The high incidence of mental retardation, cerebral palsy, and related nervous system disorders in infants born prematurely is of mounting concern. The present study focuses attention on the process of germinal matrix infarction as the basic causal mechanism in the premature. This considered, the present day clinical methods of management in premature delivery bear reconsideration.

Correlating the acute and chronic neuropathologic case material, with reference to the occurrence of deep and cortical cerebral damage, a formula emerges for interpreting the time of incurrence and pathologic mechanism in cerebral palsy, mental retardation, and related nervous system disorders. The deeply rooted concept attributing organic mental retardation and cerebral palsy to "birth injury" may be in error to a significant degree; it is apparent that in a major portion of cases the hypoxic brain damage, located deeply in the cerebrum, affecting the germinal matrix tissue and surrounding structures, is imprinted weeks or months prior to delivery. This accounts for the frequent occurrence of organic mental retardation and cerebral palsy in children with a history of uncomplicated

Affecting infants born at term and prematurely, the precocious destruction of cerebral germinal matrix tissue, antecedent to mental retardation and cerebral palsy, is a phenomenon which has generally escaped consideration clinically and in the pathology laboratory.

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NEWS AND COMMENT

## **Campus Unrest: Riots Bring Danger of Punitive Backlash**

The nation's universities, already buffeted by waves of student unrest, are now facing another danger-the possibility that irate lawmakers will encroach on traditional academic autonomy with a spate of punitive legislation. Roughly a score of state legislatures are considering bills to cope with campus disorders, and a few states have already passed such legislation. Educators in some states fear that the backlash against student unrest may result in "repressive" legislation or deep cuts in state appropriations for higher education. At the national level, sentiment against student rioters is running strong in the U.S. Congress, and the Nixon administration has adopted a tougher line toward student rioters than did the preceding Johnson administration.

Campus unrest has clearly become one of the hottest political issues of the day, largely because it is a subject which seems to stir violent feelings in the public. Opinion polls taken at the national and state levels show strong support for a crackdown on campus disrupters but little concern over what might happen to the universities in the process. In a recent California poll, for example, 72 percent of 1073 persons interviewed "agreed strongly" that "students who challenge and defy university and college authorities should be kicked out to make room for those willing to obey the rules." Only 23 percent agreed strongly that "professors in state-supported institutions should have freedom to speak and teach the truth as they see it.'

There is no question that the public

and the politicians are attempting to cope with a real problem, for the level of campus violence has soared alarmingly in recent months. In the state of California alone, according to testimony presented last month to a subcommittee of the U.S. House of Representatives, a partial listing of violent episodes would include the shooting and killing of two black activists at UCLA; the maining of a secretary at Pomona College, Claremont, Calif., who lost two fingers when she opened a package containing a bomb that exploded; the disfigurement of a San Francisco State College student who lost fingers and vision when a bomb that he is charged with planting apparently exploded prematurely; and the detainment, allegedly at knife-point, of 34 administrators and faculty members at San Fernando Valley State College by militants.

Almost all campus administrators seem to agree that such violence and vandalism cannot be tolerated. Indeed, college administrators in some states are openly pleased with recent legislation giving them greater power to cope with campus disruptions. But there is a growing concern among some educators that overzealous lawmakers, in their eagerness to retaliate

against campus militants, may end up doing the universities more harm than good.

The greatest fears seem to stem from actions being taken, or contemplated, at the state level. Russell I. Thackrey, executive director of the National Association of State Universities and Land-Grant Colleges, reports that "practically every state legislature now in session" is considering bills to curb campus unrest, some of which are "useful," but others of which are "punitive." A survey released last month by United Press International revealed that at least 18 state legislatures were considering legislation to deal with student violence, and the number may have risen since then.

California, which has the dubious distinction of leading the nation in campus violence, also leads, as might be expected, in backlash sentiment. Governor Ronald Reagan's political popularity has soared to new heights as a result of his militant condemna-

tions of campus disorders. The governing boards of the state colleges and universities, increasingly subject to the influence of Reagan appointees, have instituted new "get tough" measures. And the state legislature has been inundated with a bewildering avalanche of some 70 to 80 bills designed to cope with campus unrest. Included among the bills is a proposal to fence off the campuses and require identification cards for faculty members and students to get in.

Thus far four bills have passed the state senate by overwhelming majorities. According to their chief sponsor, the bills seek to "bring under control the activity of the radical-militant revolutionaries who are seeking to use our campuses as a sanctuary to bring chaos to our society." Two of the bills would make mandatory the dismissal of any faculty members or students who participate in disruptions at the state colleges-a move which some educators fear would deprive them of flexibility in dealing with campus problems.

Charles J. Hitch, president of the University of California, has avoided taking what he calls a "dogmatic position" against the various legislative proposals, but he has specifically supported only three new laws and has suggested that the primary need is for legislation to deal with nonstudent troublemakers. "We don't need any more help from the legislature to handle the students themselves," he recently told reporters. Nevertheless, Hitch is apt to get such help. Legislative leaders have indicated that the plethora of bills dealing with campus unrest will probably be combined in one or more omnibus measures. They say the four bills already passed by the senate will rank high in any consideration of such omnibus legislation.

One of the most alarming developments from the backlash in California, in the eyes of some educators, is a proposal to take the power to appoint faculty members away from the chancellors of the nine campuses of the state university and give it to the university's board of regents. The regents delegated the authority several years ago, but regent Edwin W. Pauley, a prominent oil man, proposed at last month's meeting that the regents should reclaim control over hiring. Governor Reagan, an ex officio regent, strongly endorsed the idea.

Pauley's proposal is said to stem

## National Academy of Engineering Selects New Members

The National Academy of Engineering (NAE) elected 44 new members on 1 April, swelling its total membership to 280. NAE was established on 5 December 1964 as an organization of distinguished engineers sharing with the National Academy of Sciences the responsibility for advising the federal government on scientific and technical matters. The engineers are selected on the basis of "important contributions to engineering theory and practice" or "demonstration of unusual accomplishments in the pioneering of new and developing fields of technology."

New NAE members include a scientist who is already a member of the National Academy of Sciences, Luis W. Alvarez, professor of physics at the University of California at Berkeley; and two men prominent in government, John S. Foster, Jr., director of Defense Research and Engineering, Department of Defense; and Edward Wenk, Jr., executive secretary of the National Council on Marine Resources and Engineering Development. Other members include:

Vinton W. Bacon, Metropolitan Sanitary District of Greater Chicago

Robert F. Bauer, Global Marine Inc. Robert B. Bird, University of Wisconsin

John A. Blume, John A. Blume &

Associates Robert Bromberg, TRW Inc.

Milton Brumer, Ammann & Whitney Robert W. Cairns, Hercules Incorpo-

Paul F. Chenea, General Motors Research Laboratories

Nathan Cohn, Leeds and Northrup

Richard D. DeLauer, TRW Systems Group Allen F. Donovan, Aerospace Cor-

Donald G. Fink, Institute of Electrical and Electronics Engineers Harold W. Fisher, Standard Oil Com-

pany (New Jersey) Richard J. Grosh, Purdue University

Robert Gunness, Standard Oil Company (Indiana)

J. Donovan Jacobs, Jacobs Associates John E. Jacobs, Northwestern Uni-

Robert I. Jaffee. Battelle Memorial Institute Thomas F. Jones, University of South

Carolina George W. Kessler, The Babcock &

Wilcox Company Hugh S. Knowles, Knowles Electronics, Inc.

Allen Latham, Jr., 500 Incorporated

Stephen Lawroski, Argonne National Laboratory

Harvey F. Ludwig, Engineering-Sci-

Plato Malozemoff, Newmont Mining

Corporation
Jack E. McKee, California Institute of Technology

John L. McLucas, MITRE Corpora-

Brockway McMillan, Bell Telephone

Laboratories, Inc.
Julius P. Molnar, Bell Telephone Laboratories, Inc.

Robert N. Noyce, Fairchild Camera & Instrument Corporation

P. O'Brien, Consultant. Morrough Berkeley, California Earl R. Parker, University of Cali-

fornia, Berkeley Courtland D. Perkins, Princeton Uni-

versity Max S. Peters, University of Colorado Charles E. Reed, General Electric

Company Frank E. Richart, Jr., University of Michigan

William G. Shepherd, University of Minnesota

Monroe E. Spaght, Shell Oil Company

John E. Swearingen, Jr., Standard

Oil Company (Indiana)
Gordon K. Teal, Texas Instruments Incorporated

Arthur H. Waynick, Pennsylvania State University

-M. M.

from displeasure over the fact that the San Diego campus rehired Herbert Marcuse, a controversial Marxist philosopher who is a favorite of campus radicals. A vote on Pauley's proposal was postponed last month when it seemed likely to fail in a close vote, but no one is betting that it won't eventually pass. Hitch and other university officials have charged that Pauley's proposal would weaken California's competitive position in hiring and retaining faculty and would introduce political considerations into the hiring process. Indeed, Reagan has publicly asserted that political attitudes should be considered in hiring faculty members so as to alleviate what he calls a "one-sided ideological viewpoint" on academic faculties.

Wisconsin is another state where legislative anger is running high. By one count, more than two dozen bills have been introduced in the state legislature to deal with campus militants and "outside agitators." Legislators are said to have been goaded into action partly because of disturbances at the University of Wisconsin and other local schools, partly because of publicity given violent disruptions elsewhere.

Fred H. Harrington, the university's president, told Science that some of the legislation pending in Wisconsin is "good," some is "sloppy," and some brings the threat of "repression." He characterized a bill that would define the university's authority to control sound-making devices on campus as "constructive" and "helpful." But he said another bill that would revoke state financial aid to disruptive students was so "hastily written" that it will "cause as much trouble as it's worth." The bill was passed by both houses of the legislature without public hearings and awaits the governor's signature.

Harrington said bills that would wipe out the tenure system and would give the legislature power to adjust faculty salaries "for reasonable cause" are not likely to pass but are "damaging and punitive" in intent. Lon Weber, an assistant vice president at Wisconsin, expressed particular concern over a bill that would abolish the university's autonomous police force and make city police responsible for the campus—a move that might heighten tensions between students and police.

One significant consequence of the backlash in Wisconsin is that the university will cut back on admissions of out-of-state students. The move is ap-



Eric A. Walker

parently being made, at least in part, to quiet legislative anger at those "outside agitators" who are supposed to be causing all the troubles in this country. A bill was introduced in the legislature that would place a 15 percent quota on out-of-state students, a sharp drop from the current 25-to-27 percent nonresident enrollment at the Madison campus. But last month the university regents, without waiting for passage of a bill, announced that they would achieve the 15 percent ratio over a period of years. The regents' action was opposed by President Harrington and was branded "a punitive response" by 36 department chairmen.

University administrators in several states, including Wisconsin and Pennsylvania, are concerned that angry legislators will vent their feelings by cutting educational appropriations. Eric A. Walker, president of Pennsylvania State University and also president of the National Academy of Engineering, told his faculty senate last month that, when he appeared for a budget hearing before the state senate appropriations committee, he was asked "How can we continue to increase your appropriations when you are unable to assure that students can get the education the people of this state are paying for?" Walker said, "In my two-hour session with the legislators, not ten minutes was devoted to the need for Penn State's annual appropriation, which was the purpose of the meeting. Almost all the time was taken up by student disturbances. . . . It was quite evident that the state senate felt so strongly about this situation that they are looking for means to express their disapproval financially."

Some educators fear that political leaders, in their eagerness to win public acclaim, may even intervene directly in internal university affairs. Such seems to have happened already in North Carolina, where Governor Robert W. Scott has issued a memorandum that sets forth binding procedures that state-supported institutions are supposed to follow in handling campus disorders. If students seize a building, for example, university officials are required to call the police-a move which is generally considered a last resort at other troubled campuses. since the advent of the police often escalates the intensity of campus conflicts.

Scott, who is chairman of the University of North Carolina trustees, has also quarterbacked the university's handling of specific campus disputes. On one occasion he ordered the university to reopen a strife-torn dining hall several hours earlier than university officials wanted it reopened; and on another occasion he ordered university officials to clear peaceable students from a vacant building a day before the deadline university officials had already given the students. Scott's actions provoked some 242 faculty members at the university's Chapel Hill campus to sign a letter saying they respected the governor's efforts to curb violence, but hoped that "in the future ... any necessary action could be initiated through administrative chain of command."

Not all the political and legislative reaction is considered bad by university administrators, however. In Washington state, F. P. Thieme, vice president of the University of Washington (and a member of the National Science Board), considers a newly enacted trespass law "very clear" and "useful." In Texas, Norman Hackerman, president of the Austin campus of the state university (and also a member of the National Science Board), believes a new law that provides a fine of up to \$200 and jail confinement of up to 6 months for engaging in "disruptive activity" on campus "should be helpful, if the situation gets bad and if the law is judged constitutional." And in Maryland, a new trespass law aimed at preventing outsiders from disrupting campus activities was drafted at the request of the president of the University of Maryland. It has passed both houses of the legislature.

Moreover, authorities have not hesi-

tated to invoke some of the new laws to curb campus disturbances. In Washington state, Thieme reports that nine nonstudents have been prosecuted under the new trespass law. And in Colorado, several students and nonstudents were charged with violating a new "Campus Disorders Act" following the disruption of a speech last month by S. I. Hayakawa, acting president of San Francisco State College, on the University of Colorado campus at Boulder.

The drive by the states to curb campus unrest has been paralleled at the national level by efforts to deprive student rioters of federal financial aid. Both the Nixon administration and members of Congress are making sounds that suggest a harder line toward individuals who disrupt campus activities—but whether the federal government will actually do much, or indeed, can do much about campus unrest remains to be seen.

Last year Congress passed four laws aimed at denying federal financial assistance to individuals or institutions involved in various disruptive acts. One of the laws says no funds appropriated to the Department of Health, Education and Welfare (HEW) can be used to aid anyone convicted of a crime involving campus disruption. Another savs universities must withhold certain HEW financial aid from individuals found, on the basis of a university hearing, to have been convicted of a disruptive crime or to have "willfully refused" to obey a lawful university order, provided that such refusal was "of a serious nature and contributed to a substantial disruption." A third law requires universities to deny National Science Foundation aid to anyone who, on the basis of a hearing, is found guilty of a willful and serious refusal to obey orders. And a fourth law states that no funds appropriated to the National Aeronautics and Space Administration may be used for grants to institutions where military recruiters have been barred from campus, with certain exceptions.

Thus far the four laws have failed almost totally to carry out their sponsors' intent. The laws were rammed through by irate congressmen last year over the objections of such top officials of the Johnson administration as Wilbur Cohen, then secretary of HEW, Harold Howe II, then commissioner of education, and Donald F. Hornig, then science adviser. Neither the Johnson ad-



Edith Green

ministration, nor the colleges and universities, made much effort to invoke the laws. As of this writing, not a single individual has been deprived of HEW or NSF support because of disruptive activity, and only one institution, a junior college in California, has been denied a NASA grant because military recruiters were barred from the campus.

Last month the Nixon administration announced a moderate "get tough" policy, but the significance of the move, which was much milder than many educators had feared, is not clear. The administration put its weight behind enforcement of the existing laws, but also indicated that there will be no heavy-handed federal crackdown on the universities. Robert H. Finch, secretary of HEW, sent a letter



Robert Finch

to university administrators calling attention to the laws affecting HEW funds and stating that they "must be enforced." President Nixon, in a coordinated statement, described these laws as "moderate" and "justified." But both Nixon and Finch indicated that the task of keeping peace on campus should be left to the universities. Thus the main effect of the Nixon administration's stand seems to be hortatory, and it is not clear what will happen if universities continue to ignore the laws, particularly the law involving HEW appropriations, which seems to leave little or no room for discretion on the university's part. (The Nixon administration has made no direct reference to the laws involving NSF and NASA, but presumably they are expected to be enforced too.)

Meanwhile, members of Congress have indicated that they will push to continue, and perhaps strengthen, the laws that seek to deny federal aid to disruptive students or faculty members. At hearings before the House special subcommittee on education over the past few weeks, leaders of several educational organizations have urged that certain of the laws be repealed or else amended to give the universities more discretion in their application. The educators argued that the legislation may be unconstitutional; that it is unnecessary, since universities already have the power to expel, suspend, or otherwise discipline students in such a way that they lose federal aid; that it constitutes "double punishment" because it imposes penalties on students who have already been punished by civil authorities; and that it lessens a university's options in dealing with disruptions because it specifies automatic penalties and fails to allow distinctions between degrees of guilt. The educators also argued that the legislation discriminates against the poor, since it does not affect wealthy students who seldom depend on federal aid; that it encourages universities to become repressive in their handling of students; and that it unwisely injects the government into academic affairs.

But supporters of federal action countered that the universities have been so permissive in dealing with campus unrest that they need government guidance to stiffen their backbones. The supporters suggested that cutting off financial aid will serve as a deterrent to campus disruptions, and that federal

aid is a "privilege" which is meant to subsidize education, not rioting.

At this writing it is not yet clear just what Congress will do. Representative Edith Green (D-Ore.), chairman of the special subcommittee on education, has proposed that a federal education mediator be appointed to help settle campus disputes. She has also warned educators that there is "absolutely no chance" that Congress will

adjourn without passing additional legislation to deny federal financial aid to campus rioters. Educators who hope to repeal such laws are "hiding their heads in the sand," she said.

Mrs. Green's hearings on campus unrest, and her recommendation for a mediator, are said to be motivated, at least in part, by a desire to head off a more drastic crackdown by congressional conservatives. Indeed, Mrs. Green has expressed fears that Congress, in its present mood, might pass "extremely punitive" legislation. If Mrs. Green is correct in assessing the thinking of her colleagues, university officials may soon find themselves caught in a cross fire of backlash sentiment as law-makers at both the state and national levels vie to put down what they consider "unrestrained anarchy" on the campuses.—Philip M. Boffey

## NIH: Another Tight Budget, Fewer Friends in High Places

Like other federal research-supporting agencies, the National Institutes of Health (NIH) is bracing for a bleak budget year. Anti-inflation measures now being fashioned by the Administration appear not only to mean a tight budget for NIH but also to foreshadow a repetition of last year's limitations on spending below the levels voted by Congress. And as if budget troubles were not enough, NIH, which in the past has seemed to be fortune's favorite among research agencies, this year finds itself operating in a sharply altered and adverse political environment.

What amounts to an ideological impasse has blocked appointment of an assistant secretary of health and scientific affairs in the Department of Health, Education, and Welfare (HEW) and left medical research without a strong advocate in HEW at a crucial time.

The retirement of James A. Shannon last year leaves NIH with untried top leadership faced not only with budgetary straits but with the shaking down of a reorganized agency with expanded responsibilities.

On Capitol Hill the death of Representative John Fogarty and the retirement of Senator Lister Hill put the fate of NIH in the hands of men who are certainly not hostile to biomedical research but who lack Hill's and Fogarty's personal zeal for biomedical research.

Perhaps most important in the long run, the great expansion of federal programs in support of health services and manpower training is affecting public attitudes and congressional priorities and makes it seem likely that biomedical research will have to find a new competitive footing in coming years.

The most conspicuous, if temporary, problem is the policy vacuum created by the vacancy in the assistant secretary's office. The deadlock over the appointment has been represented in the press as a clash between liberals and conservatives in medical politics. Focus of the controversy is John H. Knowles, general administrator of Massachusetts General Hospital, who, as early as January, was talked of as the next assistant secretary. Strong opposition to the Knowles appointment reportedly was exerted by the American Medical Association (AMA). None of the principals in the dispute are talking, but it seems that Knowles, 42, was the personal choice of HEW Secretary Robert Finch. Knowles apparently accepted the bid, and then the AMA moved and applied sufficient pressure to block the appointment. Reportedly Knowles was asked to withdraw, but declined, and Finch is said to have stood firmly by his commitment. The episode is particularly embarrassing for the Administration because Knowles was a vocal Nixon supporter during the presidential campaign.

The controversy has antecedents going at least as far back as the early days of the Kennedy administration, when it was decided to upgrade the post of special assistant for health and medical affairs to the HEW Secretary to the assistant-secretary level. The AMA insisted then that the post go to a physician, not to someone, possibly a non-physician, picked for legislative and administrative skills in the medical field. A showdown on the issue was averted when Philip R. Lee, a practicing physician acceptable to both sides in the controversy, was appointed.

Late in the Johnson administration the stakes went up substantially when Lee was given line authority over the range of health service programs (including Medicare and Medicaid), medical education, consumer protection, environmental-pollution control, and biomedical research programs which had been added to the traditional activities of the Public Health Service (PHS) and the Food and Drug Administration.

The assistant secretary for health and scientific affairs is now the chief federal policy-making official in the field of health and medicine, and some observers now suggest that the Nixon administration may soon seek to raise the post another notch to the undersecretary level. It is not surprising that the politically sensitized AMA sought, in behalf of the medical profession, to assert what it regarded as its right to a veto.

What the AMA resents, apparently, is that Knowles, an M.D. and research scientist by training, is a "hospital man." What the AMA suspects is that Knowles would regard the hospital and medical school, rather than individual practice, as the focus of medical care. As chief federal policy-maker, therefore, he might favor programs providing types of medical care at variance with the atomistic principle which the AMA favors for the organization of medical services.

The issue seems to have cracked the united front that organized medicine