

10-8-1968

SWARTHMORE COLLEGE
Swarthmore, Pennsylvania

8 October 1968

To Swarthmore Faculty and Students:

Early in September I asked the Chairman of the Student Affairs Committee to have that committee review our present and long-standing practice in regard to the use of campus facilities by commercial firms, graduate and professional schools, and government agencies for discussion with students concerning career possibilities. The committee will take up this matter at the earliest opportunity. Our practice, followed without exception for many years and never seriously questioned by the College community, is consistent with the positions (see enclosures) of the American Civil Liberties Union and the Council of the American Association of University Professors. It is salutary to review such practices from time to time, however, so that our policy may be based on general understanding and support. In making its review, in which others will eventually take part, the Student Affairs Committee will welcome expressions from all members of the College community.

Courtney Smith
President

STATEMENT OF AMERICAN CIVIL LIBERTIES UNION
Concerning
CORPORATION AND GOVERNMENT RECRUITERS ON THE COLLEGE CAMPUS

Many American colleges and universities are currently confronting a major controversy with respect to the use of campus facilities by corporations and government agencies for discussion with students concerning career recruitment. In some instances, the disruption caused by demonstrations against the presence of particular recruiters on college grounds has led institutions to rescind temporarily their invitations to controversial recruiters and to re-examine their traditional policy of extending invitations to accredited agencies on a non-discriminatory basis.

The complexity of the problem is reflected in the differences of opinion within the academic community concerning the university's role with relation to recruitment. The American Civil Liberties Union has given careful attention to the many aspects of this controversy in an effort to understand and determine where the civil liberties and academic freedom issues lie. We offer the following conclusions.

On-campus career recruitment is essentially a service to students and not central to the educational purposes of the university. Therefore, college and university officials may decide, as a matter of institutional policy, to refuse the use of their facilities to all recruiting agents of any category without infringing on the basic precepts of academic freedom or civil liberties.

On the other hand, if the established policy of the institution permits outside recruitment, it is incumbent on the administration, in the interests of academic freedom, to assure that facilities are made available, without discrimination, to the representatives of any commercial firm or government agency, including the military, invited to the campus for that purpose by any authorized administrative, faculty or student group. The same rules and regulations that normally govern the appearance of outside invited persons on campus should prevail.

The Union believes that any decision to exclude some recruiters, arising primarily from a political controversy, poses questions of civil liberties interest. Whether based on the imposition of an ideological test, concern for the physical safety of its students, disruption of the orderly processes of the institution, or protection of students from the threat of reprisal by draft reclassification, the barring of accredited outside agencies strikes against the concept of the open university and the right of students to hear all points of view. Moreover, selective exclusions that deny students access to particular recruiters are discriminatory in their application and suggest a possible infringement of the spirit of the equal protection clause of the Constitution.

For these reasons, it is our judgment that no issues of civil liberties are raised if an educational institution decides as a matter of policy to admit all accredited recruiting agents from the campus or to admit none, but a decision to admit some and exclude others would be discriminatory and an incursion into the basic principles of academic freedom.

We also believe that free speech and academic freedom require that protests on campus relating to recruitment by any segment of the academic community should also be fully protected. This includes all forms of legitimate protest

such as speeches, peaceful demonstrations, picketing, rallies, etc. However, demonstrators who are moved by conscience or the intensity of their convictions to use means of protest which result in depriving others of the opportunity to speak or be heard, physically obstruct movement or disrupt the educational or institutional process cannot expect support on civil liberties grounds and must be prepared to accept the consequences of their action. We assume that regardless of the manner in which protest is expressed, procedures of due process will be strictly observed by the college and university where infractions are charged.

A collateral issue to on-campus recruitment is raised by the use, in some instances, of outside police to quell disturbances on university grounds. Traditionally, universities have been self-governing institutions which have settled their internal dissensions and difficulties through the art of discussion and persuasion and, only when unavoidable, by the use of campus authority and discipline. We believe that outside police should not be summoned to a campus to deal with internal problems unless all other techniques have clearly failed and then only on the basis of rules made in advance with the participation, consultation, and preferably, concurrence of representatives of students and faculty who have been selected in a truly representative fashion.

February 19, 1968

SPECIAL RESOLUTION

On October 28, 1967, the Council of the American Association of University Professors adopted the following special resolution:

The American Association of University Professors and the academic community have long stressed the fundamental principle set forth in the 1940 Statement of Principles on Academic Freedom and Tenure that "The common good depends upon the free search for truth and its free exposition." Universities and colleges are dependent for their very life on the maintenance of this principle within their walls. The Council of the American Association of University Professors has again asserted this principle at its meeting of October 28, 1967.

The Council also approved the Joint Statement on Rights and Freedoms of Students, which affirms that "Free inquiry and free expression are indispensable to the attainment of the goals" of academic institutions. The Joint Statement emphasizes that "the responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community" and develops other implications of these principles. The Statement notes that students should "be free to support causes by any orderly means which do not disrupt the regular and essential operation of the institution."

In view of some recent events, the Council deems it important to state its conviction that action by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the institutions in the course of demonstrations, or to obstruct and restrain other members of the academic community and campus visitors by physical force is destructive of the pursuit of learning and of a free society. All components of the academic community are under a strong obligation to protect its processes from these tactics.