Detrick (such as the desire to make Detrick a "model" of conversion), then NIH could do additional "useful work" there.

A number of separate forces are still struggling to save Detrick. Maryland's two Republican senators—Charles McC. Mathias and J. Glenn Beall—were recently joined by Democratic Senator Edmund S. Muskie, of Maine, in advocating conversion; a group of young microbiologists at Detrick has formed a committee to lobby for conversion; and some labor union officials have recently been exploring the possibility of locating a new occupational health institute at Detrick. The Defense Department is also considering several plans to keep certain unclassified research at Detrick so as to avoid shutting the place down completely. Several knowledgeable officials doubt that there will be any special money allocated for the conversion of Detrick in the fiscal 1972 budget that President Nixon will soon make public. But the question of an allocation for Detrick will definitely be considered by Congress during appropriations hearings on that budget later this year.

The ultimate fate of the installation thus remains to be determined. But the Detrick case has already made one thing painfully clear: conversion from war to peace is difficult to accomplish —even when one is dealing with a scientific facility that could redirect its programs almost overnight.

—PHILIP M. BOFFEY

Harvard: New President's Task To Unify, Preside Over Change

Cambridge, Mass. The appointment of Derek C. Bok, dean of the Harvard Law School, as the 25th president of Harvard University, is the first indication that the nation's oldest, richest, and most prestigious educational institution has begun to bind its wounds and enter an era of fundamental changes. Bok will take office in June replacing Nathan M. Pusey who has served since 1953. Pusey's tight-lipped conservative style has caused leadership in educational reform to pass in the last few years to a more dynamic counterpart at Yale, Kingman Brewster. Many Harvard students and faculty feel the appointment of Bok will mean that the Harvard president will again be a leading voice in American education.

Pusey took office during the McCarthy era when universities across the nation were under attack from the government. His skillful defense of the university during the middle 1950's provided comfort and inspiration to colleges around the country. Ever since 1961, however, when a major controversy reduced his prestige among the students, faculty, and powerful alumni, Pusey has become a more and more solitary figure. That incident involved the request of a Jewish couple to use the Harvard chapel for a marriage ceremony. Pusey denied the request despite the fact that Harvard and its chapel are nondenominational. Pusey's action aroused the ire of alumni, students, and faculty; a few of the senior faculty members even picketed Pusey's house to protest the action.

Since that incident, there has been a general feeling in Cambridge that Pusey has steadily lost the confidence of his students and faculty and has been reluctant to make public his views on political, educational, or other matters. The heaviest blow to his prestige came in April 1969 when he ordered police onto the campus to expel students who had occupied University Hall.

The effect on the college administration was severe. By June of 1970 all three of the top administrators—the dean of the faculty, the dean of the students, and the dean of the college—had resigned and Pusey himself had announced his intention to leave by June 1971, 2 years before he reaches the mandatory retirement age.

Against this background the Harvard Corporation set about looking for a new president. The corporation, comprised of seven alumni, is Harvard's top policy-making body. It grants tenure to faculty members, determines how Harvard's billion dollar endowment will be invested, and allocates income from that endowment to the various faculties at Harvard. The corporation also picks a new president, subject only to perfunctory approval by the Board of Overseers, an honorary body of alumni.

The corporation itself has come under attack during the last 3 years for being unresponsive to the needs and wishes of the college. The most notable example occurred last year during Campaign GM when the corporation, a large GM stockholder, voted to side with the management of GM despite the overwhelming opinion of the faculty, students, and alumni in favor of Ralph Nader's efforts to reform the company. This distrust of the corporation made its efforts to solicit student opinion difficult. Most of the more radical students at Harvard feel that the choice of the president makes little difference and that the problems of the university are inherent in its composition. They feel that any man the corporation would choose would serve the corporation's interest and that those interests are inextricably tied to the government and big business.

When the corporation set about looking for a replacement for Pusey it sought a man who could repair the deep divisions in the university. But the new president would have to deal with more than division. A whole range of issues would confront him upon taking office, issues on which Pusey had avoided taking a firm stand:

Curriculum Reform. The dean of the college, Ernest May, announced last year that he was considering major reforms in the undergraduate curriculum and asked for suggestions from members of the university. The suggestions he has received have been radical: reducing the 4-year requirement for a B.A. to 3 years; abolishing the B.A. degree altogether; and instituting a nonresident B.A. whereby students would take jobs across the country and return to Cambridge only to discuss their work and write papers on it. The faculty has already voted to permit students to create their own

majors or fields of concentration, but more sweeping changes will require a strong advocate and such leadership can best come from the president.

Merger with Radcliffe. Two years ago Yale was in the forefront of the co-ed revolution. Harvard followed with a modified coresidential plan of its own. Last year Radcliffe, Harvard's sister college, requested that the two institutions merge completely. Radcliffe women already receive Harvard degrees and attend Harvard classes, but the financial and admissions offices are separate. The question of male-female ratios in a merged college and the problem of an already financially overburdened Harvard taking on the additional expense of Radcliffe are issues which remain to be solved.

Financial Problems. Last year for the first time since World War II Harvard ran a deficit budget largely because of cutbacks in federal grants and declining economic conditions generally. Harvard is still the richest American university and the financial problems it faces are not as severe as those of many colleges. Nevertheless the financial issues faced by Harvard are grave. Yale is considering a plan whereby students would pay a percentage of their income after graduation instead of tuition. This plan would raise the income of the university at the same time that it decreased the financial burdens of tuition. Equally imaginative innovations will have to be considered and eventually instituted at Harvard if the university is to avoid even more serious financial problems.

Extensive Search

To find a man to win back the respect of the members of the university and resolve the issues facing Harvard the corporation last spring launched a massive search and announced it would seek advice from all interested parties. Francis Burr, senior member of the corporation who directed the search, sent letters to over 20,000 students, faculty, and alumni requesting their suggestions and opinions concerning the new president.

Burr and his fellow members of the corporation began sifting through the suggestions in September. They dined in the college eating halls and spoke with students; they talked with faculty members, and sought the opinion of outsiders such as former Harvard President James D. Conant.

By 9 November the corporation had narrowed the list to 69 names, including some of the foremost educators in the country. Rumors that Harvard would reach into the political world and name Ramsey Clark, Elliot Richardson, or John Gardner were scotched with the publication of the list. Burr made it clear that the corporation was seeking a man "with a primary academic commitment." The corporation was seeking, if anything, to depoliticize a university which had been rocked by national issues. It sought a man who would be forceful and popular but would not arouse political controversy.

Scientists Predominate

Given the corporation's specifications it is perhaps not surprising that the list of 69 contained the names of 28 scientists. Scientists have the reputation of being committed primarily to academics, of being relatively apolitical, and of being good fund raisers with connections at the National Science Foundation, private foundations, and other government agencies. The list of 69 was as much an honor roll of American education as a real list of possibilities. "We are putting people into college presidencies just by listing them as candidates," Burr said. William H. Danforth, for example, was named chancellor of Washington University in St. Louis shortly after his name appeared on the list of Harvard presidential candidates.

Soon after publication of the 69 names the corporation again solicited the opinion of faculty and students in order to reduce the list to 23. This revision produced one heavily weighted with scientists; 11 of the 23 were from the sciences or medicine. The four leading candidates were considered to be John T. Dunlop, 56, professor of economics and dean of the Harvard faculty; Edwin L. Goldwasser, 51, development director of the National Accelerator Laboratory and professor of physics at Illinois; Donald Kennedy, 39, chairman of the Stanford biology department and a Harvard Overseer; and Derek Bok, 40, dean of the Harvard Law School. By 13 December the corporation had made its choice and had only to convince Bok to take the job and ask the Board of Overseers to approve the choice.

Bok had been a leading candidate since Pusey's resignation. At 40 he was the right age to assume a post which has an average tenure of about 20 years. He had been a student of Kingman Brewster when Brewster was a professor at the Harvard Law School, and some of Brewster's charisma had rubbed off on Bok. As law dean he had presided over two of the most turbulent years in the history of the law school. During his short tenure law students reacted with varying degrees of intensity to controversies over grade reform, the University Hall takeover, employment of minority groups in the university, and the invasion of Cambodia. Bok managed to survive each crisis without alienating students while maintaining harmonious relations with the crusty law faculty. He explains his success by saying "I think it is really terribly important that you be as open as you can be about what you're doing, be very careful about what you promise and that you break your back to fulfill the commitments that you do make—and in that way very slowly build up trust in at least a substantial number of students and faculty."

Bok a Liberal

Politically Bok is considered a liberal and his efforts to fight the nomination of G. Harrold Carswell to the Supreme Court last year and a journey to Washington last spring to protest the invasion of Cambodia won him the praise of students. But although Bok says it is important to "speak out on any issue one thinks is important," he tempers his political role by stressing that his primary commitment is to education. "It's difficult to inform oneself adequately on the wide range of public issues," he said. "One isn't going to be listened to for very long, if at all, unless he speaks with authority from factual knowledge."

Bok's image with the students was further enhanced by his opposition to Pusey's use of police to break up the University Hall demonstration in 1969. He reportedly joined three other deans in threatening to resign in an attempt to make Pusey reconsider his position. Bok's first press conference after his appointment indicated that he will be an innovative and dynamic leader. He told the *Harvard Crimson* that he intends to limit his term to 10 to 14 years. He also indicated that he will delegate much of his authority to new officials, possibly a provost who reportedly will be named in June and will be responsible for fund raising.

Bok's academic credentials are impressive. He graduated from Stanford in 1951 and received his LL.B. degree

magna cum laude from the Harvard Law School in 1954. He was a Fulbright scholar and is author of *The First Three Years of the Schuman Plan* (Princeton Univ. Press, Princeton, N.J., 1955), and a number of other books and scholarly articles. He is married to the former Sissela Ann Myrdal, daughter of the Swedish sociologist Gunnar Myrdal and a Harvard Ph.D. herself.

Bok's Stanford degree makes him the first Harvard president since the 17th century who did not graduate from Harvard College. Apparently the corporation was willing to break a centuries-old tradition in its efforts to find a man who will keep the university together, and most of the Harvard community feels that Bok will have to break more traditions in order to do the job.

—THOMAS P. SOUTHWICK

The author, a Science *news intern last summer, is an undergraduate at Harvard and executive editor of the* Crimson.

Water Pollution: Conservationists Criticize New Permit Program

We read the 1899 [Refuse] *Act charitably in light of the purpose to be served. The philosophy of the statement of Mr. Justice Holmes . . . that "a river is more than an amenity, it is a treasure," forbids a narrow, cramped reading . . .*—U.S. Supreme Court, U.S. *v.* Republic Steel, 1960

The Nixon Administration announced with some fanfare on 23 December the establishment of a program requiring federal permits of all industries discharging wastes into the nation's waterways. The President stated at the time that the new program would "make maximum use of all existing provisions of law relating to water quality" and would "provide a major strengthening of our efforts to clean up the nation's water." Russell E. Train, chairman of the Council on Environmental Quality, called the new program "the single most important step to improve water quality that this country has yet taken."

The Administration's program is based on an 1899 law, known as the Refuse Act, prohibiting the discharge of "any refuse matter of any kind or description whatever" into any waters of the United States, except under permit from the Army Corps of Engineers. Until now the requirements for an industry to obtain a permit had been unspecified, and few permits had been issued. Under the new program, all industries discharging materials into public waterways must, in applying for a permit, submit a detailed application specifying the exact nature and quantity of their discharges. Thus Administration officials hope to obtain the information necessary to insure that all industrial operations conform to water quality standards.

The nation's waters, however, may remain polluted for some time to come. Environmentalists and some members of Congress have attacked the program as nothing more than an attempt to grant industry a license to pollute. Specifically, the environmentalists fear that the new program will severely limit the usefulness of the present antipollution laws, especially the Fish and Wildlife Co-ordination Act, and that it will establish a moratorium period preventing litigation against severe polluters. The environmentalists' principal objection is that the Administration's program will leave determination of water quality standards to state regulatory boards, many of which are notoriously lax and dominated by industry.

The basic question at issue is whether the Administration had any choice but to combine the provisions of the Refuse Act with those of new antipollution legislation. Administration officials insist that it was necessary to combine the laws in the new program. Administration critics argue just as vehemently that there is no such requirement.

Now regarded as the strongest piece of federal antipollution legislation even though it specifically excludes municipal wastes, the Refuse Act had been, until recently, narrowly interpreted by the Corps to apply only to discharges that impeded navigation. This policy of the Corps was not an effort to condone pollution, but rather was part of the general American notion that rivers and streams were natural places to put garbage. As the ecological consciousness grew in the United States, the Refuse Act became a vehicle for several suits against polluting industries; and in several cases in the last decade the courts ruled that the act prohibits accidental as well as continuous discharges and includes such diverse pollutants as oil and thermal discharges. But the Corps still did not initiate any significant crackdown on polluters.

In the early part of 1970, Representative Henry S. Reuss (D–Wis.), chairman of the House Subcommittee on Conservation and Natural Resources, took up the Refuse Act as his personal cause. Seizing on a safe political issue, Reuss held hearings* to establish the potential usefulness of the Refuse Act in curbing water pollution, and he publicly criticized the government for failing to invoke it. Reuss also publicized a portion of the act which provides that one half of any fine levied against a polluter be paid to the "person or persons giving information which leads to conviction" and, at the same time, suggested that under a little-used legal device dating back to English common law, citizens themselves could initiate proceedings against polluting industries and thus recover one half of the fine. To this end, Reuss's office distributed hundreds of "do-it-yourself" information kits† describing the potentials for citizens' actions against polluters. Few actual cases have been brought to court, however, possibly because buried in Reuss' information kit is a warning that if a citizen loses his suit he will be liable for his lawyer's fees and all court costs.

The government, however, is not limited by such considerations. After some prodding by Reuss, the Corps of

* Report of the hearings entitled "Our Waters and Wetlands: How the Corps of Engineers Can Help Prevent Their Destruction and Pollution," twenty-first report by the Committee on Government Operations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402; 15 cents.

† "*Qui Tam* Actions and the 1899 Refuse Act: Citizen Lawsuits Against Polluters of the Nation's Waterways," report of the Conservation and Natural Resources Subcommittee of the Committee on Government Operations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402; 20 cents.