

[COMMITTEE PRINT]

92D CONGRESS }  
1st Session }

SENATE

{ REPORT  
No. 92-42 }

RIOTS, CIVIL AND CRIMINAL DISORDERS

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COLLEGE CAMPUS DISORDERS

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SECOND INTERIM REPORT

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

UNITED STATES SENATE

MADE BY ITS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
TOGETHER WITH ADDITIONAL, INDIVIDUAL,  
AND MINORITY VIEWS



MARCH 23, 1971.—Ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

58-311 O

WASHINGTON : 1971

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Mr. McCLELLAN, from the Committee on Government Operations,  
submitted the following

REPORT

INTRODUCTION

On August 11, 1967, the U.S. Senate, Senate Resolution 150 (90th Cong., first sess.) authorized and directed the Committee on Government Operations or any of its duly authorized subcommittees to investigate and report upon the riots and civil disorders which have occurred in recent years in the United States. The Committee on Government Operations delegated its authority for the study and investigation to the Senate Permanent Subcommittee on Investigations. The directive of Senate Resolution 150 was continued by the Senate in Senate Resolution 216 of the 90th Congress, second session; Senate Resolution 26 of the 91st Congress, first session, and by Senate Resolution 308 of the 91st Congress, second session.

On May 1, 1969, the Committee on Government Operations agreed to include within the general category of civil and criminal disorders, an inquiry into disorders on college campuses.

In order to provide a base sufficiently broad enough to draw conclusions, preliminary inquiries were conducted and later sworn testimony was taken from witnesses in hearings by the subcommittee relating to the following universities and colleges: Harvard University, Cambridge, Mass.; Columbia University, New York, N.Y.; City College of New York; Brooklyn College, Brooklyn, N.Y.; Stanford

University, Palo Alto, Calif.; University of California at Berkeley, Calif.; Voorhees College, Denmark, S.C.; North Carolina Agricultural and Technical State University, Greensboro, N.C.; Brandeis University, Waltham, Mass.; Howard University, Washington, D.C., and San Francisco State College, San Francisco, Calif. The first section of the report consists of a brief chronology of disorders at the individual institutions and of events which appear to be related to these disorders. The second section sets forth comments of educators and others who testified before the subcommittee.

## STANFORD UNIVERSITY, PALO ALTO, CALIF.

Stanford University is located in an unincorporated area of Santa Clara County, Calif., adjacent to the city of Palo Alto. It is a privately endowed university. It has a student body of about 11,400 which is divided equally between undergraduate and graduate students.

*1967-68*

Articles appeared in the newspapers "Peninsula Observer" and the "Resistance" critical of research work being performed at Stanford and at Stanford Research Institute (SRI).

*April 13, 1967*

A group of university students marched to the main building of Stanford Research Institute to protest "war related" research.

Toward the end of the school year in 1968, attempts to invoke disciplinary measures against students who blocked entrance to Encino Hall to prevent interviewing by a CIA recruiter were dismissed by the student disciplinary body. The group's effectiveness was weakened by its action, even though a study had been undertaken previously to determine whether a more effective student-faculty body should be formed to handle disciplinary problems. The problem was magnified by the existence of a coordinated group which stimulated the disorders. Prominent among the agitators throughout the student disturbances were members of Students for a Democratic Society.

*December 1, 1968*

Dr. Kenneth S. Pitzer became president of Stanford University.

*January 14, 1969*

A meeting of the Stanford Board of Trustees was scheduled in the Bowman Alumni House conference room, to be preceded by a luncheon. By use of a bull horn and the invasion of the luncheon site by a crowd of persons the students effectively disrupted the board meeting.

*February 1969*

The Stanford Judicial Council was formally established, with the requirement that all its decisions had to be recommendations to the president. The disruption of the meeting of the Board of Trustees was the first major case to be handled by the council. On February 28, 1969, the council unanimously recommended suspensions and fines for the 29 students identified as having taken part in breaking up the board meeting.

*April 3, 1969*

The SRI Coalition consisting of most of the activists groups on campus, held a campus-wide meeting. The group made a number of demands. One of them was that SRI be brought under tighter control by the university and that guidelines be established for socially acceptable research. This began the April 3d movement.

*April 9, 1969*

Following a rally on campus, 200-400 persons, mostly students, occupied the Applied Electronics Laboratory. This was an outgrowth of the April 3d movement. The building was occupied April 9 through April 18. Work going on in the laboratory was completely disrupted. Property damage in the building amounted to about \$10,000 and salary and overhead losses were approximately \$90,000. During the occupation, sympathetic students paraded outside.

*April 14, 1969*

The student-faculty committee appointed to examine the relationship between SRI and the university, called the Scott Committee, issued its report. The majority recommended that SRI be sold with a restrictive covenant limiting its research. Three of the 12 members of the committee voted to bring the institute under more effective control by the University.

*April 17, 1969*

The Stanford Judicial Council presented its findings to President Pitzer. It recommended by a vote of five to two that the president declare the AEL closed to all persons from Friday, April 18, to Friday, April 25. On the 19th, the persons occupying the building voted to end the sit-in voluntarily with the week's "cushion" recommended by the judicial council.

*April 22, 1969*

During the spring, many meetings were held on the Stanford campus. On April 22, President Anderson of SRI told the Stanford Academic Senate that most of SRI's 1,500 professional staff would walk out if any outside authority imposed restrictions.

*May 1, 1969*

Encino Hall, the main administration building, was seized by about 200 students at 1 a.m. About 4 a.m., the president called the Santa Clara County sheriff's department for assistance. At 7 a.m., Santa Clara County deputies reached the scene. The students then left the building. The university obtained a temporary restraining order which stayed in effect for some time. This order prohibited certain organizations and individuals from disrupting various kinds of activities.

*May 13, 1969*

The Board of Trustees of Stanford University announced their intention to sever formal ties between SRI and the university. The action was to be taken as soon as possible after the complex legal difficulties were worked out. The decision was satisfactory to Stanford Research Institute and not satisfactory to the activists.

*May 16, 1969*

About 400 individuals demonstrated outside the Hanover facility of Stanford Research Institute. They halted traffic for 2½ hours, finally being dispersed by tear gas. A few arrests were made on the scene. Photographs were taken in order to identify the participants at a later date.

## FINDINGS

Disorder, riotous conduct and senseless violence are alien to the traditionally peaceful campuses of American universities and colleges. There is no rationale by which they can be excused or condoned. They disrupt or destroy serious scholarship and cripple educational processes. If carried repeatedly to the extremes which the Nation has seen during the past several years, they will eventually destroy many of our major educational institutions.

On the other hand, the advocacy of causes, the protest of inequities, the voicing of grievances have always been and always should be unalienable rights and privileges of our citizenry, so long as the voices are heard and the protests are made within the law, and without recourse to intimidation and violence.

Undoubtedly inequities and injustices do exist to some degree on the campuses of our universities and colleges, just as they do in all areas of our society and those of other nations. Our democracy is not and never has been perfect, and perhaps many of its defects disclose themselves clearly to the questioning minds of youth on campuses. However, the university atmosphere is an ideal proving ground for the processes of law and reason and the progress of our society. Persons in authority in the academic world, whether they be administrators, faculty members or student leaders, have a grave responsibility for taking all appropriate and necessary steps to restore peace and reason to the college scene and to deal firmly and justly with the perpetrators and instigators of violence and destruction.

The campuses are a focal point for groups whose clear motive is to create chaos and anarchy. The subcommittee's hearing record shows, in the language of their own proclamations, that they seek to weaken the fabric of society by exploiting inequities, injustices and mismanagement. These activist groups are adept at misleading and inducing some otherwise well-intentioned students into making common cause with them, frequently on longstanding alleged grievances relating to campus life and activities. Whenever "confrontations" between students and any form of authority can be generated, some serious and well-meaning students may be persuaded to join raucous protest movements. Emotion escalates to disorder, and violence frequently follows.

The subcommittee finds that the so-called revolutionary groups which have been in the forefront of college disruptions rarely desire or would accept reasoned and equitable solutions to the problems and grievances which they use as a basis for their demands, which frequently are declared to be from the start "nonnegotiable." They do not want the issues—the controversy—resolved. They seek to agitate strong emotions and resulting violence as vehicles for rebellion, revolution, and eventual destruction of the "system." Each successful confrontation adds strength, prestige, and power to the extremist forces of disruption and destruction.



The record shows that many leaders and instigators of campus disruptions are students from other schools, or that they are not students at all. This fact suggests organization beyond campus boundaries and indicates that the nonstudents are, in effect, traveling organizers and fomentors of disruption and rebellion. The importing of outsiders complicates the administration of discipline at any institution, since only students registered in the university where a disorder occurs are subject to discipline under its rules and regulations and to the penalties for infractions.

Testimony established that Students for a Democratic Society and the Black Panther Party, as well as affiliates of those organizations and others of similar philosophy, are guiding forces in a large percentage of the campus disruptions in recent years. However, the titles of organizations are not conclusive in themselves; frequently, local issues and protest movements dictate the names of organizations on particular campuses, although it has been shown clearly that the aims and tactics of local groups often are patterned upon and are basically identical with those of nationally known militant and revolutionary organizations.

There has been a number of instances in which university administrators were unable to consider, or failed to act upon, the requests and desires of students in relation to dissatisfaction or grievances when the requests were submitted through established channels. To the students who have attempted to find traditional solutions and who have not engaged in disorders, it frequently appears that their college administrators have succumbed to the effects of disruptions generated by extremists on campus. The failure to act—whether the result of inability, inadvertence or neglect—often has led students to question the effectiveness of using appropriate channels and legitimate effort. Instead they have, in too many instances, observed that the revolutionary tactics of intimidation and violence produce results.

Most university administrators who testified before the subcommittee said that they did not believe the withholding of Federal aid from rioters would create a useful weapon against disruptions or would help appreciably in removing from campuses the persons responsible for violence. In summary, they gave the following reasons for this conviction:

(a) The withholding of Federal aid would be a mandatory action in a field in which college administrators should have discretionary authority.

(b) Many students involved in disorders receive no Federal aid.

(c) Many persons known to be disrupters are not students at the particular colleges where disorders occur, and many of them are not students anywhere.

A primary difficulty in enforcing discipline at schools where many students participate in riots and disruptions is the problem of identifying individuals. The disorder breaks out and events move so swiftly that reconstruction and documentation of what happened is often impossible with respect to individuals involved.

The type of discipline meted out by a university to offenders, whatever its severity or levity, generally has little or no relation to similar



action at another university. Student bodies are so varied in background and schools are so different in tradition, size, function, and administration that an act which would bring arrest or suspension at one college might result in no punitive action at another.

The testimony of a number of university officials in relation to their experiences in campus disorders clearly refutes the wisdom of making concessions under duress.

The record discloses that one of the most effective devices for restoring order to college campuses, once the disorder is underway, is the injunctive process.

## RECOMMENDATIONS

The subcommittee's recommendations are principally drawn from measures taken by college administrators who have been successful in handling turbulence and in correcting conditions which appear to invite discontent.

The subcommittee suggests that college administrators be especially sensitive to the mechanics whereby a legitimate grievance of either faculty or students can receive careful consideration. Procedures should be designed to bring requests to the attention of appropriate officials or groups as quickly as possible. Not every grievance has merit nor should every suggestion be adopted or every request granted. The subcommittee feels, however, that all alleged grievances, having the appearance of substantial merit, should receive attention, be heard, and acted upon.

In the light of recent experience, the subcommittee suggests that the university or college make sure that each prospective faculty member or student is clearly informed, preferably in some form of written notification, of the standard of conduct expected of him. This document should include a range of penalties for violation of these standards of conduct. Some specific authority should be clearly established and designated to act upon violations of the regulations, and should be empowered to impose penalties, if deserved, based on its findings. Many institutions provide that the chief administrator may preempt these groups in time of emergency.

The university administrators also should consider what action might be taken if perpetrators of disorders on college campuses are found to be either students from other schools or persons who are not students at all. Since such persons are not subject to school discipline, recourse must necessarily be made to civil authority. This may complicate the handling of such problems but does not make them insoluble.

A serious problem in coping with campus disorders has been the difficulty of identifying participants at subsequent court proceedings days and sometimes weeks or months after the event itself. The subcommittee suggests that measures be taken to anticipate possible disorders and that arrangements made to attempt to record, while the events are transpiring, evidence and documentation which can be produced later. Two methods have been installed in some schools. One is to arrange on short notice for motion pictures to be taken of any disorder. Another is to make sound recordings. These, together with the collection of pertinent documents and the testimony of eyewitnesses, should provide a considerable measure of assistance. Possibly supplementary techniques can be developed if disorders continue.

Some universities and colleges successfully have used the injunction process, whereby a court of competent jurisdiction proscribes certain specified types of offensive action. If the forbidden action

should continue following the issuance of the injunction, the perpetrators risk conviction of contempt of court. Such injunctions would, of course, apply equally to students and nonstudents alike.

Many educational institutions routinely require that campus organizations qualify themselves to use school meeting rooms and facilities. Groups must file with an appropriate official of the school a list of all officers of the organization and their faculty advisers. The subcommittee feels this procedure is necessary not only to make sure that the rights of these organizations are protected but also to permit the fixing of responsibility when school regulations are violated. Organizations not so registered should be discouraged.

The subcommittee suggests that college administrators take whatever measures are necessary to protect facilities located within the confines of the campuses from malicious damage or destruction. This applies with particular emphasis to the facilities prepared for the use of the Reserve Officers Training Corps.

The subcommittee has intentionally refrained from addressing itself to the substance of the broad social and international issues which frequently characterize the material used and the inflammatory speeches often made by radical groups and their collaborators. Other congressional committees have primary jurisdiction to deal with these problems. Rather, the subcommittee, since it is clear that the leaders of tomorrow must come from the ranks of today's youth, has given thought to measures necessary to assist institutions of higher learning in maintaining order on campus and to help them in performing their vital task of training the youth of our land.

Maintenance of an orderly climate is a condition without which this assignment cannot be carried out. The very purpose of the existence of a school is to teach and that of being a student is to learn.

Critical shortages already exist in professions necessary for the well-being of our people. This is true of the medical profession and numerous other highly skilled lines of work. Unless order can be preserved, the number of persons possessing such technical skills will not be increased as needed to meet the necessary requirements of our growing population and expanding economy.

The subcommittee has attempted to assemble from recent experience suggestions which will help institutions of higher learning subdue the tiny percentage of radical students and others who disrupt our institutions to the detriment of the vast majority of students who want to learn.

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Senator James B. Allen was not a member of the Senate Permanent Subcommittee on Investigations at the time of the hearings and did not participate in the preparation of this report.

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The members of the Committee on Government Operations, except those who were members of the Senate Permanent Subcommittee on Investigations, did not sit in on the hearings and executive sessions on which the above report was prepared. Under these circumstances, they

have taken no part in the preparation and submission of the report, except to authorize its filing as a report made by the subcommittee.

Messrs. Humphrey and Brock abstained from voting because they were not members of the Senate at the time of the hearings.