

# MIT Tenure Case Heads for Trial

A bitter tenure dispute at the Massachusetts Institute of Technology is headed for the courtroom after 4 years of preliminary legal skirmishing. Earlier this month, Judge Robert J. Hallisey of the Massachusetts Superior Court ruled that there are sufficient grounds to hold a trial on a charge brought by historian of science David Noble. Noble claims that MIT unfairly denied him tenure in 1984 because he had been outspoken in his criticism of MIT's links with industry.

The judge's ruling is prompting concern in the university because Hallisey's written opinion contains a wealth of detail that MIT and its lawyers had been striving to keep under wraps. The university has argued that all sensitive materials in the case should be sealed because its tenure review processes would be undermined if confidential files are made public whenever tenure decisions are challenged. Though the files themselves are still secret, some of the information they contain is now in the public record. Hallisey reports, for example, that a review committee unanimously voted to recommend Noble for tenure only to be overruled in a split vote by Noble's colleagues in the Science, Technology, and Society (STS) program.

Noble, who is currently a tenured professor of history at Drexel University in Philadelphia, filed suit against MIT in September 1986. His suit, which gained widespread attention at the time (*Science*, 26 September 1986, p. 1380), contained nine separate counts, including charges that the university was guilty of breach of contract and of infringing on his civil rights.

In his ruling, which came on a pretrial motion brought by MIT, Judge Hallisey threw out eight of the nine counts. But he sent the breach of contract charge on to trial and suggested that it is the central item in the case. The issue: did MIT properly follow its tenure review procedures, or, as Noble charges, did it stack the deck against him because of his political activities?

Noble clearly did not endear himself to the MIT administration during his 6 years as an untenured professor there. He spoke out at faculty meetings and wrote many articles sharply criticizing corporate influence on the university. He also vigorously opposed the establishment of the Whitehead Institute, claiming that it had the potential for turning publicly funded research at MIT into private profits. And on top of all this, Noble's personal style has often been described as abrasive.

But Noble had also received widespread academic notice, largely through his first

book, *America by Design*, which was published in 1977. A four-member tenure review committee found his academic record was strong enough that it voted unanimously on 3 February 1984 to recommend Noble for tenure. Five days later, however, faculty members of the STS program voted five to four against Noble's candidacy. STS program chairman Carl Kaysen then effectively ended the process by declining to send the case on to the next level of review.

Noble charges that the process was flawed on at least four grounds: (i) an MIT professor whose work was challenged in a 1984 book Noble wrote was included among the evaluators of Noble's work; (ii) the views of one of Noble's critics were assiduously sought, while little attempt was made to contact another professor who had previously given Noble's work favorable reviews; (iii) the faculty committee held two of its three meetings on Noble's tenure before the tenure review committee had reported its favorable judgment; (iv) Noble's journalistic work—much of it highly political—was considered along with his scholarly work.

Michael Sheetz, a lawyer with the Boston firm of Palmer and Dodge, which is representing MIT, argues that "there was nothing improper at all in the review of Noble's tenure." MIT's tenure policies allow for a broad range of procedures and permit the inclusion of considerations ranging from a



**Public fight.** David Noble's charges have been made public in a pretrial ruling.

candidate's academic record to his or her "collegiality," says Sheetz. In fact, MIT's lawyers are expected to make an issue of Noble's alleged abrasiveness, since the university's policies and procedures manual includes among the attributes of staff members a "willingness to work in cooperation with other departments in promoting the work and welfare of the Institute as a whole."

The matter will now end up in the courtroom—probably by the end of the year—unless there is a pre-trial settlement, which now seems unlikely. Indeed "we passionately want to get into court," says Leonard Minsky of the National Coalition of Universities in the Public Interest, which is supporting Noble. ■ COLIN NORMAN

## Call for Environment Institutes

The National Institutes of Health spends \$5.5 billion a year on human health. But the government allots only a minuscule fraction of that amount to research on the health of the human environment. Now come two university-based ecologists who, in a rare show of grassroots initiative from the biology community, want to do something about that. They are spearheading a movement among their colleagues aimed at the establishment of a "National Institutes for the Environment" modeled on the NIH.

The two scientists, Stephen P. Hubbell of Princeton University and Henry F. Howe of the University of Illinois at Chicago, conceived the idea several years ago when both were on the faculty at the University of Iowa. In the past year, Hubbell has been traveling around the country drumming up support from colleagues. The Committee for the National Institute for the Environment now has about 150 biologists, ecologists, and environmentalists on board—in-

cluding such heavy hitters as former Environmental Protection Agency (EPA) chief William D. Ruckelshaus, biologist Thomas Lovejoy of the Smithsonian Institution, Stephen H. Schneider of the National Center for Atmospheric Research, Harvard biologist E. O. Wilson, and World Resources Institute president Gustave Speth.

Hubbell and Howe's latest venue for the presentation of their idea was a 21 March hearing held by Representative James Scheuer (D-NY), chairman of the House Science Committee's natural resources and environment subcommittee. Hubbell described their vision of five institutes spending a total of \$500 million a year: \$400 million a year to fund extramural research on biotic resources, sustainable resources, ecosystem management, human environments, and climate change; \$50 million for intramural activities, including information management and public education; and \$50 million more for a program of graduate