CPS)—Twenty-four women have filed suit against a long list of defendants alleging sexual discrimination against women in the use of pay toilets at the Denver CO Stapleton International Airport.

According to spokeswoman Linda Meyer, the purpose of the suit is not to eliminate pay toilets, though she felt that "personally, I think there is no justification" for them. Rather, the suit seeks to force an equalization in the number of pay toilets for both sexes.

Currently, all women's toilet facilities require a dime to enter, whereas men at least have free urinals.

Last month, Denver director of aviation Robert Michael reported that according to his survey, 73% of the men's facilities are free as compared to only 27% of the women's. He suggested reducing the number of women's pay facilities by half and that plan has been approved.

But there were still more women's pay toilets than men's, and the women's group are asking damages of \$500 each. If the suit is successful, Meyer said, "most of the women have agreed to put the \$500 back into a legal fund," which will be used for projects such as prison reform and rape legislation.

LEAVE YOUR BUTTS AT THE DOOR

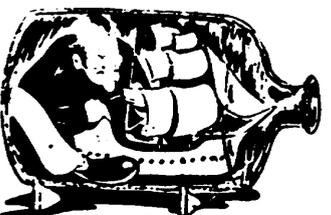
(CPS)—Smokers on campuses throughout the country are meeting increasing resistance to their habit, a recent study has shown. Following the warnings of Public Health Service studies proving that smoke present in the air is hazardous to anyone nearby, college officials are restricting smoking to specially designated areas.

But the teeth of the laws have been heavy fines and penalties. In New York City, penalties for smoking in college classrooms (including here at the College), supermarkets, elevators and certain other public places range up to \$1,000 or one year in jail.

However, smokers at one campus, the University of Oregon-Eugene, have begun to take action.

In response to recently imposed restrictions, a "Smokers Liberation Movement" has sprung up with hopes of easing them.

"It's hard to take pride in being pro-smoking," said a group spokesman, "but we feel we are being oppressed."



ROAD ENDS FOR DREAM CARS

(Continued from Page 3)

Van freaks were pleased by The Streaker, a Dodge truck converted into a plush mini mobile-home, complete with Brothel Gothic interior decor. Harry Chapin used to sing that he learned about love in the back of a Dodge; now you can live your entire existence there if you so choose.

Over at British-Leyland's display, a young couple was having a thoughtful discussion of the company's products. She (pointing to an Austin): "Gee, that's a cute car." He: "Are you kidding, that's just a junky English piece of shit." — "Why? What's wrong with it?"

"Look at that plastic fan. And the dashboard, it looks like a kiddie-car. Come-on, lets look at the Jaguars."

Judging from the cheap gimmicks used in the displays, American car manufacturers must be growing desperate. Chevrolet employed a guy to do auto sound-effects. The voice of this human noise-maker pulsed out of a pair of six-foot speakers at an incredible decibel level. I shudder to think what quadrophonic would have been like.

Ford invited members of the public to act

in a simulated TV commercial, a serious strategic error. One guy wanted to do the commercial in Chinese; others just rambled on about topics very far removed from automobiles. Fortunately, the woman running this operation seemed to possess an endless reservoir of patience.

And of course, who will ever forget Freddie Ford, the robot with more more resemblance to a Wurlitzer juke-box than anything else, his metal hands apparently giving the "up-yours" finger to by-standers thirty times a minute. Freddie, the glorified tape-recorder, answered his own burning rhetorical questions, such as, "Is the Ford Elite the same as the Torino?" Ah, Freddie, you could run for assemblyman in certain parts of the Bronx and probably win.

By six in the afternoon the spectacle had ebbed considerably. Apart from a group of ten-year olds trying to see how many of their number could be stuffed into a Buick Electra, the Coliseum was relatively quiet. The last exhibit near the exit was the forlorn, unmanned booth of the Metropolitan Transit Authority. The bus guides I obtained there were the only usable literature I wound up with. Well, at least my conscience will be clear when I transport my carcass around.

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Summary of the History Department Conflict

Following is a summary of the charges brought against Professors Stanley Page, Howard Adelson, Henry Huttenbach, Edward Rosen and George Schwab as stated and discussed in the Koster Committee's report issued in November 1974. The Committee's conclusions follow the discussion of the charges. Both versions of those charges that had originally been discussed in the Meer report [1972] and which were repeated in the Koster Report are summarized. Excerpts relevant to particular charges from speeches or personal interview with individuals directly involved follow each charge.

This summary was prepared by Peter Grad with Marc Lipitz, Paul DiMaria and Gale Sigal.

FONER VS. PAGE

KOSTER REPORT:

Charge: Foner charged Page with unprofessional conduct in respect to certain statements made about him in an article by Page published in the Source. The portion of the Source article by Page relating to Foner comprises two paragraphs and reads:

"Now in progress is the case of Professor Foner, who after less than a year at the College is already up for tenure at the Review Committee and presidential level. I have entered my usual vain protest with the Affirmative Action people (HEW) who keep promising action but do nothing.

"Not too long ago, Professor Gutman (Chairman, History) told me that the budget squeeze had made it impossible to recruit anybody new, including Blacks. But for those whom the administration favors, there always seems to be enough money."

Foner contends . . . Page intimates he (Foner) is being considered for early tenure solely for political reasons in line with the Marshak "policy of recruiting and promoting committed white radicals" rather than on the grounds of academic achievement.

Conclusion: Our reading of the article leads us to agree with Foner's contention. The combination of Foner's professional qualifications and the absence of any concrete evidence to support Page's insinuation leads the committee to consider this insinuation to be at least professionally irresponsible and at most potentially libelous. There appears to be little question that public circulation of such statements may indeed damage a professional reputation.

PAGE:

The Koster committee . . . claims that my article contained two paragraphs on Foner. That is a lie . . . There is only one paragraph on Professor Foner and it has nothing to do with the succeeding paragraph. My objection to the hiring of Foner and, especially, of his swift consideration for tenure—over the objection by the way, of many members of my department—is clearly enunciated. It casts no reflection on Foner's professional competency and reputation, but simply points out that which the entire article was written to do, namely, to show that the personnel market for history professors was not thoroughly canvassed before Foner and at least one other was hired . . . Recommendation for tenure of a non-full professor during the first year of his appointment is virtually unheard of, especially in an overstaffed department . . . The Foner recommendation was made not only against written protests of many History department people of all political shades, but was also made against the policy of the Faculty Committee on Personnel. It is of further interest to note that the minutes of the Review Committee of Sept. 4, 1974, has Provost Brenner reporting that he had "received several recommendations from the Faculty Committee on Personnel Matters and that he would place them on the agenda at the appropriate time." It is my understanding that among these recommendations was that of the Faculty Committee opposing early tenure. Certainly, these recommendations were not brought to the review committee prior to its recommendation of Professor Foner for early tenure.

FONER:

There is no basis for these charges. The bigger the lie the more difficult it is to disprove . . . When I was hired, I came here turning down tenure at another university. I was assured that if I left my tenured job there I would receive tenure here . . . They (Page and others) were aware of this situation. They have an utterly conspiratorial view of how things operate.

GADOL VS. PAGE and ROSEN

KOSTER REPORT:

Charge: That Page sullied Gadol's professional reputation by spreading the rumor, initially propagated by Rosen, that her former husband had written her book on Alberti.

Conclusion: Although we have listened to witnesses who have said that they heard from others that Page did spread the rumor about her book on Alberti, we have not listened to anyone who professes to have personally heard him do so. The

evidence is hearsay and therefore unacceptable to us. We can draw no conclusion concerning Page's culpability. All that we can say is that the rumor was indeed widely spread and that we have received no evidence to indicate it was based on fact.

MEER REPORT:

Page and Rosen are alleged to have charged that Gadol and Chill have been guilty of professional dishonesty and that Rosen has propagated the slander that Gadol's recent book was written by her husband. It is charged that Page has done the same in other quarters.

Conclusion: As to the charge . . . we have been unable to determine the precise origin of this contention. Nevertheless, we have been able to establish the following: 1) The allegation was definitely made and circulated widely not only within the College community, where it reached many members of the faculty and administration but outside the college as well . . . 2) no evidence has reached us from any source whatsoever to support this charge. 3) All those members of the history department whom we questioned regarding the possible validity of this charge considered it to be false."

PAGE:

This rumor was supposedly propagated by Rosen, but through a wildly rambling statement it is miraculously turned into a charge against me of rumormongering, even though it is admitted nobody ever heard me say anything regarding the supposed authorship of her book by her ex-husband. The inclusion of such a charge can only be regarded as an attempted smear. I have made no such assertion and will present lie detector evidence at the appropriate time.

ROSEN:

Gadol initiated that vicious rumor . . . I alluded to the fact that Gadol mentioned her husband's name in the acknowledgements . . . My statement was distorted to claim that I said Gadol's book was written by her husband."

GADOL:

Rosen admitted that 'he may have alluded to that' at a promotions meeting . . . it circulated at the Graduate Center . . . What's the relevance of saying 'she acknowledged her husband'? He was implying something . . . the inference was sexist in that it suggested that it's o.k. if a man acknowledges his wife in a text book but if a woman acknowledges her husband, it means he wrote it . . . I don't know if Page was involved in that incident.

GADOL VS. PAGE and ROSEN

KOSTER REPORT:

Charge: Professor Joan Kelly-Gadol charged that Stanley Page sullied her professional reputation by accusing her of incompetence as a scholar and historian.

We have direct evidence in the form of a letter . . . to Professor Morris Silver . . . and signed by Professors Page and Rosen in which they accuse "those who undertook to present her [Professor Jean Herskovits] case (namely, Professors Chill and Gadol) of providing information with deliberate intent to deceive. The accusation is that Chill and Gadol failed to tell a meeting of the Department's Promotions Committee . . . that a book for which Herskovits had written four chapters that the publisher was greatly impressed with was in fact a high school textbook.

. . . Page and Rosen further contend that the omission of

this information from the appraisal of Herskovits' work was deliberately calculated to deceive the committee and produce a majority of votes in favor of a recommendation of Herskovits for promotion.

Conclusion: On the basis of testimony before us as well as an affidavit signed by Professor Thomas E. Goldstein, which says "I would like to state emphatically that my memory of the proceedings directly contradicts the charge that the reporters [Chill and Kelly-Gadol] conveyed a falsified picture or omitted any relevant facts," we must conclude that the charge made by Page and Rosen had no foundation in fact and could have damaged the reputations of both Chill and Kelly-Gadol.

MEER:

In a letter . . . to Silver . . . Page and Rosen charged that Chill and Gadol had committed a misrepresentation in discussing the work of Herskovits by failing to mention that the book was intended as a high school text.

We find no convincing evidence of deliberate deception or dishonesty on the parts of Gadol and Chill. Since the report was made orally and not written, the case rests primarily on varying recollections or interpretations of precisely how the account was worded. We consider this rather flimsy evidence on which to base a charge of deliberate intention to deceive. Furthermore, in refutation of the charge, we may cite the deposition of Goldstein who was present at the occasion, and whose interpretation of the Chill-Gadol presentation contradicts that of Page and Rosen.

PAGE:

It is said by Gadol that I assured her of incompetence as a scholar and historian. However, this point is meaningless on two counts as I never said such things because I have no knowledge of her field, although I may have commented on the fact, as did many others, that she rode all the way to Associate Professor on an unpublished dissertation and that she became Full Professor without the department's approval and through administrative intervention. b) I have every right to comment on my colleague's competence as scholars and historians. However, the report relates this count to things I allegedly wrote about Gadol and Chill in reference to (the Herskovits case) . . . the Koster report is particularly misleading. It is not true, as the report makes it appear, from its improper use of parentheses and brackets, that the names of either Gadol or Chill are mentioned in a letter signed by myself and Rosen . . . One thing is clear. The work of Herskovits was not described as high school material at the meeting. I spoke for Herskovits at that meeting and I voted for her promotion, which I would not have done if the word high school had been mentioned. I consider myself to have been deceived by that omission and I will present lie detector evidence to all that is said above . . . (With regard to the one sentence printed in the Koster report by Goldstein) what Goldstein considered relevant does not have to coincide with what I considered relevant to a promotion recommendation, and it reveals nothing at all about whether or not he did or did not hear the word high school mentioned. Full disclosure of Goldstein's affidavit might help determine what he actually said.

ROSEN:

An impression was given that those four chapters were

(Continued on Page 6)

The Koster Committee:

How It Was Formed

By PAUL DIMARIA

The Koster Committee was a special board of inquiry set-up to investigate charges of misconduct and possible infringement of academic freedom within the History department. It was created in March, 1974, by the Faculty Senate's Committee on Academic Freedom, then headed by Professor Julius Elias (Philosophy).

The Koster Committee was the third such board of inquiry formed to look into the department's problems, the first being the Schorske Committee of 1971 and the second, the Meer Committee of 1972. But early last year, more allegations were made in the media, specifically, in a front page article in the *New York Times* by Gene Maeroff which did not mention the names of sources of information.

History Chairman Herbert Gutman, after talking with Maeroff, wrote to the Senate asking for an investigation; the Senate responded by authorizing the establishment of

what is now referred to as the Koster Committee.

It was also then resolved that a procedure would be used whereby the Senate's Nomination Committee would search for ten nominees for positions on the special board, with six selected from the College's faculty and four from the faculty of other institutions. According to Michael Arons, the Executive Committee's chairman, the mixture of nominees from both inside and outside the College was decided upon to achieve a sort of balance between the need to have credibility by having outsiders involved, and the desire to have the investigation remain a mostly internal matter.

Arons also said that the nominations committee didn't reveal how it located possible nominees and what criteria it used in selecting them, beyond the requirement that they have no prior involvement with the

History Department. He said, however, that all members of the department were invited to challenge the nominations, but no objections were raised.

Five of the ten nominees were then chosen by lot to sit on the new board of inquiry, three from the College's faculty: Professors Samuel Mintz (English), Ann Rees (Psychology) and Charles Winick (Sociology), plus two outsiders: Professors Donald Koster (American Studies), Adelphi University, who was elected to be chairman and Vincent Quinn (English), Brooklyn College.

After its formation, the committee wrote letters to all faculty members as well as members of the history department, inviting them to participate in hearings. Ultimately ten faculty members and five members of the administration testified in closed, tape-recorded (with one exception) sessions. However, the committee could not compel anyone to testify.

(Continued from Page 5)

written at the highest level of research. Frankly, I was deceived. I am convinced I was deliberately deceived. If my colleague and I had known this information in advance, the outcome of the vote would have been different. My vote was reported by deliberate falsification.

GADOL:

Rosen left out the fact that the report specified that Goldstein testified that we did not convey a false picture . . . I did mention that it was for a high school text at that meeting . . . I was helping to edit the book and several members of the history department had contributed chapters to the book including Adelson, Perry and I believe Noland . . . it was not a secret and the textbook was in preparation for several months. Everyone knew about the book.

GADOL VS. PAGE

KOSTER REPORT:

Charge: Page sullied Gadol's reputation by accusing her of being a racist, a statement that, in meetings of the department's committee on promotions, as translated into a charge of anti-semitism.

We have heard testimony attesting to the fact that Page did indeed attack Gadol in public as being anti-Semitic in respect to her duties on the Department's Appointments Committee. We also have two letters . . . describing the department meetings . . . in which the candidacies of Chill and Gadol for promotion were being considered.

One letter states: "Statements of personal abuse, as well as of political and religious characterization, were made by Page . . . (At another meeting) Page again resorted to a series of unsubstantiated charges and then concluded with a charge of anti-Semitism directed against Gadol.

The other letter . . . asserts that Page accused "Gadol of anti-semitism in the Appointments Committee."

Conclusion: We are obliged to conclude that Page in fact made the accusations of anti-semitism against Gadol and that he never produced any evidence to support his allegation.

MEER:

Page is alleged to have accused Gadol and Puzzo of anti-Semitism in the Appointments committee. In the same meeting, Page concluded with a charge of anti-Semitism directed against Gadol and Puzzo.

The allegations of racial or ethnic discrimination seem to us the most implausible of all. The imputation of anti-Semitism by Page . . . to Gadol (the wife of a Jew) we consider singularly unlikely. Nor is the same allegation against Puzzo supported by the slightest shred of evidence. Under the circumstances in which they were made, we have no choice but to consider these accusations slanderous.

CHILL VS. PAGE

KOSTER REPORT:

Charge: Chill accuses Page of asserting in a Source article that Alice Chandler improperly used her position as chairperson of the Executive Committee of the Faculty Senate to introduce Chill's name for promotion at the Review Committee level, and that Chandler had since been rewarded for her intervention by being appointed to a high administrative position.

In the Source article, Page states "Professor Chill's name, as I have been told, was suddenly brought up at the Review Committee level by Professor Alice Chandler, then chairperson of the Executive Committee of the Faculty Senate, now Vice President of the College, with a raise, I am told, of \$7,000!"

Conclusion: In this statement, Page makes use of innuendo and unsubstantiated rumor. Without naming his sources of information, he says "as I have been told" and "I am told." And without making the direct charge that Chandler brought up Chill's name for promotion as part of an arrangement whereby she would receive the Vice Presidency and a substantial salary increase, he connects the two ideas within the same syntactical unit.

The fact of the matter is that the Review Committee in 1972 decided to review all promotion decisions . . . Chill's candidacy was brought before them even though his name had not been submitted by the department's Promotions Committee to the Social Science Personnel and Budget Committee as would normally have been the procedure. Moreover . . . the minutes to that meeting show that Chandler was not even present at the meeting when Chill's name was raised and that she did not introduce it . . . To intimate, as Page has done, that Chill was promoted to as the result of an unethical arrangement is a grave injustice both to Chill and to Chandler.

PAGE:

What the Koster Committee omits to add is that although Chill was not submitted by his own department's promotions committee, his name was in fact submitted to the Social Sciences Personnel and Budget Committee, which rejected his bid for promotion; it turned him down. Only then was he brought before the Review Committee and promoted. I don't think this vital bit of information had to be omitted . . . The so-called "syntactical" link is an invention of the Koster

committee. I certainly would not have been foolish enough to assume or to make myself seem foolish by making an absurd connection between Chandler's \$7,000 increment and Chill's promotion. I feel insulted that the Koster Committee could think I could have made such a ridiculous assumption.

CHILL:

Page's explanation (with regard to the "syntactical link") is a silly evasion of the fact of his own clear innuendo . . . He suspected a bribe—he doesn't say it straight but uses innuendo which is more damaging. It shows bad intention.

WATTS VS. PAGE

KOSTER REPORT:

Charge: Watts accused Page of labeling him as a racist is a letter to the New York Post.

Conclusion: Page accused Watts of reacting with "reflex negativism" to his (Page's) proposal that the history department "start hiring some black professors to teach American history." Although it is probable that only a court of law could determine whether such a statement is in itself libelous, we do find regrettable Page's making it about a colleague in the public press, particularly in view of his failure to provide any substantiating evidence.

PAGE:

Watts' charge . . . is another of the Koster committee's smear tactics of reading my mind. What is all the fuss about in the phrase "reflex negativism"? What does this mean? Surely, the Koster committee was scraping the bottom of the barrel on this item.

WATTS:

They have a history of letter writing to newspapers—I have no objection to anyone talking to anyone but here they are writing about how open admissions is the end of City College . . . the effect of that is precisely what they say they fear, it's a self fulfilling prophecy . . . I wrote a letter to the Post following a column by Evans and Novak in which they interviewed Professor Adelson. The column was an indictment of Open Admissions. As chairman of the Open Admissions Committee of the history department, I wrote a letter stating that we shouldn't reject the notion of open admissions . . . it was just beginning . . . I didn't mention Page's name . . . I then saw a letter a few days later in which Page cast doubts on my sincerity and racial attitudes stating "If Watts really was interested in what he says, why hasn't he reacted to my suggestions that this department bring in black professors?" How do you fight against this kind of charge?

SHWAB CASE

KOSTER REPORT:

Charge: In 1972 Professor Schwab was recommended for promotion to the rank of Associate Professor by both the history department's Promotions Committee and by the Social Science Personnel and Budget Committee. However, the Review Committee voted against the promotion. Upon Schwab's appeal, President Marshak requested outside review of Schwab's scholarship and, on the basis of the reports to him, authorized promotion.

The Cost of Free Speech

By PETER GRAD

The tale of the History Department dispute is one of fiery political, philosophical and educational viewpoints, rumor innuendo, charges and countercharges. It spans seven years and certainly the emotions and patience of both the accused and the accusers. As one observer noted, it has gotten to the point where conceivably no one can possibly emerge the victor, so deep have the wounds been and so long has the dispute remained unresolved.

Facing the Faculty Senate this afternoon, however, is one straightforward issue — one which has erroneously been confused with censorship and repression of speech not only by outside observers such as the NYCLU and newspaper columnists, but even by some instructors sitting on the Faculty Senate.

On the table before the Senate is a motion to censure Adelson, Huttenbach, Page, Rosen and Schwab for their "refusal to cooperate with this legitimate inquiry" (the Koster Committee) and for behavior which is "unworthy of academicians . . ." Not at issue before this committee are the merits or substance of what these professors may have said or the validity of charges leveled against them. There has apparently been a major misunderstanding by many observers that an affirmative vote to censure would be equivalent to a conviction of the History 5 on the charges specified in the Koster Report.

The Report devotes much time to discussion of numerous charges, and gives the impression that these charges as well as the absence of testimony of the 5 principal instructors constitute censurable behavior. It is unfortunate that the report did not make the distinction clear.

But, inasmuch as the PSC contract stipulates that an instructor "may be disciplined by removal, suspension . . . or any lesser form of discipline for conduct unbecoming a staff

RECOMMENDATIONS

The University's policy change to Open Admissions seems to have been the spark to ignite some smoldering grudges into full-scale conflagration—"war" as more than one member of the department described it. Although we can appreciate the fact that some members of the department may be opposed to such a policy on educational grounds, we see no excuse for their declaring war on an administration that would have been derelict in its duty if it had not made every effort to support the policy laid down for it and to strive for its success at City College . . .

This is not to suggest that faculty members, any more than other citizens, should refrain from criticism and dissent when they believe such action is appropriate . . . We believe that full and critical discussion of all matters affecting the health of any academic institution is essential.

A distinction must be made, however, between discussion and calumny. According to the American Association of University Professors and the Association of American Colleges . . . a college or university teacher "should at all times be accurate, should exercise appropriate restraint," and "should show respect for the opinion of others . . ."

The AAUP states that while a faculty member is free to utter unpopular or even false opinions, he must uphold a "standard of academic responsibility," and that a violation of that standard may consist "of serious intemperateness of expression, intentional taisehood, incitement or misconduct, or conceivably some other impropriety of circumstance."

1. We recommend the publication of the Meer Committee report.
2. We recommend that the Executive Committee of the Faculty Senate direct a motion of censure against Professors Adelson, Huttenbach, Page, Rosen and Schwab—principals in the history department controversy—for their deliberate refusal of the several invitations of this committee to appear before it. By their refusal to assist this committee in its legitimate inquiry, they have defied the authority of the Faculty Senate. The Charter for Governance of the City College . . . states "The Faculty Senate shall have the power to request and receive information . . . appropriate to or necessary to the performance of its duties, from . . . Faculty members and Departments . . ."

. . . For the above named professors to have sought

Conclusion: Although we consider it to be unusual for a review committee to reverse two lower committees without consultation, we understand that the Review Committee was under no legal obligation to consult, and that it has the right to reverse a recommendation that it considers unwarranted on the merits. Our interviews with members and observers of the Review Committee in question lead us to believe that they exercised their best professional judgment in deciding, after a careful examination of Schwab's vita, that he did not merit promotion at that time.

The evidence available to it leads our committee to con-

member," the Executive Committee of the Faculty Senate is clearly within legal bounds to raise a motion to censure. It is, therefore, not a question of freedom of speech relating to what any of these professors may have said or written about the College or their colleagues but a question of an institutional right to pass judgement on the behavior — in this case refusal to testify — of fellow instructors.

I would urge the Senate to vote down this motion to censure. It's hard to understand the resolute insistence on the part of many professors we interviewed that because these five men declined to appear before an investigative body, which by its own admission does not have the authority to compel testimony, they have therefore "violated academic responsibility," have shown "disrespect towards the Senate," that they have "deplorably despised the Senate's authority" or that their action "implies that our Senate is corruptible and incapable of objectivity." Given the emotional tenor of this case and the number of faculty who have been drawn into the dispute directly or indirectly, it seems surprising that the Faculty Senate despite personal leanings should not have immediately registered their contention that only a committee comprised entirely of individuals completely detached from the College should in the interests of complete objectivity be assigned to hear this case. Many faculty members who have been at least somewhat vocal in their protests towards the History 5 have repeatedly cited American Association of University Professors (AAUP) legal documentation in defense of their censure motions. But they apparently have neglected to consider the declaration of AAUP President Van Alstyne that while he supports institutional and faculty self-governance, he also recommends the use of "elected, standing faculty committees chosen periodically by at-large elections so that the faculty members will not be selected or elected in ad hoc response to a particular controversy." Since the Koster

Reactions to Koster Report

RESPONSE BY ARONS

Chairman Executive Committee Faculty Senate

I find myself in full agreement with the position of the AAUP as enunciated by Professor William Van Alstyne, AAUP President, in a letter to me of January 31, 1975 (enclosed): "... a faculty member is sometimes institutionally accountable even assuming his own teaching is excellent and his scholarship outstanding. The conduct may, moreover, involve oral or written statements." In order to have a framework in which to determine what type of conduct falls under the rubric of institutional accountability, let us briefly examine academic freedom and its protection. Freedom in research and teaching, the freedom to explore, to criticize existing institutions, to exchange ideas, and to suggest alternative solutions are crucial rights of faculties and must be vigorously defended. These rights, all part of what is understood as academic freedom, derive their fundamental protection from the rights to be judged by one's colleagues, in accordance with fair procedures, in matters of promotion, tenure, or other aspects of professional employment solely on the basis of the faculty member's professional competence, qualifications, and conduct. Since this latter right protects all others, it is at the core of academic freedom — its abridgement by either administrations or individual faculty members seriously jeopardizes the very foundation supporting free inquiry and debate on the campus. Unsubstantiated accusations of professional misconduct or lack of professional integrity against colleagues, unfair and unsubstantiated attacks that could harm the professional or scholarly reputation of colleagues, all undermine their right to be judged professionally in an appropriate manner and thus abridge their academic freedom. For the faculty and institution to hold a faculty member accountable for such conduct through a disciplinary proceeding that observes rigorous due process is not to violate academic freedom or the right of free inquiry and debate but rather to defend it.

RESPONSE BY PAGE

The public vilification of me began in March of 1972, when a rumor was spread among students that I had written an anonymous letter to Sarah Lawrence College, denouncing

... How come the report makes no mention of the Gartner case? Why was Gartner not promoted? I see no mention of the Friedlander case. Why? I see no mention of the celebrated Cullinan case. Why?

The arbitrator, Mr. Wildebush of the American Arbitration Association, directed the reinstatement of Cullinan on the ground that she had been fired for political reasons. In his decision he states: "It is apparent that the grievant was not the only one affected by this political cesspool" in the history department. How curious that the Koster report makes no mention of ildebush's findings.

Why has the Koster report avoided inquiring into the possibility that a pattern may be established in the hiring, firing, and promotion process? In my case, for example, I was recommended to be number one by the Social Science Personnel and Budget Committee. Although in this instance the report goes so far as to state it is "unusual for a review

assigned the extremely difficult task of not only verifying whether or not certain allegations were made but also of ascertaining their validity, to arrive at any sort of meaningful or credible conclusion without having heard any defense, testimony, explanation or interpretations from one of the two sides in the issue, is a mockery of the very intent of the Committee. I agree that it is "regrettable" that Page et al chose not to respond to the invitations to voluntarily appear. It would seem to be that even if their contentions that some instructors might be susceptible to administrative pressures proved to be true, at least the recorded documentation of their version of the issues would be available for the scrutiny of everyone thus giving us all the relevant evidence needed to arrive at our own conclusions. Not only would their case then be brought before the public but they would still be able to avail themselves to the process of appeal if they felt an improper verdict was handed down.

But they chose not to appear. The Koster Committee apparently was not satisfied with this action — an act that is even defended in the United States constitution. Apparently rejecting any notion that Page et al might have had even the slightest justification for concern over having hearings conducted in the center of the "war," as the report termed it, the Koster report concluded "a reasonable observer would have to conclude that they are determined to obstruct any investigation of the History Department." They further proclaimed "this deliberate obstruction of a legitimate inquiry (is) unworthy of academicians and a direct attack on the principles of judgment by one's peers."

But might not a reasonable observer justifiably ask "How can I determine with any degree of confidence or validity the merits to a case if I have not heard both sides?"

The report not only proceeds to draw conclusions with incomplete testimony but repeatedly notes through its report that Page's assertions are "unjustified," "irresponsible" or "had no foundation in fact." They should have added "based solely upon the evidence and testimony of those who disagreed with Page."

THE KOSTER COMMITTEE

deliberately to short circuit the inquiry of this committee . . . is an action deserving the censure of their colleagues.

A reasonable observer would have to conclude that they are determined to obstruct any investigation of the department of history carried out under the authority of the CCNY Faculty Senate. We find this deliberate obstruction of a legitimate inquiry to be unworthy of academicians and a direct attack on the principles of faculty self governance and judgment by one's peers. For these professors to proclaim, in effect, that they have no colleagues on the large faculty of their own institution who are not strong enough to resist administrative pressure, if indeed it were brought to bear, and who are thus incapable of conducting a fair inquiry, and to imply further that the outside members of the Committee of Inquiry would permit themselves to participate in a biased or unfair inquiry is, we submit, to succumb to groundless suspicion. It is furthermore to flout the regulations of the Board of Higher Education, which require that each unit of the CUNY shall, at least initially, attempt to put its own house in order before turning elsewhere.

3. We recommend to the Executive Committee of the faculty Senate that it recommend to the President of the College . . . that he bring charges of conduct unbecoming a member of the staff under Article VII of the by-laws against Stanley Page with a view to removing or suspending him from his duties at the City College . . . Although he was given every opportunity to appear before the Committee to respond to charges, to cross examine those making them, and to present whatever evidence he chose in his own defense, he declined to do so. Now was he willing to present any evidence to support his own numerous charges against faculty members and administrators of the College . . .

To do otherwise would be to condone a course of conduct on Professor Page's part that violates not only the concept of collegiality but, more seriously, the most basic tenets of historical scholarship—the dispassionate analysis and exposition of the truth as well as the full and candid presentation of the evidence to support opinions held. Although we do not expect professors to be more than human, we do subscribe to the view that the very nature of their profession imposes on them a special obligation to be fair, to be accurate, to be honest, and to be accountable.

clude that the reviews of Schwab's case both at the Review Committee and the Presidential levels were conducted responsibly and without prejudice. We can find no support for the contention that Schwab's academic freedom was violated or infringed upon in any way. If Professor Schwab himself possesses evidence to support such a contention, he has not seen fit to present it to this Committee despite personal invitations he has received to appear before it.

SCHWAB:

There are parts in the Koster report I find rather curious

committee was established subsequent to the history controversy, it would seem such a committee violates at least the spirit of the AAUP proclamation, if not, in fact, the letter.

In addition, while I believe there is no doubt that the Faculty Senate is comprised substantially of intelligent, reasonable and respectable instructors, their perception that the History 5's non-acceptance of invitations to appear before them insinuates an assault upon their integrity does not appear justified. In courts of law throughout the country, long screening processes are conducted so that 12 out of sometimes hundreds of adults might ultimately be selected who have clearly convinced judicial authorities that they know nothing about a case to which they are to sit in judgment. When any suspicion arises of even the most conceivably remote connection between potential juror and defendants, the juror is summarily dismissed. It would be absurd for that juror to accuse the court lawyer of attacking his integrity, objectivity or possible susceptibility outside pressures."

Even potential jurors who know nothing about a case are often rejected because of peripheral personal convictions or laws. It has been admitted by many professors and even the Koster Committee that this case is essentially a political one revolving around open admissions, and it must certainly be admitted that much heated debate and division has been engendered by this sensitive issue. Is it really so unthinkable then that these 5 men who certainly constitute a minority at this College might be concerned about the absolute objectivity of those who are going to judge them and possibly vote to alter their employment contracts?

I have serious objections to the way the Koster Committee conducted its report and arrived at its conclusions. I believe that while the Committee admirably cites the importance of the dispassionate analysis and exposition of the truth" and the special obligation to be fair," it appears to have shown a remarkable disregard for the rights of Page et al to be afforded the same respect. For a committee which has been

Professor Joan Kelly-Gadol for racism . . . An affidavit was sent to Marshak . . . why did the Koster Committee not even mention this damaging allegation and try to trace them to its source?

Gadol physically assaulted me on March 23, 1972 . . . My report of this assault went to President Marshak that very day and was soon accompanied by Goldman's affidavit . . . A story in the Campus of May 8, 1972 (details her physical assault upon me). Why didn't the Koster Committee even mention this thoroughly documented physical assault upon me?

One hour and a half after the assault, the history department met to censure me. But the minutes of the censure meeting include the following revealing statement by Professor Bellush—"The 19 members of the department who eventually voted for the censure resolution set themselves up as prosecutor judge and jury. It is clear that this was not a trial by law, but a trial by men and women who had determined that the ends justified the means."

Among other statements in this same document is . . . "there was an abuse of democracy and due process by members of the history department . . . No rules or regulations were promulgated or announced at any time, so as to insure academic freedom and due process for all concerned . . . The accused was not present to respond to charges . . . no verification was offered, at any time, for any of the charges leveled against Page." Small wonder that Professor Bellush was later to characterize this censure action as a "legal lynching." . . . Why didn't the Committee take all of this documentation into account?

In a statement plastered all over the walls of Wagner Hall and appearing in the Campus, Professor Twombly insinuates that I oppose open admissions . . . and am a poor scholar . . . For good measure he calls me a member of a "reactionary clique."

In the same issue of the Campus, Professor Israel's letter to the editor states "The time has come for the College administration to initiate an investigation to determine if Professor Page is mentally competent to continue in his tenured position." . . .

(Continued on Page 8)

committee to reverse two lower committees without consultation . . . it nevertheless concludes that based on the evidence available . . . the reviews were conducted responsibly and without prejudice." Still, not one scintilla of evidence is introduced to support this conclusion.

PAGE:

The Koster committee deliberately omitted completely mention of certain injustices revealed, or distorted the issues beyond recognition . . . (The report) ignores the fact that Schwab waited about a half year in anguish, while the two persons behind him on the departmental promotions listings were both promoted. Indeed, one of those two was completely rejected at the Social Sciences and Personnel and Budget level of consideration, whereas Schwab, not only got the number one spot in the history department listings but also was number one in the Personnel and Budget Committee's listings.

One case in point. Page asserts in an article to the Source:

"Professor Chill's name, as I have been told, was suddenly brought up at the Review Committee level by Professor Alice Chandler, then chairperson of the executive committee of the Faculty Senate, now Vice-President of the College, with a raise. I am told, of \$7,000!"

The committee concludes after reading the article that "without making the direct charge that Chandler brought up Chill's name for promotion as part of an arrangement whereby she would receive the Vice-Presidency and a substantial salary increase, he connects the two ideas within the same syntactical unit . . ."

"To intimate, as Page has done, that Chill was promoted as the result of an unethical arrangement is a grave injustice . . ." concludes the Koster report.

Is this one a valid interpretation? Yes, perhaps. But it is only one interpretation. Page, in fact, asserts that he had absolutely no intention of suggesting an "unethical arrangement" but intended to emphasize the point that some instructors, in this case Chill, received tenure rather quickly and through intervention of the administration. The Koster report, while mentioning that Chill's name was not submitted by the department's promotions committee, for some reason fails to mention that Chill was in fact rejected by that committee and that he was only reappointed afterwards by the administrative Reviews Committee. Now I don't personally believe that there was any devious scheme to promote Chill and I have no doubts that he was absolutely qualified for such an appointment. But surely a "reasonable observer" would conclude that for a committee to make an interpretation, an apparently very different interpretation from that of the author, to on the basis of their own interpretation categorically state that the author "had no foundation for his inference" as they interpreted it, is unfair. It is certainly unfair for them to also have omitted a small fact

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(Continued from Page 7)

The foregoing comments . . . represent only a fraction of further abuse which I can document with affidavits. I have chosen these items because they were readily available to the Koster Committee which apparently preferred to overlook them.

. . . On March 19, 1974 . . . the impartial Academic Freedom Committee of the City University Faculty Senate found "sufficient evidence indicating abridgement of freedom at City College." I testified fully before that committee. However, many members of my department . . . did not . . . The CUNY Faculty Senate resolved "it is the belief of the University Faculty Senate that the alleged violation of academic freedom can best be examined and resolved by a committee not connected with City College" . . . Surely the Koster Committee was aware of this. At the very least they should have referred to the discrepancy between their own finding and that of the Academic Freedom Committee of the CUNY Faculty Senate.

RESPONSE BY ADELSON

. . . It is clear that with the advent of the current administration of Bob Marshak at City College there arose a unique penchant for censoring and a desire to suppress freedom of thought. Many of our faculty have unfortunately acquiesced in that new found penchant and have combined it with a revolting sycophancy.

. . . But now I stand before you accused of not cooperating with an investigation committee before whom this body itself made participation voluntary. Interesting, n'est-ce pas? Is there in this entire document, the report of the Committee, a single line which points to what I did, said, or wrote, which can be censured? Not a line. Not a single reference. I did appear before the University Senate Academic Freedom Committee at the invitation of its members. I did so voluntarily, and so did many more members of the Department of History than appeared before the City College Committee of Investigation. Instead one must note that while many of my colleagues joined me in appearing before the University Senate Committee, apparently a very small minority of the 52 members of the Department of History chose to appear before the City College Committee.

Nevertheless only five of the members of the History Department were to be threatened with censure, and not all of those who did not appear were threatened with censure. We were a group cited for not participating, while others were not required to participate. The vast majority of the faculty members have the right to follow their consciences, but five do not. Interesting, n'est-ce pas? And the five selected include among them those who were most outspoken about the administration. Interesting, n'est-ce pas? Despite the fact that meetings of the Department are characterized as

which might have played an important role in the author's interpretation of a situation he felt strongly enough about to write an article on. The Koster Committee should not have attempted to pass final judgement until all the facts were placed before it.

A second case would be the Foner issue. In the same Source article Page writes:

"Now in progress is the case of Professor Foner, who after less than a year at the College is already up for tenure. I have entered my usual vain protest with the Affirmative Action people (HEW) who keep promising action but do nothing."

"Not too long ago, Professor Gutman (Chairman, history) told me that the budget squeeze had made it impossible to recruit anybody new, including Blacks. But for those whom the administration favors, there always seems to be enough money."

Regardless of whether the second paragraph is or is not reference to Foner — there certainly can be no one certain conclusion — one might safely suggest that given the tone of the entire article, Page is at least implying that Professor Foner is up for tenure after an unusually short period of time. But the Koster Committee concluded that "Page intimated that Foner is being considered for early tenure: solely for political reasons . . . rather than on grounds of academic achievement." This is quite a bit more than was actually stated in the article. Is the Koster Committee certain that this is the one and only correct interpretation and conclusion? Certainly, a "reasonable observer" and one who seeks to have all the facts before him or her before casting a judgement would insist that all versions and interpretations be heard before daring to try to certify exactly what was being inferred or intimated in that article if in fact such verification could be done at all. At least the Koster Committee might have released the entire Source article so that the alleged insinuation could be seen in light of the entire article and so that we might be allowed to make a more informed judgement.

The list can go on. But I think what is most important at this point is to insure that if any committee is to proceed with censure hearings, it be well understood that it is behavior unbecoming that is censurable, not speech unbecoming.

A statement by Justice Holmes is particularly relevant to this case. He states:

"If there is any principle of the Constitution that more imperatively calls for attachment than any other, it is the principle of free thought — not free thought for those who

tumultuous and disorderly with rash charges hurled back and forth, only one professor of 52 is charged with any misdeed. He made all the tumult! He made all the charges! He caused all the noise! He fought with himself! Interesting, n'est-ce . . . I believe that justice will be done. I believe in the old Jewish adage, "He who digs a grave to ensnare another will fall into it himself."

. . . After the administration was clearly known to want blood and after the City College rejected a call for a completely impartial investigation by people from the outside made by the University Faculty Senate, the City College even rejected an extremely moderate proposal by Professor Meislich, a proposal supported by a significant number of people in this Senate, that three of the members of the Investigating Committee come from outside the college. Not even from outside the University, but simply from outside the college. The Faculty Senate demanded that a majority of the Committee of Investigation come from within the college, that is from people subject to the administration that I was attacking and that others were attacking.

. . . I call for an impartial, external investigation of all of the problems of this college and perhaps the university, but particularly those of the Department of History. There is much that must be studied and corrected, but it can only be done in the proper fashion by outsiders. Maybe the proper form is even a committee for legislators from the State, because they provide most of our funding. That might be an interesting review which would lead to an examination of what they are achieving with the enormous sums expended. . . . Neither Bob Marshak's invectives and stories about me, nor false charges, nor slanted reports will keep me from speaking to the public about the university and the college. I will not be terrorized, nor will I yield my right of academic freedom and free speech.

. . . To threaten to deprive him, to threaten to deprive Professor Page of his livelihood is the crudest form of terror. . . . The academician, who sees no sides to the conflict or who maintains that all views are equal and prides himself on never taking a stand on an issue of obvious moral significance, must remember that in the Third Canto of Dante's Inferno the poet places those who passed their lives on earth, indifferent to good and evil or right and wrong, in the vestibule to Hell because they would corrupt Hell as surely as they would corrupt Heaven. If we take the view that we must avoid the issue and refuse to call for a complete, impartial investigation, free from administrative pressure by its very nature because it was not appointed by the college, we shall have killed academic freedom on this campus, betrayed academic freedom in this great country, and entered Perdition in complete disregard of the ominous inscription that Dante placed upon its portals, "Abandon hope all ye who enter here."

agree with us but freedom for the thought that we hate."

I, too, share the regret of some instructors that Page has chosen to publicly make assertions that could be construed to be casting a negative light upon the characters of certain individuals, many of whom I have much respect for. And one can certainly understand the frustrations those who have been fighting for the successful implementation of Open Admissions feel when they hear about outspoken members of our College writing to newspapers and speaking in outside communities about the program's more negative aspects.

But I recall the fall of 1969 when a man named Jay Shulman and a number of other professors who also constituted a minority spoke at length on the subject of Vietnam. Their charges were strong, many individuals were named in their attacks and these professors also were subject to much criticism by their colleagues within the College. Perhaps the one significant difference was that their strong denunciations of our involvement in the war were directed not towards faculty members but towards governmental figures.

How might we have reacted if the Nixon administration responded by saying "Shulman has a right to free speech but we believe there are acts taking the form of speech that can directly cause harm to other persons . . . and we are therefore holding you accountable for what you say"? Would this have served to stifle Shulman's speech now that he was informed that he must account for or substantiate every charge he made? How fair a hearing might he have received if the president appointed a "completely objective" committee of senators, predominantly Republican, to hold a fair hearing as to the validity of Shulman's charges? How would we react to the news that Shulman was cited for contempt of congress despite exercising his constitutional right to refrain from testifying before what he felt to be a partial committee? And what if despite the invitation for all concerned with the Vietnam issue to testify, only a few of those who defended the war appeared while those who opposed the war didn't. Meanwhile those who didn't appear, who just happened to be the ones whom the president claimed were responsible for starting an investigation into the war in the first place, were

Artists' Rights . . . (Continued from Page 9)

Europe was forced to recognize the question of artists rights in the late 1920's. A plethora of lawsuits occurred within the art world when the Europeans realized there were few existing laws to cope with them. For this reason, a convention was held in Berne, Switzerland.

Out of it grew the Berne Convention Doctrine on Moral

RESPONSE BY SCHWAB

Neither the governance charter nor the bylaws of the Faculty Senate gives the Faculty Senate or any of its appointed or elected committees the right to initiate or to conduct disciplinary proceedings. Furthermore, neither the Faculty Senate nor any of its committees, however constituted, has the power to compel testimony

If, in fact, the Committee of Inquiry had no power of subpoena and could not compel testimony, how, therefore, can the committee recommend that some people be censured or disciplined for not testifying?

It is clearly stipulated that "the Faculty Senate shall have the power to request and receive information." It does not say, "the Faculty Senate shall have the power to compel and receive information." What the Koster Committee has done is to arrogate to itself a power it did not possess, and this is totally illegal.

Based on the testimony of ten faculty people and five administrators, the Koster Committee not only filed an incomplete and biased report, but has also recommended that five people be disciplined for not appearing before it.

Why did the committee recommend that only five people be disciplined? There are about 1400 faculty members and members of the administration at City College, including 52 members of the history department. Everyone received an invitation, but only 15 people testified. Why did the Koster Committee not recommend censuring 1385 staff members? After all, 1385 individuals too refused to honor the committee's invitation, including the overwhelming majority of the history faculty.

Did the Executive Committee not disagree with even one item in the report? The inference can be drawn that the Executive Committee did nothing more than rubber stamp the Koster recommendations.

On December 19, 1974, the Faculty Senate voted to reject my right of counsel by not permitting him to speak on my behalf.

Why are the tapes (that are applicable to my situation) confidential? What kind of inquisition is this that I am denied access to any accusations made against me? well . . . This

Denial of access to the tapes constitutes a flagrant violation of due process. Even Nixon was forced to surrender his tapes. He also said his tapes were "confidential," and tried to invoke "executive privilege." Is the City College Faculty Senate going to set up its own laws — laws that contravene the laws of the United States of America?

It is on the issue of academic freedom that this body, the Faculty Senate, will either assert itself in the worthy tradition of C.C.N.Y., or sacrifice the very integrity of an academic institution

Do not overlook the possibility that today it is I and tomorrow it may be you.

also coincidentally the only ones who were cited for contempt. And this despite the fact that many Republicans, responsible for our initial involvement in the war though not directly involved with the call to investigate the war, were left untouched?

It is of course mere speculation. Jay Shulman was never tried by the US but he, along with seven sociology professors, some of whom were labeled "outspoken" and "radical" and whom many of us so much respected for their honest and active participation against the war were dismissed from the College in the Fall of '69.

I agree strongly with the views issued by the Woodward Committee, a group of Yale law professors and students assigned the task of studying the implications of free speech, who stated:

"To curtail free expression strikes twice at intellectual freedom. [I would add: 'to intimidate free expression'] for whoever deprives another the right to state unpopular views necessarily deprives others of the right to listen to those views.

. . . Without sacrificing its central purpose, [a university] cannot make its primary and dominant value the fostering of friendship, solidarity, harmony, civility, or mutual respect . . . We value freedom of expression precisely because it provides a forum for the new, the provocative, the disturbing, and the unorthodox. Free speech is the barrier to the tyranny of authoritarian or even majority opinion as to the rightness or wrongness of particular doctrines or thoughts . . ."

The hurt felt by Gadol or Chill or Page or Adelson or whomever is of course regrettable. But I hope that those in the majority of the Faculty Senate, if they choose to assert their power and jurisdiction in the current dispute, exercise the power of restraint. Let's set an example for tolerance of ideas with which we do not agree even if they border on personal vilification or unsubstantiated innuendo.

Yes, we can defeat the expression of questionable ideas with censorship, suspension or censure. But we can do something else. We can influence people, preserve free expression and even win people over to our side with better ideas.

Rights, and subsequently, a union whose members are writers, artists, and musicians all of whom desire protection for their works. (The union also protects the works once the artist is dead.)

Quite a few artists, as well as several Congresspeople, are working on a bill to put before the House. The doctrine, as it stands now, is a mandate for complete artistic freedom.

Page 8-OP, February 14, 1975

Murphy and Guards in Dispute Over Assault

(Continued from Page 1)

At the end of the conference, Murphy and Francis were called in and told that this was a campus affair, and would be handled accordingly. Francis then said no, since the incident occurred off-campus.

One of the officers thereupon, in an angry tone and being very arrogant, and said "if you fellas pursue this thing we will advise the guards to press charges against you. And we will be witnesses against you, so drop the whole thing now."

Murphy was taken to Logan Hospital for medication and X-rays, and passed out there.

The Wackenhut report tells a far different story. The report says that Sgts. Barcene and Tabb were on vertical patrol in Finley when they heard a door slam and running footsteps coming from the second floor of Downer. "They looked outside the main entrance of Finley, and saw two males running toward the rear gate. They entered their security auto and drove very quickly to the rear gate, where they observed two unknown males in the process of climbing over the gate with a large plastic green bag".

The report goes on to say that they confronted the two men at the gate, and asked them what their purpose on campus was. Murphy allegedly refused to identify himself, and "began to use vile and profane language." He absolutely refused to identify himself or state his business after being asked repeatedly by the security guards. At this point the guards felt that they were dealing with two burglars, and radioed the security office to notify the New York City Police Department to respond. During this period the other male, later identified as Francis Williams, remained mute."

When Murphy learned that the city police were called, the report goes on to say, he went into a "violent rage" and attacked Sgt. Barcene. Murphy was then taken to the security office (after Barcene and Tabb "overcame Mr. Murphy's resistance."

"Moments later", the report states, "the police arrived, and after their investigation, were about to escort both of them to the 26th precinct to be arrested, when Mr. Murphy and Williams, facing imminent arrest, produced their City College ID cards."

At this point, the Wackenhut report says that Dandridge was called, and the incident was explained to him. He directed that Murphy and Williams to be released.

The report goes on to say that Murphy was allowed to make a phone call to Ken Carrington, who came down with the letter from Safety, and he was then released.

The report concludes by stating "It is believed that Mr. Murphy's behavior was

probably brought about by his indulgence in some unknown substance."

Upon examination, the two stories present many major and potentially damning discrepancies. The major question is who struck who first. Murphy claims that the Wackenhuts attacked him when he refused to get into their car, while the Wackenhuts claim that Murphy went into a "violent rage" and struck an armed guard with his bare fists. The Wackenhuts also claim that Murphy and Williams were stopped as potential burglary suspects, yet no burglary occurred, and Murphy says that the guards told them that they were being stopped "because of a mugging on the campus". (A mugging was alleged to have taken place on the Terrace two hours earlier.)

Another important area of contention involves the Wackenhut's request for Murphy's ID card. The primary reason for the apprehension of Murphy, and for the call

to the 26th police precinct, according to Public Relations Director Israel Levine, was Murphy's refusal to show his ID.

Yet Murphy claims that he was never asked for his ID until he was already in the security office.

Murphy also claims that his companion, Williams, was let go by Tabb when Tabb came to help "beat me up," and that Williams ran for help. Murphy says that he next saw Williams with Carrington. If they were being held as possible robbery or burglary suspects, why was Williams allowed to run away? Carrington backs up Murphy's story, yet the Wackenhut report alludes that Williams was brought in to the security office with Murphy, and that Carrington did not show up until much later.

There is also the question of where the incident actually took place. Murphy says that it occurred on the Terrace towards 130th Street, but the Wackenhuts say that they drove up to the South Campus gate (near Finley) that the students were climbing over and stopped them there. But because of the recent construction zones set up on the South campus, it is impossible to drive directly to that gate.

In an attempt to explain these discrepancies, Murphy says that there may be some kind of "organized plot" against him. He notes that during the entire incident, Williams was never touched, yet Murphy was beat up. Murphy also claims that he has had many quarrels with the administration, and "they've been trying to get my ass all term." He claims that he will have a list of charges against the administration as soon as he has had clearance from his lawyers.

Student Senate Treasurer Ken Carrington has requested that an investigation be launched into the Murphy-Wackenhut incident specifically, and into the entire Wackenhut security force in general.

In the first of two letters sent to Vice Provost DeBerry, dated Jan. 31, Carrington charged that Student Senate President Donald Murphy and Francis Williams were "physically manhandled by two Wackenhut security guards."

Carrington asked that an "investigative panel consisting of students, administration, faculty and security . . . start an open investigation of this incident so that we can prevent any repeat of such brutality in the future."

The second letter, dated Feb. 10, expanded the request, asking that the investigatory body question, among other things, "The real function of the security guard force at the college, the training of the college security officers . . . (and) the relationship between the guards and the students, emphasizing both the responsibility of guards to students and students to guards."

The letter has been forwarded to SCOPAC 2, the Steering Committee of the Policy Advisory Council, which is made up of Mike Arons, the Faculty Senate Chairman, Vice Provost DeBerry, representatives of the three Student Senates (day, evening and graduate). It will be up to this committee to decide whether the investigation is warranted, and to commission it.

"Let's Go Eat Szechuan"

By LEO SACKS and TED HELLER

There he was, sitting in front of my dreary eyes, juxtaposed against everything society had taught me.

He insisted that we go to Mendoza's, where the change slides off the bartop and sticks to the floor.

I had waited nearly half an hour and was growing impatient before Mandrake Ruskin, tonight's guest, strolled into the bar with his stunning swarthog for a secretary, the pert Connie Romano (on skates).

Connie motioned to the quiet corner in the back where I sat.

Mandrake removed his coat and draped it over his chair. "The drinks are on me," he said, placing my relatively full Chevas Rodriguez on his head. I tried to contain my embarrassment.

"Whip out the board, Connie," ordered Mandrake even before the dust had a chance to settle. She drew from her dayglow (bynight) shoulder holster a courtly backgammon board and put it on the table, comfortably indifferent.

"Listen Waldo," I said, firming up. "I'm here on business. Besides, this is no time to get cute."

Connie excused herself, mentioning something about blowing a smoke in the ladies room.

I was intrigued at just how promiscuous she really was, but Mandrake told me this was one bird I had better lay off of.

"Get the picture?"

I nodded. After all, I didn't want to press it.

"But seriously Waldo, it's great to be back at the Palace," he said with a crooked smile. (How many of those had I seen). Before ordering another round, Mandrake pulled from his briefcase a lengthy bio and two publicity stills.

"It was updated only last month," he pointed out. I thanked him.

"Did you know that I used to go to school with Stephen Farnsworth?" asked Mandrake.

"Marvelous influence, that boy Farnsworth. I remember ducking behind parked cars along Amsterdam Avenue and rolling bottles of half and half under the wheels of number seven buses with 'em. And when I got nervous, he'd always be there to stroke me nice. Real nice."

I took offense at the remark. Perhaps I was being overly-sensitive, but I couldn't help think he was trying to lead me into discussion concerning my recent parole violation.

"Them's fightin' words," I said in an all-out lie, knowing full well I was in no position to pick and not pay.

Somehow we got serious.

"How does it feel to be a living legend?" I asked him.

"You tell me—then we'll both know for sure," he chuckled, but I didn't like his answer. So I got tough.

"Look, this won't be the first time this ol' cowboy's gonna spend the night alone, so ease up and join me in a toast."

Connie limped back to her seat smelling true to her nomenclature (see above).

(Next week: The Early Years).



Mandrake during office hours.

Moral Rights Of Artists

By LYDIA DIAMOND

A young writer of the mid-1920's attempted to publish a collection of short stories he had written. But, in his own words, "No less than twenty-two publishers and printers read the manuscript . . ." and turned it down.

When at last it was printed, an individual bought out the entire stock and burned it.

The anthology in question was James Joyce' *Dubliners*. He was to later encounter similar obstacles in publishing *Ulysses* (a fastidious proofreader decided to place punctuation where it was purposely omitted.)

At the time of Mark Rothko's suicide in 1970, the artist left 798 pictures unsold. In the words of one friend and art critic, "He had hoarded them, held them back, treasured them during his lifetime." Within three months all of the paintings, "worth untold millions," were sold by his executors for considerably less, and hence, for what seems to be a huge kickback in sales.

In the light of these and other recent events, several artists, critics, and a lawyer gathered at Cooper Union recently to discuss the heretofore undefined subject of "Moral Rights of Artists."

Among those who were present were critic Dore Ashton, sculptor Al Elsen as well as Rosalind Krauss, an art historian who has undertaken the publicizing of the problem.

The essence of the discussion was what happens to works of art not only while the artist is alive but also when dead? Martin Roedder, a professor of law at Harvard during the thirties, phrased it succinctly in a still-quoted article entitled *Moral Rights of the Artist*: "When an artist creates, be he an author, a painter, an architect or a musician, he does more than bring into the world a unique object having exploitive possibilities; he projects into the world part of his personality and subjects it to the ravages of public use."

As the situation stands presently, the U.S. offers artists only minimal protection, e.g. copyrighting. (It should be noted, however, that the so-called communist countries do not recognize patents of any kind much to the annoyance of capitalist country writers.)

(Continued on Page 8)

Grace by jj. brumbeau

Today, this day as in others,
with food on the table
& a strong roof above our heads,
with walls solid & the cold outside
& the warmth in;
with life still in our bodies
Lord god
We thank you
We thank you for the
air in our chests,
for our 2 legs to walk &
to run on
We thank you for our hands
to hold other's
& for the fingers to touch
For our eyes to see the trees
the skies, the seas
& those we love
for love we thank you
We thank you for our ears
to hear the call of birds
& the wind in the trees
For our voices to speak
we thank you

For the Mountains & birds,
the trees, the animals,
The flowers, the oceans
& the sun
for understanding & caring.
Hope, trust & life
for these we thank you

But for those who have nev'r known
these things;
for those who have known them but
seconds;
for those who died & fried
like cooked meat in Dresden;
for those who lost their breath
in the gas chambers of Germany;
for those who were blown to dust
on the seaports of Hiroshima & Nagasaki;
for those who spilled blood
in Verdun & Waterloo,
Leningrad & Barcelona,
in Jerusalem & Dung Ha;
For the junkie babies & the still born;
For those children whose
legs rot in steel braces &
whose eyes are unseeing &
whose minds cannot be reached;

For those that cry of loneliness
that walk the streets homeless
that sleep on the subways
that stand outside windows
that reach & find no hand
that are starving & suffering this second;

For them & for the pain;
For the senselessness & the sorrows
we ask you to go to hell.

CDB - It's Great to be Alive in Tennessee

By LEO SACKS

"Hungover, Red Eyed, Dog Tired Satisfied—It's a long road and a little wheel and it takes a lot of turns to get there. Thank You Damn It."

At age thirty-eight, Charlie Daniels admits he's lived a good half his life according to the dictates of other people. Now, he says, it's time for the lead to change hands.

In many ways, *Fire On The Mountain*, Daniels latest from which the inscription above appears with his signature, is the fruition of four albums work [TeJohn, Grease and Wolfman, Honey In The Rock and Way Down Yonder] for Kama Sutra, excluding one Capitol release which Daniels presumes "must'a been a national defense secret or somethin'."

"*Fire On The Mountain* is the Charlie Daniels Band today," confides the Big Fella, nestling his six-foot, two-inch frame and accompanying two hundred fifty pounds in a large conference table chair. "The live cuts on the album are just the way we set 'em down. No overdubs or anything like that."

It's those live cuts—fourteen physical, straight-ahead minutes of grizzly Southern blues/rock, including Daniels own "No Place To Go" and the classic "Orange Blossom Special"—that give the second side of *Fire* its get-tough character and muscular edge. (The tracks were picked off a CDB date in early October of last year at Nashville's War



The Charlie Daniels Band—One for the Confederacy. burning "Feeling Free." CDB capture the essence of Daniels-own barrel-house-feel for livin'. Couple the physicality of the sound with Daniels incisive lyric wit and you've got yourself a portrait (circa February 1975).

Daniels, who makes his home right outside of Nashville in a place called Mount Juliet, says he's managed as many as twenty trips up north in previous years. (The Daniels sextet was in town for a date at the Academy of Music on a bill with Jacksonville's own Lynyrd Skynyrd).

Passing on a second smoke, Daniels polished off his Bud and readied himself for an hour-long radio spot over New York's WXLO. (Daniels was to introduce the clear-cut choice for a boogie-up single from the new album, something called "The South's Gonna Do It." The track, which names a whole mess of Southern bands, follows in the narrative, story-like similarity of Daniels AM from hit two summers past, titled "Uneasy Rider." Naturally, "Uneasy Rider," the story of the long-haired pinko dope fiend whose car breaks down in Jackson, Miss., on a Saturday night and discovers himself in Redneck Heaven, served to introduce Daniels to the Elton John-oriented listening audience).

Wise to this, Daniels professed, "I don't do nothin' but sit up and tell the truth, and if somebody don't like the truth, then they don't like me. It's that simple. I don't flower up

nothin' for no-body."

C'mon, Charlie. Get to the point. "I don't like glitter rock, man," he declared, resting his soft brown special on the counter. "You don't hear no bands comin' out of the South called *Mott the Hoople* now, do you? There's a reason for that. I'd have to say there's more interest in Southern music today than there ever has been because of bands like the Allman Brothers and Marshall Tucker and Charlie Daniels and Lynyrd Skynyrd.

"Now, when I think of Southern music personified, Duane Allman pops into my mind immediately. He had the talent, the drive, the vision—the damn stubbornness, mostly—to whip a band into shape and make it kick ass. Early Allmans were the ones that put this whole Southern thing on a plane where everybody could listen to it and inspire enough confidence for a record company to get out there and get the job done."

Daniels paused to reflect. "I feel about Duane and Berry the way a lot of people feel about John Lennon and Paul McCartney. They're my Beatles, man. And Marshall Tucker's my Rolling Stones...and Lynyrd Skynyrd's my Mott the Hoople. No, wait—"

he said, laughing excitedly. "Don't print that!! It came out all wrong!!

"No, seriously though, these are my bands—the bands I choose to listen to. You

see, I feel kinship to these people. We were all raised under the same financial hardship, raised on the same kind of food, the same kind of religion. We can relate to each other because we understand each other."

Charlie says his current ambitions are to fill three and four thousand-seat halls "anywhere" in the country. "I wanna go someplace where we can have a good time," he said, eyes widening. "I know we'll make less money than Grand Funk, but I don't need that kind of money. I'm not on that same trip. I like white beans and corn bread.

"Man, I don't wanna play Shea Stadium, or fuckin' Nassau County Coliseum. *What the fuck is that?* At seventy-five yards away, they could be *pantomiming* a fucking record for all you know. They're not even human from that distance. And when you draw that many people, you draw the vultures. It always happens. They bring their poison dope and bad vibes and rednecks and hard-ass policemen bustin' peoples heads. It ain't worth seeing 15-year-old kids freaked out in the woods, running around naked, or somebody falling off a light tower and killing six people. We don't need that man—those rock circuses."

We arranged to end on a slightly more agreeable note (perhaps even, something to tell my grandchildren). Hey Charlie, just what does the ol' mountain bear sit down with on a good night?

"Aw, everybody thinks I drink Jack Daniels—and Lord knows I've drank enough of it to fortify a drunk with a year's supply of hangovers. But I quit drinkin' whiskey about two, three years ago. My heavy drinkin' days go back to the years I spent playin' clubs. I used to put away a fifth of Jack a night—not every night, but on numerous occasions. I figure I've done my share for JD.

"Nowadays, I drink beer, brandy and wine—and a Bloody Mary when I got a hangover."

Charlie Daniels—a musician's musician. "Just all one in the same person," he says with typical modesty. A very special individual indeed.

OPOP

Memorial Auditorium, a set which climaxed in a spontaneous jam including guests Richard Betts and assorted Marshall Tucker Band members Toy Caldwell, Jerry Eubanks, Paul Riddle, and Sam McPherson. They called it the "Volunteer Jam," and you can hear just what they set down on the bonus 45 single tucked away inside the *Fire* disc).

The rest of the album, recorded at Capricorn Sound Studios in Macon, is just as raw and sinewy. Daniels keeps company with a blistering set of country-rockers whose collective prowess whip through tunes like the hell-raising "Caballo Diablo" and the barn-

Ex-Animal is Put to Pasture

By GERALD BARNES

Let's fashionably recollect the late sixties, when bliss meant a stroll in your Rambler with a few quick beers tucked away up front.

Pause for a moment. Remember the music back then? Groups like The Standells, Music Machine, The Count Five, Blue Cheer and The Amboy Dukes where busy churning out high-energy Decibel Rock in concert halls the

previous session work with War) since Burden stepped into the studio to record. And for what it's worth, Eric Burdon is back—with a band stepped in faith. Clearly, Eric's band (Alvin Taylor on drums, Aalon on guitars, and Randy Rice on bass) needs Burdon almost as much as he needs them.

Believe me, it shows. What I said before



size of broom closets.

Yes, if your bell rings for the music of those days gone by, then Eric Burdon's *Sun Secrets* (Capitol) might be of some help.

Even the first listen to *Secrets* affirms that time hasn't mellowed this hombre any as he drifts, for example, from two vintage Animal tunes to a reworked Jonny Cash selection. Yet the very strength of this album is also its weakness.

It's been a good five years (excluding

about several crucial cuts falling flat reflect in songs like the thirteen minute "Letter From The County Farm." More headshaking moments come to light on the old Animal standard, "Don't Let Me Be Misunderstood," which Burdon couples with "Nina's School" (inference to Nina Simone, the first to record the track). And do what they might to it. "Nina's School" is *Sun Secrets* rousing production number and the best eight-year old song this writer has heard

in quite some time (maybe even the saving grace of this review).

One more word about the first side, which houses one of the all-time great Animal songs, "It's My Life"—a kinky tune with a firm sense of direction (thanks to Aalon's ingenious guitar acrobatics (he turns a simple break into something I can actually commend).

As for "Ring Of Fire," let's ignore the Tex Ritter riffs and soft country twang and applaud some good ol' latter-day Anglo guitar trickery (not to mention the overdubs and echo effects). What follows is a medley, "When I Was Young" and "War Child," blended together so well it's hard to tell where one stops and the other begins.

Not that this device helps any. Both cuts disappointingly lack punch of any kind; regardless of his layoff, one would expect better from someone like Eric Burdon.

"The Real Me," though, bears close watching (its "live" potential is enormous).

Finally, the title track, "Sun Secrets," is a loose instrumental that weighs in a blithe three minutes. Definitely the wrong selection to headline. Maybe next time they'll dig up fourteen minutes of "We're Gonna Get Out Of This Place," or maybe a reworked "Sky Pilot."

In any event, Burdon ought to have someone from N.A.S.A. check out his time warp.

[I'm still waiting for Jackie Lomax to take us through dawn—Ed.]

Clark on Ch. 13

By LYDIA DIAMOND

Kenneth Clark (Lord of Saltwood) is probably the only art historian known to the general public, largely through the award-winning series *Civilization*. The American Can Company and WNET/13 have invested much time and money in what they hope will be another *Civilization*. The current series, titled *The Romantic Rebellion*, is again narrated and written by Clark.

Scholarship and enthusiasm, the hallmark of Clark's style, come through admirably. The first program was an introductory special that briefly summarized the series. Jacques-Louis David was the subject of a second, in-depth examination. There was some fine criticism of the artist's later works (David's "pathetic decline"), especially on *Mars Disarmed by Venus*.

There are obvious limitations to a program dealing with art, and more specifically, art history—a field of tremendous range where few interpretations remain unchallenged. And then there are the limitations imposed by Clark himself, an art historian with an emphasis on history. One of David's most famous paintings, *Death of Marat*, is as Clark stated, "perhaps the greatest political picture ever painted." For Clark to limit his commentary like this reduces any paintings to no more than an illustration. And yet his most valid criticism is ironically directed to the program's aim—an explanation of "...the world of art which brilliantly reflects the tumultuous revolutionary spirit of the times."

Move Over, Rover - We Need Some Room

By TED HELLER

There's a new fad this winter. It's called "the Fall".

No, it's not yet every day anachronism, but the new art form literally sweeping the streets.

There have been many famous falls in history. John Wilkes Boothe's historic drop down old glory readily comes to mind, as does the fall of the Roman Empire. But the "mods" new mission is to take falling out of the history books and to the street—where it belongs.

The father of falling, the one who discovered its slip-shod effect on the innocent bystander, is a young man attending one of New York's major colleges. Colin McRimjob, as he's chosen for his alias (his parents—Mr. and Mrs. Benzo Hornsby, 126-59 Ludlow Drive—are very sensitive), is a battered Seventh Day Adventist, scorned and covered with scars from too much falling.

"Tell me, Colin, when did you first fall?" I asked, sipping from his Jack Daniels and cranberry juice.

"When the Doc told me I had dropsy. I took it pretty hard," he said. "I saw my whole life fall before me."

"But seriously, Ted, my first fall was way back in the winter. Now that was summer time ago, and I've been doing it ever since. I'm a seasoned veteran. Heh-heh-heh."

Realizing I was getting nowhere with this clown, I suggested we hit the streets. I purposely wore a cheap denim jacket so as not to ruin my suede spiffaroo from Pierre Cardin.

Colin groped the streets for an audience. (I later learned he was well into his "Fall Tour '75"). We were on West End Avenue, which Colin said was the second worst avenue in Manhattan to fall on. I naturally asked the obvious as we walked to Broadway.

"Tell me, Colin, what kind of people do you fall for?"

"Well, my falling buddies and I took ourselves a little what-you-call-yer-basic-sur-vey. The worst reactions came from 45-year-old women and 50-year-old men. Black couples dig it the most. They get all souly and whoop it up alot. You know, Babtist style. Chicks in pairs dig it too—enough to make

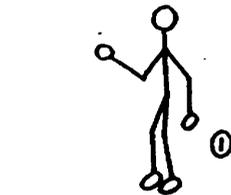
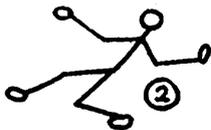
A REMINDER from

OFFICER

John Law



FALL: TO COME DOWN SUDDENLY FROM A STANDING OR ERECT POSITION.



REMEMBER: FALLING IS A CRIMINAL OFFENSE!



Jack Cocheo

yer johnson jump in yer dry goods. I mean, when they see two virile representatives of the macho sex fall in front of them, it's Watasi City, Jack. Why, just the other day I fell for a good sweathog friend of mine—Bernice Katcabbage. She got the cue, and then fell on me, and things worked out a-ok. How do you think I got my limp?"

"Limp what?" I asked.

"Wouldn't you like to know, Jack." he whipped in retort.

Colin perched his head high, his posture befitting a Broadway engagement. Spotting three young nubile headed our way, I heard him count "3...2...1" until they approached us when—he snapped his fingers and we hit

the street. Once on the ground, Colin turned to me and said, "First time, eh kid?" I promptly came in my pants.

The girls were staring at us, their eyes glazed in a sexual frenzy. Together, we got up and wiped the street slime off our clothes.

"Not bad for a veteran of Guadacanal," he said.

After a quick pause for a bustling teen-set of stallions, we stopped to pick and *not* pay for some more cranberry juice.

"So you say falling is an art form," I asked. "Is there any type of variance between falls, or is every fall a Fosbury flop?"

"Does a whale have a water-tight bunglehole?" he asked with an incredulous

look. "Of course there are many forms. There's the two-two in the pike position—that's when one person falls and his partner in crime trips over his very epiderm. And then there's the bus-stop drop. That's when you get hold of five people—it's best to pretend they don't know each other—and when enough unknowing standbys have assembled, everybody takes a spill—and I don't mean the kind you drink. After all, the sign does say "No Standing."

Keep on falling, Colin. Your nobody's "fall guy."

The Count Honored

By FRED SEAMAN

During a recent visit to the Count Basie exhibit at the New York Jazz Museum, I was struck by an unusual album cover graphic depicting a locomotive with a caricature of Basie's radiant face.

Basie and his band, often referred to as *the machine*, were the subject of a two-concert retrospective by the New York Jazz Repertory Company at Carnegie Hall early in February. Basie has been a band-leader for the past 45 years. His bands underwent natural personnel changes through the years, and provided a fertile training ground for many musicians who went on to become major jazz figures in their own right. For those of us who know Basie from his older recordings, the NYJRC program represented a unique opportunity to experience the sound and spirit of the classic Basie bands in a live setting.

The first concert illustrated Basie's early period as bandleader from 1929 to 1950. A Repertory Company band under the musical direction of pianist Dick Hyman and soprano saxophonist Bob Wilber performed pieces such as "Moten Swing" and "Rock-A-Bye Basie," skillfully reproducing the swinging exuberance typical of the Basie band of that period. The authenticity of the program was undoubtedly enhanced by the presence of Earl Warren and Buddy Tate, two saxophonists who were members of that early Basie band.

Basie's music since 1950 was featured in the second concert, where the 17-piece Repertory Company Band was conducted by Joe Newman and Frank Forster, two former members of the Basie band of this period. The group included "Splanky," "Broadway," and "60 Men Swing," again capturing the irresistible rhythmic pulsation and buoyant spirit identified with the Count's music.

As in its first concert of the season honoring the early career of Louis Armstrong, the NYJRC again made effective use of film footage featuring a Basie sextet (1951) with one of the band's former vocalists, Helen Humes. Following the film, Ms. Humes appeared on stage and showed that her voice was just as crisp and intense as 24 years earlier. She delighted the audience with the witty "Million Dollar Secret Blues," and backed by saxophonist Paul Quinichette (another Basie alumnus), sang a beautiful rendition of "What Did I Do?" the same selection she performed in the film. The audience loved it.

During the second set, the Repertory Company performed several classic Basie ballads (among them the enchanting "L'il Darlin'"), and then plunged into a rousing "Jumping at the Woodside," featuring the entire sax section in a reproduction of Lester Young's famous solo on the original version. The program was brought to a fitting close with a lengthy performance of Basie's first, and perhaps greatest hit, "April in Paris."

The NYJRC's next presentation, which features the music of Miles Davis on Saturday, Feb. 15, should prove to be of particular interest to those ears attuned to contemporary jazz.

Martin Mull's Paradise

By GERALD BARNES

Last Tuesday night at Reno Sweeney's (a longstanding showcase for stars like Peter Allen, Lee Horowitz, Linda Gerard, Manhattan Transfer, and the lovely Ms. G. Waite), the house put on a show just about four-over par for the course.

The bill, "Together For The Last Time," featuring Diana Marcovitz and Martin Mull, was hampered on more than one occasion by the frailty of the surroundings, including "Domino" tables (if one collapses, the other follow suit) and a seating arrangement that obviously shows no favoritism to those on the

Guest list (personally, I like sitting next to the bass player).

Act One of the show was sheer heaven, if you happen to like fully grown women with little girl's voices and a Shecky Green orientation. Other than that, the most exciting thing about Diana Marcovitz is her last name. But Lord knows she tried.

Diana pulled every stage maneuver that's gotten her this far, and still came up empty-handed. She tried playing some things from her lone album, "A Horse Of A Different Feather," and while the music was better than the comedy, together they showed only brief flashes of taste.

Diana did manage to close graciously with a Delta-blues original and a "No! Rocky, No!" for us Cagney fans. Look for this young lady to hit it sometime later in the month. Meantime, the check's in the mail.

Act Two introduced the deus ex machina in the form of Martin Mull, a brilliantly creative satirist with a weird sense of the absurd. Mull, who probably sticks pins in balloons for laughs, is always on target, combining his comedic antics with an easy and palpable musical presentation (he leads a quartet).

One number that worked perfectly was a take off on current R&B riffs tucked neatly into a song with shouts of "God Almighty," "Git Down now," and that vogue word for a good time, "Par-r-r-ty." To say that Martin was well-lit would be an understatement (the man was absolutely incandescent), and though towards the end his light flickered two or three times, never once did it fail.

But like the true genius he is, Martin hasn't confined his talents to the record media. He is currently writing a Broadway play in collaboration with former *National Lampoon* editor Michael O'Donahue about our beloved 16th President, titled "Lincoln: The Man, The Car, and The Tunnel," and at work on a porn-film parody of the sexual mores of the fifties, titled "I Love Loosely."

When not performing, writing or sounding ideas out for himself, Martin can be found entertaining fellow Out-Patients at Creed-moor State Mental Hospital. Which reminds me, Martin Mull has two albums out on the Capricorn label.

Deo, non fortuna!



Monkey's Paw

The Monkey's Paw, located in Finley's basement will present a concert featuring Dean Friedman and Stuffly Shmitt on Friday, Feb. 14, 2:00 PM. Admission is \$2.50.

African Art

A photography exhibition entitled 'African Art as Philosophy' will be presented at the Eisner Hall Gallery until Feb. 21.

ESP

An ESP demonstration will be held today at noon in F 428.

Z

The Coordinating Bureau of Greek Students at City College will show the film 'Z', directed by Costa-Gavras and starring Yves Montand. The film will be shown today from 3-6 PM in F 330.

Devil in Miss Jones

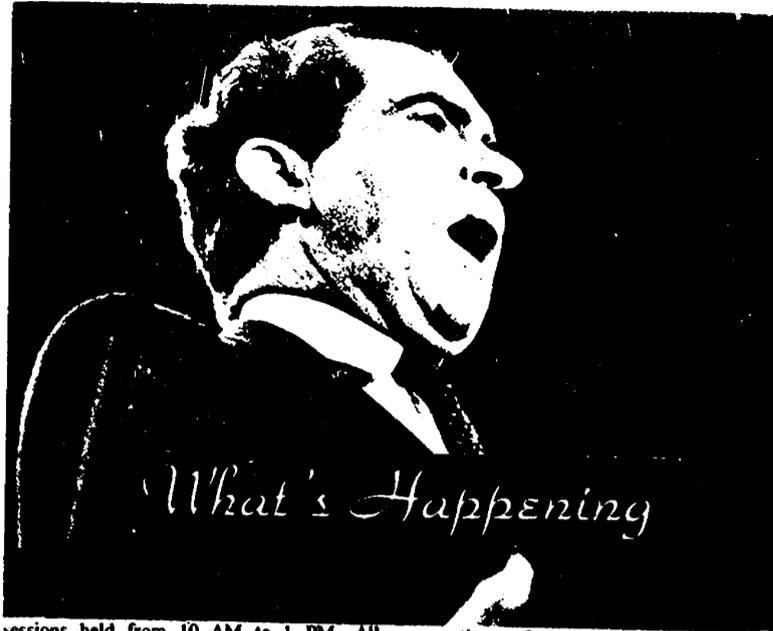
The FPA will present the film 'The Devil in Miss Jones,' starring Georgina Spelvin, on Friday, Feb. 21 in the Finley Grand Ballroom. The showings will be at 10, 12, 4 & 6 PM. Admission is free with I.D.

Outdoor Club

The Outdoor Club is sponsoring a student-faculty tea on Thursday, Feb. 20, 12-2 PM in Wagner 08. Gourmet trail food will be served.

Open Workshops

City College's Center for Open Education is sponsoring programs in Black History as well as other cultural topics this month. The workshops will include: African Crafts on Tuesday, Feb. 18; Black Music For Young Children on Wednesday, Feb. 19; Dramatics with Afro-American Myths and Legends on Thursday, Feb. 20. The Workshop Center, located in Shepard 06, offers weekday workshops beginning at 4 PM and Saturday



sessions held from 10 AM to 1 PM. All sessions are free. For further information call 368-1619.

Esperanto

Esperanto is the international language. Come and see how it is used by people all over the world. Thursdays at 12-2 PM in Downer 304.

Study Abroad

Representatives from CUNY Study Abroad Program will be on campus today and next Thursday, Feb. 20, from 12-1 PM in Shepard 129. There will be a presentation followed by

a question and answer period.

Peace Corps

Peace Corps and VISTA representatives will be on campus from March 3-5, 10 AM to 4 PM at the following locations:

March 3 — Shepard Hall; March 4 — Finley Hall; March 5 — Cohen library.

Black Films

A program entitled 'The History and Evolution of Black Filmmaking' is being presented at the Studio Museum of Harlem and the Countee Cullen Library, Feb. 13-15.

Today's program at 6 PM features the film

'Third World — A Luta Continua,' as well as four films by Ousmane Sembene. Tomorrow, Feb. 14, at 6 PM, the film 'Ganja and Hess' will be shown, followed by a lecture by Director Bill Gunn. On Friday, Feb. 15 at 2 PM, there will be shorts by independent filmmakers, and the Cuban film 'Lucia.' There will also be a panel discussion on the topic 'Communications Medium As An Information and Survival Tool.'

Revolutionary Brigade

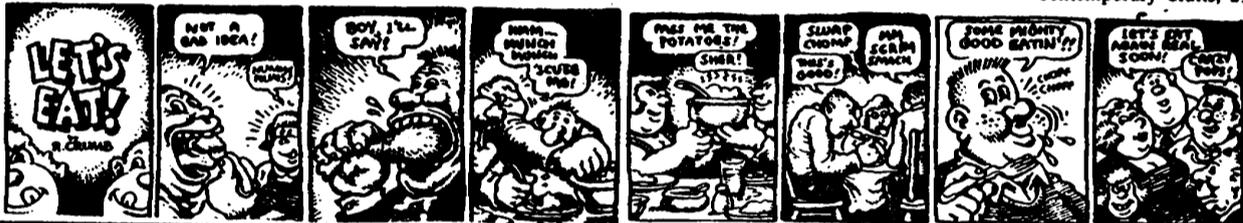
The Revolutionary Student Brigade is holding a regional conference on its goals and activities. Among the topics discussed will be the Middle East, the CIA crisis and police repression. The conference is open to all and will take place on Feb. 22 and 23 at Livingston College. New Brunswick, N.J. Call 864-4715.

'Right You Are'

The Direct Theater opens the revival of Luigi Pirandello's modern classic 'Right-You Are' Feb. 13 as the second production of their 1975 season. Performances are Tuesday thru Sunday, Feb. 13 to March 2 at 8:00 PM at their theatre located at 455 West 43rd St. TDF vouchers are accepted. For reservations or information call 765-2117.

'Forms In Metal'

The entire history of metalsmithing in America is being presented in two parts by the Finch College Museum of Art and the Museum of Contemporary Crafts until March 2. Part I features metal objects from 1700 to the 1940's at the Finch College Museum located at 62 East 78 St. Part II marks the development of contemporary metalsmithing from the 1940's to 1975 at the Museum of Contemporary Crafts, 29 West 53 St.



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C.U.N.Y. Program of Study Abroad
33 W 42 Street, room 1439
New York, New York, 10036
Tel. No. 790-4418

Plan to attend our on-campus information meetings:

February 13 and 20

Shepa. J Hall Rm 129

12:00 PM- 2:00 PM