

to the official announcement. In the end, David Thomas was informed by cigarette firms that the filter had generated "\$80 million" worth of publicity. Planned or unplanned, the coverage obviously helped the University's efforts to sell the filter to the cigarette industry.

But the press saturation soured many scientists and stimulated an adverse editorial reaction. The publicity amplified everything "bad" about the episode: it illuminated the fact that Columbia had not gone the usual scientific route of announcement and that the University was becoming involved in a project of enormous commercial potential. A skeptical statement by the American Cancer Society on the heels of the press conference did not help.

The Society's statement surprised and irritated some at Columbia involved with the filter. Two days before the press conference, Tapley and Haagen-sen visited with Society representatives and informed them of the impending announcement. This much is known about the meeting. Columbia invited the Society to participate in the announcement; the Society declined. The Society asked whether the announcement could be held up so it would not coincide with a report from the Surgeon General on smoking and health; Haagen-sen and Tapley said it could not because rumors and leaks were already spreading too much false information about the filter. [The simultaneous release of the Surgeon General's report and the Columbia filter apparently created some ill will, but University officials explain convincingly that they did not know when

the government report was going to be released.] The University also offered the filter material for tests, but the Society estimated that such tests would cost \$250,000 and asked the University to support the experimental program. Despite these problems, Tapley says, the Society supported the basic purpose to force down tar and nicotine. Yet, two days later, the Society issued a statement saying the filter had been given "extraordinary sponsorship by a great university."

Columbia was bound to get in trouble. By endorsing a filter that "may make a significant contribution to lessen the hazards of cigarette smoking," the University was, without realizing it, making claims of instant success in an area of long-standing scientific and political frustration. The quick, superficial treatment of a press conference for so serious a subject was naturally suspect to those who have spent decades studying cancer.

The cigarette industry also was apparently confused. Many tobacco executives would like to know more about the filter, and some clearly were not satisfied with the taste testing that has been done. Yet, they now seem to be stumbling over each other in an attempt to take advantage of the new filter: the first one on the market, many industry observers believe, will have an incomparable advantage over its rivals.

Even so, the ultimate effect of the University's action is unclear. Columbia backed the filter on the grounds that a sharp reduction of tars would probably be a significant health benefit. Yet, as widely accepted as this view

is, it may be wrong. No one has conclusively identified the damaging portion of cigarette smoke: the tars are strongly suspected, but it is not known what part of the tars are damaging or whether the tars act in conjunction with the gaseous elements in the smoke; conceivably, the mere process of smoking anything may be unhealthy.

There is a real dilemma here, although it is not that clear Columbia officials gave it central consideration. The filter may give the appearance, but not the assurance of safety. Should a great University lend its name to something which may be conceivably useless and deceptive? Or, when tars are generally recognized as dangerous, why shouldn't a University give its prestige to a filter which both drastically reduces tar and may be acceptable to the industry. The debate drew much of its life from men who answered differently. Said one cancer researcher who thought Columbia's action might turn out for the good: "I think many of my colleagues get suspicious when a University tries to do something 'useful.'"

That most common cliché—"only time will tell"—applies to the entire Strickman-Columbia history. Only time will tell whether the filter is a safety improvement. Only time will tell whether the cigarette companies can (or will) market it in great bulk. And only time will tell whether a great University, out of good intentions and narrow self-interest, has made a great contribution to health or only a misguided and unfortunate mistake.

—ROBERT J. SAMUELSON

Students' Rights; They Should Have More, "Establishment" Agrees

In accordance with the American tradition that yesterday's extremism is often tomorrow's orthodoxy, a group of solidly established educational organizations which are very much on the inside have recently produced a draft statement on the "Rights and freedoms of students" covering many of the issues raised in campus rebellions during the last few years.

The group includes the American Association of University Professors (AAUP), academe's general professional society; the Association of American Colleges (AAC), an association of small liberal arts colleges; the National Student Association, the largest American association of students; the National Association of Student Personnel Administrators; and the National Asso-

ciation of Women Deans and Counselors. As if such support were not enough, the effort to draft a students' bill of rights also has the blessing of the American Council on Education, the Association of American Universities, the Association for Higher Education, the Association of State Colleges and Universities, and the American College Personnel Association. It is a curious alliance which bridges the generational gap and assumes, for perhaps the first time, a common interest between elements of the university community whose traditional stance toward one another has been one of skepticism, if not hostility.

The draft statement contains both general principles and specific prescrip-

tions. Among its most significant points are:

- Disciplinary proceedings against students should be instituted only for violations of rules that students helped to formulate. During all phases of such proceedings, from investigation through hearings and appeals, students should have procedural and legal privileges closely paralleling those afforded by civilian courts.

- Educational institutions should take care to avoid improper disclosure of students' records: "Academic and disciplinary records should be kept separate. . . . Transcripts of academic records should contain only information about academic status. Information from disciplinary or counseling files should not be available to unauthorized persons on campus, or to any person off campus without the express consent of the student involved except under legal compulsion or in cases where the safety of persons or property is involved. No records should be kept which reflect the political activities or beliefs of students." [See box for a related story.]

- On campus, students should be free to form and control their own political and social organizations and ". . . should not be required to submit a membership list as a condition of institutional recognition." They should be free to ". . . examine and discuss all questions of interest to them," to express opinions, and ". . . to support causes by orderly means." They should be allowed ". . . to invite and to hear any person of their own choosing," and "The institutional control of campus facilities should not be used as a device of censorship." Students should participate in development of institutional policy. "Wherever possible, the student newspaper should be an independent corporation financially and legally separate from the university," and, where this is not possible, the ". . . student press should be free of censorship and advance approval of copy" and its editors and managers ". . . protected from arbitrary suspension and removal" because of objection to content.

- Off campus, students should be subject only to the normal laws governing other citizens. When off-campus actions result in violations of the law, students are subject to civil penalties, but "Institutional authority should never be used merely to duplicate the function of general laws."

Viewed in one perspective these pre-

Students' Records: ACE Calls for Confidentiality

Last summer the House Committee on Un-American Activities (HUAC) went foraging in the nation's universities for lists of members of student organizations known to oppose U.S. policies in Southeast Asia. At least two universities—Stanford and the University of Michigan—complied. The resultant outcry from students and civil-liberties-minded faculty prompted the American Council on Education (ACE) to take a look at the question, and last month it issued to its 1500 members a "Statement on confidentiality of student records," urging universities to cease such cooperation. The ACE statement parallels, though it considerably amplifies, the position on students' records expressed in the draft statement on "Rights and freedoms of students" (see p. 524). The ACE statement is not binding on the Council's members, but it has been approved by the organization's board of directors.

The core of the ACE position is that while educational institutions have an obligation to cooperate with committees of Congress, "they also have an obligation to protect their students from unwarranted intrusion into their lives and from hurtful or threatening interference in the exploration of ideas and their consequences that education entails." The statement points out that universities sanction students' political activity—for example, by providing space for meetings—and it therefore ". . . seems only appropriate for students to expect their institutions to resist intimidation and harassment. Where particular persons are suspected of violating the law or are thought to possess information of value to an investigatory body, they can be directly approached in properly authorized ways. There is no need to press the college or university into the doubtful role of informant."

"Like other citizens," the statement continues, "students are entitled to engage in lawful assembly; if they are to learn true respect for the Constitution, they must learn from their own experience that that entitlement is never abridged without serious reflection, due cause, and profound reluctance. Similarly, at a time when every individual's privacy is subject to serious erosion, each new invasion should be strongly resisted. Except in the most extreme instances, a student's college or university should never be a source of information about his beliefs or his associations unless he has given clear consent to its serving this function. . . . It is in the interests of the entire academic community to protect vigilantly its traditions of free debate and investigation by safeguarding students and their records from pressures that may curtail their liberties. America cannot afford a recurrence of the incursions made on intellectual freedom in the 1950's."

In keeping with this position, the ACE made four specific recommendations to its members. First, colleges and universities should ". . . formulate and firmly implement clear policies to protect the confidential nature of student records." Second, should a challenge arise, no response should be made without the advice of attorneys, and counsel should be asked ". . . not merely to advise a prudent course but to prepare every legal basis for resistance." Third, steps should be taken, in formulating policy, to make sure that legitimate scholarly inquiry—for instance, into the background of a deceased alumnus—is not affected. And, finally, "Colleges and universities should discontinue the maintenance of membership lists of student organizations, especially those related to matters of political belief or action." If lists do not exist, the ACE notes, ". . . they cannot be subpoenaed and the institution is therefore freed of some major elements of conflict and from the risks of contempt proceedings or a suit. . . . The surrender of membership rosters to investigative bodies carries no guarantee that they will not be reproduced and fall eventually into unfortunate hands. The use of blacklists, limited neither by time nor by honor, is a practice to which no college or university wishes to be, even inadvertently, an accessory."—E.L.

cepts are merely a codification of existing practices at the most advanced or "freest" American institutions. For other institutions, however, they are radical indeed and, if followed, would significantly affect present relations between students, faculties, and administrations. The existing norm is difficult to determine, for standards vary greatly at different kinds of institutions. The most detailed research on this subject has been done by E. G. Williamson and John L. Cowan; their book* reported a survey of 1000 colleges and universities. In an attempt to summarize their complex statistical findings, the authors concluded:

Earl Warren could appear in 95 percent of American colleges but George Lincoln Rockwell could be heard on fewer than one-fourth of the campuses. The range of permissiveness with regard to advocacy and action by student groups was almost as great. [On] civil rights . . . about 25 percent of the administrators . . . would allow picketing . . . [while] more than 80 percent . . . would permit Rev. Martin Luther King to speak. Students do have freedom of speech but their freedom to act on their beliefs or to advocate solutions to society's problems is limited . . . [and] widely subject to university control.

Moreover, student leaders are not free agents. . . . In 42 percent of the schools student editors must submit editorial copy to some college official before publication. Censorship does occur and censoring after publication is even more prevalent. . . . Likewise, the student body president works very closely with the dean, and the administration generally controls the finances of the student government. . . . To be sure, students have voting participation in policy-making committees in about two-thirds of American colleges, but their actual influence in these committees is reportedly limited.

Williamson and Cowan named no names, but in general they found the range of student freedom to be greatest at private universities, private liberal arts colleges, and large public universities; most constricted at Catholic institutions and teachers' colleges. Universities and colleges under Protestant control and smaller public institutions fall somewhere between the extremes.

One obvious question to ask about the draft manifesto is in what manner it is related to current campus unrest. On the one hand, it appears to have had an independent genesis. Historically, while American professors have fought to establish a version of the

German *Lehrfreiheit*—freedom for professors—efforts on behalf of *Lernfreiheit*—students' freedom—have been limited. There is, however, a modest "tradition." After the war the National Student Association issued a declaration on student's rights and the American Civil Liberties Union has shown interest periodically. In 1960 the AAUP became involved, its interest stimulated chiefly by administrative repression and penalization of early students' civil-rights activity by Negro colleges in the South. At that time the AAUP established a committee to begin the work of codifying students' rights. Six years later, after several drafts had been circulated, the AAUP called a conference of the ten educational organizations listed above, and from that group members of the five-organization drafting committee were chosen.

Role of the Left

These efforts clearly moved at their own pace, but at some point along the line they began to be shaped by the real movements taking place on the campuses. When the work started, the "student Left" was far less influential than now; as the Left grew, those involved with the AAUP became sensitive to its demands. The more conspiratorially inclined, especially among the students, may see the timing of the draft statement as an attempt to head off more extreme calls for "student power" during the next academic year. However, the main effect of the conjunction of the two processes, in the opinion of several people who participated in the drafting of the statement, is to make it more likely that the reforms advocated will be adopted. "When we first circulated a draft in '64 we got cries of horror," commented Robert Van Waes, associate secretary of the AAUP, "but now it seems more acceptable." The manner in which the draft differs from more extreme demands will probably become clearer as the document is debated on university campuses, but it seems accurate in general to say that the AAUP approach recognizes students—for the first time—as an equal or almost equal component of the academic community, while the more left-wing students would like to build a new academic community around student interests.

Just how acceptable the draft document will prove to be is another question. Although, in the drafting, the rep-

resentatives of each group remained in close contact with their association, the draft still must be approved by the members of each organization separately. From students undoubtedly will come objection that the rights delineated are described as concessions from adult institutional authority, and they are laced with qualifications. From college administrations may well come objections of a different sort: An official of the AAC commented to *Science* that several college presidents belonging to his organization still act as "benevolent despots" with respect to the faculty as well as to students, and that they may have a hard time relinquishing the *in loco parentis* tradition. An article circulated by the Collegiate Press Service (CPS) cites a survey of the attitudes of 225 college presidents toward an earlier version of the present statement, published in the magazine *College Management*. The CPS reports that, according to the survey, most presidents agree basically with student freedoms, but fewer are able to go along with specific applications such as a completely free student press or a free choice of speakers by students. "About the statement on a free student press," CPS adds, "one president said: 'Our student press is recognized as having a definite effect on public relations. Doesn't the AAUP care about fund-raising?'"

Furthermore, even if the draft bill of rights is adopted by the five organizations, adoption by no means implies implementation. The organizations are voluntary groupings having no authority to extract compliance from their members, and the joint organizational board being contemplated as a means of encouraging implementation will similarly lack power. Each college and university has its own patterns and sensitivities and will continue to move in its own ways. The hope is, however, that the existence of the policy statement will raise a standard against which university behavior can be weighed. Like the 1940 AAUP statement on academic freedom and tenure, which in many ways it emulates, the statement on students' rights and freedoms is intended to describe what should be, and, if it achieves an equal place in even the rhetoric of academic life, its drafters will feel pleased indeed. What effect that achievement will have on what is, is another question.—ELINOR LANGER

* *The American Students' Freedom of Expression* (University of Minnesota Press, 1966, \$5.50).