

YALE UNIVERSITY

STUDY COMMISSION ON GOVERNANCE

Final Report

Yale University: Office of the Secretary, 1971

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PREFACE

The Authority of the Commission

The Yale University Study Commission on Governance was called into being in the fall of 1969 by President Brewster on recommendation of an earlier committee (the 1969 Summer Study Commission on Governance under the chairmanship of Jorge Domínguez) appointed by him to advise on how Yale ought to approach the study and reform of its governance. Several of the faculties of the University discussed and then acquiesced to the President's proposal to proceed in the ways outlined in the Domínguez Report: other faculties acquiesced simply by selecting the delegates called for. Students and nonfaculty employees acquiesced by sending their delegates: they did not convene to discuss the Domínguez proposal for a Study Commission on Governance.

The President authorized the Commission to study and to make recommendations on issues of governance of university-wide concern but not to concern itself with such questions of governance internal to each of the ten schools of the University as were, for example, attended to in the case of the Medical School by its own governance committee.

The Commission's mission is governance, not policy making. Recommendations on governance of course often imply policy positions. Still, the Commission did not embark on a general study of university policy, beyond policy on governance itself.

It has, therefore, on the whole limited its work to: (a) issues of governance arising out of discontent of students and younger faculty members and (b) new structures for wider consultation on all-university policy to supplement existing structures that operate within each of the ten schools. It leaves untouched a number of issues that might have been taken up in quieter times: for example, the possibility of restructuring an overloaded Provost's office.

The Commission's Procedures

The Commission was established in accordance with the prescriptions of the earlier Summer Study Commission on Governance. Tenured and nontenured faculty were appointed from each of the University's ten schools by their respective deans, with ratification by their faculties, 24 in all--of which 8 are professors, 7 associate professors, and 9 assistant professors. Nonfaculty employees elected 5 representatives, including 1 representative elected by the bargaining unit and 1 professional librarian elected by the library staff association. A student was elected by each of the undergraduate residential colleges and by the students of each of the other schools--24 students in all. Two alumni were appointed by the Alumni Board. And the President appointed 3 faculty, 1 administrator, and 1 student at his own discretion, as provided in the Domínguez proposal. All members had been elected or appointed by January 1970, and the Commission convened for the first time on January 27, 1970.

The 60 members of the Commission elected an Executive Committee, a chairman, and a secretary, and then divided into five working groups:

University Priorities
University Procedures
University Services
Academic Affairs
External Relations

The work of the Commission was carried on almost entirely through the working groups and the Executive Committee, each meeting roughly once a week for the first months and somewhat more frequently in the closing months and weeks. The Executive Committee met 12 hours a week during the two-month preparation of a first draft of this report, which was discussed and amended in working groups before action was taken on a revised version in plenary session.

The work of the Commission was open to the Yale community throughout, documents accessible and meetings unrestricted. The earlier draft of this report was summarized in two articles in the Yale Daily News, and copies were available to anyone on request.

Members of the Commission are listed in Appendix F.

Character of the Report

This final report is addressed to the entire Yale community, as originally requested when the Commission was established. Some of its recommendations call for action by the Corporation, others for Presidential action, others for action by students, faculties, or nonfaculty employees. The Commission has not made its recommendations in specific detail: it has not, for example, written drafts of proposed new By-Laws of the University. It intends that such detail be supplied in the course of deliberation and action by those to whom the recommendations are addressed.

The Commission's Action on the Report

After discussion in working groups of an earlier draft, this draft was unanimously recommended to the Commission by the Executive Committee. It was thereafter discussed first by working groups and then in plenary session. On March 2, 1971, the plenary session passed the following motion, by a vote of 34 to 2, with 20 of 60 members absent: "That the draft report be approved, each member of the Commission understanding that, although all sixty members cannot agree on every argument and recommendation in the report, his affirmative vote indicates his desire to recommend the report as a whole to the Yale community."

Five members who were unable to take part in the balloting have asked that their support of the motion be recorded.

The Commission herewith establishes a Monitoring Committee to observe and report on ensuing debate and action or inaction on this report. The Committee will serve until June 30, 1972, or until such prior time that it determines that its task has been completed.

The Committee will report on the state of debate and implementation of this report through the new University bulletin recommended in this report, if that recommendation is acted upon. That failing, it will report, if necessary, through circulars distributed to the same persons who receive this report.

The members of the Committee are:

Philip Felig (Medical School faculty)
Roger Frev (Graduate School student)
Michael Calligan (Graduate School student)
Richard Hackman (Yale College faculty)
David Maslyn (Professional Librarian)
Jaroslav Pelikan, Chairman (Graduate School faculty)
Arvid Roach (Yale College student)
David Tunderman (Law School student)

Distribution of the Report

The Commission intends that this report be made freely available to all members of the Yale community.

It also intends that written contributions to a continuing discussion of issues of governance be given wide circulation. If the recommendation for the establishment of a University news bulletin cannot be immediately implemented, arrangements will be made through the Secretary of the University for interim circulation of papers. Contributions to the continuing discussion should be sent to the Secretary.

I. THE UNIVERSITY: WHAT AND WHY

In our day, dissatisfaction with social institutions is increasingly apparent; some critics find an explanation of discontent in the appearance of a growing disparity between man's problems and his capacities to grapple with them; others in some kind of cultural malaise; others in the bomb or in American foreign policy. Whatever the causes, the university comes under attack both for society's defects and for its own, which are many and increasingly exposed.

A damaging piece of evidence is the testimony of some of Yale's best undergraduates that college is a disappointment. Students protest the discrepancy between the voyage of discovery, including self-discovery, on which they believed they were about to embark and the dispiriting flatlands journey through which their guides in fact often conduct them. Some students, graduates and undergraduates, academic and professional, are also troubled by a discrepancy between a hoped-for community and an actual loose association of somewhat estranged unequals.

Even more students are offended by obstacles to communication. Students simply want to know what is going on, what is being decided, by whom, and why. Further, they want someone to listen if they have something to say about Yale's affairs. Sometimes they are troubled because they do not know where to go with an idea. Repeatedly they ask for channels of communication to be identified, as well as opened up and improved. It does not satisfy them to know that, compared with other universities, Yale is doing well in education and in governance.

Reform in the governance of Yale has to be evaluated in the light of such discontents as these. If it does not make headway against them, it will not significantly improve Yale. Almost certainly the reforms required go beyond governance into academic and institutional policy and into the ethos of academia.

Does the World Need the University?

Yale, like other universities, is a peculiar organization, designed for a limited range of purposes. Its overriding purpose is broadly defined: science, philosophy, and the arts. It transmits an inheritance of knowledge, value, skill, and critical judgment, and it enriches tradition with discovery, new insight, and innovation.¹

To say that the university's function is, broadly speaking, the pursuit of learning leaves open many questions about what learning is or ought to be and what the character of its pursuit is or ought to be. The answers to such questions change from time to time as the relation of the university to its society alters. In all times, however, the university has the function of providing facilities for scientific and humanistic study and accomplishment by men and women of unusual talent and training, as well as protecting them in their work. But, valuable as their work is, it is not enough that scientists, philosophers, historians, artists, legal scholars, and physicians be gathered together simply to cultivate

¹Subsidiary to its main purposes, the University takes on many other functions: among others, it runs restaurants and parking lots, publishes books, and operates a police force. Its professional schools also take on service functions for society, especially the medical school through Yale-New Haven Hospital. In still other ways, Yale's energies, like those of other universities, are pulled away, for good or bad, from the pursuit of learning. A university exists in a society of which it is an important part; and it has to accommodate itself to external pressures on some counts and will wish to on others.

their talents and satisfy their own curiosities. What they discover, create, or learn to do has to be made available to the world. Among various channels, an indispensable one is publication. Another channel is professional training. A third is undergraduate education.

The third channel is shared with liberal arts colleges. But Yale, perhaps more than most universities, continues to believe that, in addition to publication, its liberal arts mission is as important as its professional training programs. In fact, Yale College has never been simply one of the ten schools that make up the University. It remains in several ways both the intellectual and the symbolic center of Yale, and it receives from President and Corporation an attention not bestowed on any other school. It is in the College that Yale attempts what may be its most difficult task. This is to bring all major branches of science, philosophy, and the arts into some coherent relationship in education so that men and women can develop, in an immediate environment generally conducive to personal development on varied fronts, such command of knowledge, quality of intellect, aesthetic and ethical discrimination as both constitute and fuel personal development and, in addition, give to society men and women competent to play the most demanding civic roles.

A college can exist outside a university. When, however, undergraduates are given an opportunity to exchange ideas with persons of active and creative mind, diversified in interest and specialized competence, the structure of the university functions to benefit undergraduates and faculty alike. Just as professional training helps the trainer as well as the trainee, so also undergraduate teaching helps keep the faculty member informed, alert, and mindful of a larger world of the intellect than that which he cultivates in his specialty.

The reconciliation of college with university is not easy, nor is the reconciliation of teaching with research. More precisely, it is difficult to maintain simultaneously both excellent scholarship and excellent teaching. For, while exploration and teaching are mutually beneficial, they can be antagonistic to each other in some respects.

A teacher cannot write and lecture simultaneously, carry out investigation in the field or laboratory and be fully available to students, administer an educational program, supervise students, set and grade examinations, and debate educational policy without taking time away from scholarly exploration.

It is easy for the public and for students to undervalue faculty creativity and publication. More than a few scholars and research administrators are now predicting that educational demands on faculty, stepped up sharply by new needs to negotiate with students, mark the beginning of the end for universities as major centers of intellectual life. They predict a decline of universities into teaching institutions no longer enriched by intellectual exploration, no longer staffed by first-rate intellects: these, they predict, will be drawn off increasingly into specialized research institutions, like the Princeton Institute of Advanced Studies, Brookings, or Brookhaven, that do not carry the burdens of teaching.

Yale needs to order its affairs so that this does not happen. The original idea that scientists and humanists from all branches of learning can fruitfully gather together, simultaneously advancing their own knowledge and sharing their accomplishments through publication and teaching, and the willingness of societies to finance faculties and students in such a venture are among the great accomplishments of civilization. To bring Universities into life required men of intense curiosity; both as teachers and as students. To put the necessary resources at their disposal has required support from private donors and public officials, as well as the consent of taxpayers--in short, support from a variety of types of men who had little reason to expect to take immediate gains from it. And to maintain the universities in the face of challenges to their independence from church, business, government, and wayward faculty and students has called on the energies of countless academic and lay defenders of the inquiring and creative intellect. It is still the case that in relatively few countries have adequate resources, intellectual leadership, and a cohort of defenders combined to establish universities of great strength, productivity, and freedom.

Learning and Governance

The most elementary prudence would seem to require that the university's governance be designed to protect and to further those functions of the university that would be lost to the world if the university were to disappear or to move to other functions. It is doubly prudent to use governance to keep the university on its main course, since all the other functions that have been proposed for it--miscellaneous service functions, welfare functions, even political functions--are already being performed by other institutions. To be sure, the other institutions are often doing their jobs badly and need improvement; but the university has more than enough to do if it is to do its own job well enough.

Yale's contribution to the world's thought and learning, to the worldwide dissemination of knowledge, to the training of professionals from many countries, and to the world's all too short supply of highly educated and discriminating men and women is of a magnitude and consequence that in a sense takes the University out of the hands of those who are now its administrators, its faculty, its staff, its students, and its alumni. Although they are undeniably the ones who must make decisions for and about Yale, it would be indefensible for them to treat Yale as theirs alone.

On another count, reforms in governance have to be guided by a kind of self-denial. The University does not exist solely for those of us who are here now. Reforms must not be so constrained by today's issues, however urgent, that the University loses its capacity to deal with tomorrow's.

Finally, governance should protect and develop the university as a hospitable environment for free minds. Yale should do its best to attract faculty and students who want to learn and to learn how to learn. When they come here, they should have no unnecessary tasks of governance thrust upon them, and no tasks of governance should be thrust at all on those who want none of it, who prefer instead to delegate governance to those colleagues who wish to participate in it.

The University as a Community

Because the university has a special purpose--the pursuit of learning-- it is a special kind of community, with different kinds of "citizens" intermixed within it. Even the word "citizen" may be misleading, since the university is not a political community marked by equal rights to office, to voting, or to other forms of participation.

A community in the ordinary sense of the term has no special purpose but picks up a multiplicity of purposes to facilitate the coexistence of people who live in proximity to one another. They have to resolve their disputes, keep the peace, and carry out various cooperative ventures like defense, irrigation, road building, and regulation of commerce. Sometimes, of course, new communities are deliberately formed by migration. But even then they are multipurpose ventures, not simply associations for a single purpose like land clearing or education.

By contrast, a university, like other voluntary special purpose organizations, is a group of people who establish themselves as an association only because a general purpose has already been decided upon. Not only do they come together for a purpose, but also participation in the organization is limited to those who are willing to pursue that purpose. They come to the association only if there is sufficient benefit to them to induce their participation in the work of the organization.

Because the participants in a university community have been gathered together to pursue a predetermined general purpose, it makes little sense to give the participants the authority to abandon the general or fundamental purpose. To be sure, the "pursuit of learning" characterizes only a general purpose; and participants in the life of a university will have a great deal to say about how that pursuit ought best to be carried on-- whether, for example, through a subordination of teaching to research or through equal status for both, whether through an emphasis on science or with a continuing major attention to the humanities and the arts, or whether in professional training through the development of specific practical professional skills or through a larger intellectual orientation of the profession to the society.

All these policies have to be debated, however, within the constraint of the university's general commitment to learning. There is an important principle here about organizations in free societies. Individuals and small groups will want to pursue a variety of special purposes of benefit to society that are not sufficiently served by government. Some will want to promote education, others health: still others exploration, nature conservancy, or peace. They cannot succeed without organization. It ought, therefore, to be possible for them to enlist the cooperation of others. Voluntary associations for these various worthy purposes would be impossible if the enlisted participants could take control of the organization and set entirely new purposes for it. A democratic society has everything to gain by protecting the autonomy of purpose of voluntary associations from encroachments by their own participants.

The commitment of a university to the pursuit of learning consequently restricts the scope of conflict with which university governance needs to concern itself. Conflict there will be; but it will always be pertinent to ask that adversaries in policy making show that their proposals advance the pursuit of learning. And, to the extent that participants in the life of the university agree on how learning is to be pursued, they can approach particular questions of policy in the role of cooperative problem solvers, not antagonists. At Yale, policy making in faculty meetings proceeds as well as it does because almost unanimous agreement on some major interpretations of university purpose, supplemented by large areas of agreement on more specific purposes (like protecting liberal arts education for undergraduates), gives faculty members criteria for solving problems through reasoned discussion.

Reforms in governance should make the most of the possibilities of casting participants into the role of cooperative problem solvers. Certain kinds of cases aside--for example, policy making on health services, dining halls, or fringe benefits to employees, in which the special interests of particular groups are the appropriate concern of policy--participants in governance should ask themselves, "What best serves the University's purposes?" rather than "What can I or my group get out of this?" By contrast, in an ordinary community, where there is no overriding purpose, it is quite appropriate for various groups to pursue their segmental interests.

Because any one university will pursue learning in multiple ways and will alter its programs over time, a university will inevitably take on some of the characteristics of a multiple-purpose community. Moreover, because a university is not entirely a voluntary association, it takes on some of the characteristics of an ordinary community. At least some members of the university are at least to some small degree involuntary participants: some senior faculty, for example, have sunk their career energies into one university and no longer have any acceptable alternatives open to them; some students will be drafted if they leave.

Then, too, in a democratic society people who join associations are not willing to be treated wholly as instruments of institutional purpose: they want at least some small recognition given to their interests, problems, concerns, aspirations. And when for its students the university houses, feeds, regulates through dormitory rules, provides medical care, and establishes or encourages a varied program of extra-curricular activities, it plays for these students a multipurpose role like that of family, town, or state.

There is no simple line of argument leading from the special characteristics of the university as a community, or from those features of the university that it shares with ordinary communities, to specific prescriptions on the structures of governance. The Commission's perception of the special characteristics does, however, establish a basis for justification of many of its recommendations below: for example, its disinclination to recommend structures for the representation of interests in the ordinary political sense and its intention to keep governance in the hands of corporative problem-solving groups rather than adversary organizations.

II. CHANNELS OF INFORMATION

If Yale is not, in the ordinary sense, a political community, it could nevertheless be more of a community in another sense: an interacting collection of people alert to each other's concerns about Yale willing to be mutually helpful. If there is any one dominant complaint about Yale that has reached the Commission, it is that would-be participants in the affairs of the University are not well informed. They do not know what issues are being decided, do not know what is relevant to policy debate, and do not know how to make their opinions known when they have something to say. Some members of the Yale community ask no more of the Governance Commission than that it design more effective communications within the University.

As a matter of principle, because of the unique nature of an academic community, general information pertinent to policy making should always be ultimately accessible to its members. When such information is not immediately accessible it should be regarded as "postponed", not "denied", and never "concealed." This principle must be stated affirmatively, emphatically, and even provocatively because it seems to be in the nature of office that those privy to information tend to think negatively of what can be "dis"-closed, rather than to promote accessibility in practice.

The burden of proof must be placed on the information-possessing agency as to why general information relevant to policy making should be withheld; the seeker of such information should not have to justify his need for it. It should be stressed that the success of such an attitude will depend in good part on the care taken by higher echelon and executive personnel in relieving their subordinates from pressures to maintain secrecy.

Believing that improvement in communications is its highest priority, the Commission also proposes the following specific reforms:

1. A "Public Affairs" Information Office.--The President and Corporation should establish and maintain with wholly adequate financial support a "public affairs" information office in which written and oral information is made easily available to students, as well as to faculty and staff. It should maintain an available file (and copies for distribution) of basic University documents such as the President's and Treasurer's annual reports, available reports of alumni groups, faculty and student committee reports, reports of faculty meetings, and the like. It should also, on personal inquiry from a faculty member, student, or staff member, be able to indicate where a question, complaint, or proposal should be taken for action. It should also publish and keep up to date a booklet outlining the structure of governance and listing the members of the University's various committees and other governance structures. Finally, it should organize each fall a set of open meetings with presentations followed by questions from the floor in which Yale's governance is explained and special attention is given to channels through which members of the Yale community can influence policy.

It should have at its head an officer of stature, for he must be able to pry information loose where it is not already easily available. It is not enough that he simply preside over a set of documents; beyond that he must help students, faculty, and staff in the pursuit of information.

2. A News Bulletin.--For the same reasons, the administration should publish weekly, monthly, or irregularly as special needs arise a news bulletin or greatly extended University Calendar. The new publication should announce policy decisions reached by various officers and bodies within the University. It should also be employed, as needed, to explain policies. It should often announce new issues under discussion or problems ahead. It should publish policy proposals and other policy-relevant communications from members of the University community. Finally, it should publish and keep updated the descriptions of various school and all-university decision-making bodies, together with the names of their members.

3. Financing the Office of Institutional Research.--The President and Provost should provide sufficient funds and authorization to the Office of Institutional Research to permit it to become a general resource in University decision making. Even administration and faculty participants in University decision making are often badly informed about the history of a problem at Yale, experience with the problem at comparable universities, and systematic studies of it that have already been made. Students need this kind of information no less than other participants. The Office of Institutional Research should also be able to undertake substantial research of its own on policy problems, and it should monitor policy decisions to take advantage of feedback.
4. Reports on Faculty Meetings.--After each school faculty meeting, a dean or other responsible spokesman for the faculty should, without undue delay, be available at an announced time and place to report on the faculty meeting to interested students and representatives from student publications.
5. Reports on Corporation Meetings.--Within a day or so after each Corporation meeting, the President should be available at an announced time and place to report on and answer questions about the meeting, for the benefit of representatives of student publications and other interested students, faculty, and staff.
6. A Policy Review Commission.--The President should establish a Policy Review Commission of 35 members (faculty, students, and nonfaculty employees) to conduct a regularized interview of University administrative officers in which officers are asked to explain their decisions and policies. This recommendation is explained at length below in the section on new all-university structures for governance.

In addition to these recommendations, others designed for other purposes will also contribute to improved channels of information, as will be seen below.

III. ALL-UNIVERSITY STRUCTURES

Despite the power of the faculties in policy making at Yale, no all-university faculty, no faculty senate, is ever convened. Similarly, except for an embryonic Graduate Student Senate, students are organized school by school. The most obvious of Yale's needs for new machinery of governance springs from the present lack of any devices for faculty, student, or staff participation in policy making for the University as a whole.

It is almost everywhere agreed that some new all-university organization is desirable.¹ It is another potentially helpful way of opening up the University, improving channels of communication. Beyond that it can bring information and ideas to bear on central decisions from sources not now sufficiently tapped. Even more important, in times in which students, faculty, and staff take a new interest--and sometimes an intense one--in matters of University policy earlier left to the discretion of administrative officers and Corporation, it is essential for mutual trust and cooperation of members that officers and Corporation hear from them and discuss policy with them.

The need for new methods of central decision making arises out of questions about discipline, especially in times of crisis, about land acquisition, Yale's responsibilities to the New Haven community, investment policy, secrecy in research, military training on campus, rules of conduct, and the like, including, of course, crisis management. Questions also arise about governance itself, as well as the overall design and purpose of the University, its long-term priorities, its balance between research and education, the relations between the professional schools and the Faculty of Arts and Sciences, and its use of its resources.

¹The arguments for and against were carefully examined in two parts of Jorge Dominguez' Notes on Models of University Governance, Part III, "A New University-wide Institution for Yale--An Argument in Favor" and Part IV, "A New University-wide Institution for Yale--An Argument Against" (mimeo).

The Commission is not proposing to transfer to central decision making any functions not now already central but instead to bring new information, insights, and opinion to bear on central decisions. Generally speaking, academic policy, which includes faculty appointments, course and curriculum design, regulations of requirements for degrees, is governed not centrally but school by school.

Occasionally, an academic policy question will cut across school lines. In recent years, for example, faculty and students from several professional schools have joined in deliberation on research and education in professional ethics. But it does not seem wise to complicate Yale's governance to meet only occasional needs that are well met by ad hoc arrangements. Moreover, the ad hoc structures adapted especially to the particular need of the time are perhaps more competent than standing organizations would be.

Yale is a collection of specialized schools, and nothing is gained by reducing to a common denominator their special contributions. There is no point in losing the flexibility of decentralization, for centralization is actually unnecessary on most policies; nor is there any need to create overorganization. Too much bureaucracy is avoidable and should be avoided. New central machinery for governance should come into play only when it is needed. It should not pursue uniformity mindlessly, should not compete for authority with the schools on matters on which their distinctiveness and their autonomy are their strength.

The Commission's proposal for all-university machinery is fourfold:

1. All-university councils advisory to the Corporation and the administrative officers;
2. Standby forums for direct participation in policy debate by all members of the University community who wish it;
3. A Policy Review Commission for formal interview of the University's officers on decisions they have made;
4. Advisory Committees on University services: health, parking, dining halls, and student housing.

Each will be discussed in turn below.

All-University Advisory Councils

The Commission proposes, for deliberation on matters that are appropriately of concern for the University as a whole, that the President establish four all-university advisory councils (roughly 14 members each) composed of faculty members, students, nonfaculty employees, alumni, and administrators.

Council on Priorities and Planning

This Council should be concerned with long-term planning: the long-run implications of current decisions: the opening, closing or restructuring of schools and major institutes like the Institute of Social Science: capital budgeting: and long-run and major policy implications of the annual budget. Like other planning bodies, this Council runs the danger of becoming irrelevant to the actual decisions that shape the future. It ought therefore to be engaged in some questions of immediate policy making. It will have to learn how to maintain a sufficient interest in current policy to remain effective in University governance, but not so great an interest as to render it incapable of innovative thinking about Yale's future.

Council on Institutional Policies

This Council should be concerned with such policy topics as: the University's relations to federal, state, and local government: secrecy in research: Yale's policy toward affiliated or related institutions: New Haven and community relations (including proposals for new forms for organizing Yale-New Haven relations): continuing decisions on coeducation: discipline, public order, and policing (other than ordinary staff discipline in the hands of the Operations and Services Council): building construction plans: library and computer services: and ROTC.

Council on Investments and Finance

This Council should be concerned with the University's management of its invested assets, social implications of investment policy, land acquisition and use, decisions affecting the availability of funds (for example, the allocation of government contract funds between University overhead and direct research support), and accounting and financial reporting services.¹

¹A report from another group proposes that, in weighing investment alternatives, the University consider the character of the output and the social policies of corporations in which it might invest. That report also specifies a new organization for evaluating corporations and their products. Whether such a policy is desirable or not is not for the Commission to say. Nor does the Commission, consequently, have anything to say about the new organization proposed, except that it would be different--and have a different purpose--from the Investments and Finance Council here proposed. See "Social Responsibility and University Investments: An Essay Growing Out of a Seminar at Yale University" by Jon P. Gunnemann, Charles W. Powers, and John C. Simon.

Council on Operations and Services

This Council should be concerned with personnel policy and collective bargaining policy for nonfaculty employees; the adequacy and efficiency of University "consumer" services like parking, health, and dining halls; and the adequacy and efficiency of the business organization of the University, that is, of such University functions as purchasing and maintenance. Most problems specific to the special "consumer" services will be handled by advisory committees attached to each; but general problems and policies should come to the attention of this Council, as should any problems raised about the general adequacy or efficiency of the nonacademic administrative structure of the University.

Each of the above councils should also be concerned with instruments of governance appropriate to its particular jurisdiction. In addition the Council on Priorities and Planning should have responsibility for major overarching questions of University governance.¹

Each of these councils should elect its own chairman from its own members and proceed on its own initiative to deal with the problems in its jurisdiction, so that it becomes a genuinely new source of ideas and advice on University policy. But each council would also bear a special advisory relation to an administrative officer of the University who should, at his initiative, consult it, sometimes himself convening it and chairing it if he wishes. The intention is to create councils that can deliberate and reach recommendations on their own initiatives, will be free to communicate with any administrative officers and with appropriate committees of the Corporation, and will establish a special advisory relationship with one administrative officer, who will also be a member--and an active one--of the council.

Both the Priorities and Planning Council and the Institutional Policy Council would include President and Provost as active members, although, because of the other obligations of these two officers, it would often be expected that only one would attend a given meeting. The Operations

¹Admissions and financial aids policy has not been assigned to any council for reasons explained in Appendix D, in which the Commission makes certain recommendations on admissions.

and Service Council would include the Director of University Operations as an active member; and the Finance and Investments Council, the Treasurer.

The work of the Priorities and Planning Council must compete effectively for the attention of Corporation and administration with the minor crises of their regular agendas. The President and/or Provost should meet regularly with this Council: at least once a month even in the absence of pressing business.

Composition of the Councils

The concept of constituent representation in a large assembly was rejected by the Commission. It does not seem possible that anything less than a council of 60 can be in any literal sense representative of the interests of the various identifiable groups in the Yale community. But a group of 60 would not be the kind of hardworking, highly informed, experience-accumulating, and flexible body that is required. Nor would a body of that size ever acquire the influence that a smaller, more specialized, more carefully selected competent body could acquire. Nor could it establish the informal relationship of trust with administrative officers and Corporation that is required if the councils are to be not merely conspicuous but highly effective.

Moreover, the Commission viewed a representative body as not only unfeasible but also undesirable. The important objective in developing these new bodies is to open up a multidirectional flow of communication, to bring ideas and opinions into policy making that have not been sufficiently drawn on--in short, to permit the University to do its job better. For these purposes, representation of a variety of specific interest groups is neither required nor desirable. Yale's deliberations need a diversity of information sources and attitudes, but not spokesmen for special interests.

Another difficulty, common to policy making at Yale, that brings the potential membership of each of these councils down to a very low figure is the difficulty of recruiting participants willing to give their time not only to hours of council meetings but to the reading and other preparatory work required of members if the councils are to be effective.

Although the size and composition of the councils can be changed later as experience warrants, the Commission now proposes the following memberships:¹

Priorities and Planning: five faculty,² five students, one professional nonfaculty employee, one alumnus, the President, the Provost, and the Director of Academic Planning.

Institutional Policy: five faculty, five students, two nonfaculty employees (professional, library, or administrative), one alumnus, the President, and the Provost.

Operations and Services: four faculty, four students, four non-faculty employees (at least two from the supervisory, technical, clerical, or hourly worker categories), one alumnus, and the Director of Operations.

Finance and Investments: four faculty, four students, two nonfaculty employees (professional, library, or administrative), one alumnus, and the Treasurer.

The distribution of seats on the councils is explained in Appendix A.

Selection of members of the Priorities and Planning Council requires special care. If this Council is to be an effective point of innovation, its members ought to be selected with special attention to their presumed innovative capacities. It should keep its eyes open to the growing fields, the neglected fields, and the dying fields.

¹Note on methods of appointment to the councils. Faculty appointments to these councils should be made by the President in consultation with the deans, subject to ratification by the faculty of the appointee's school. Faculty appointees should be taken from all ranks and from all schools. Student members should be chosen by the procedures outlined in Appendix B. Where four student appointees are required, two should be chosen by students in Yale College, one by students in the Graduate School, and one by students in the professional schools, with appropriate regard for rotation among the professional schools. Where a fifth student member is required, he should be appointed from another professional school by the President. Nonfaculty appointees should be appointed by procedures outlined in Appendix C. Alumni representatives should be chosen by the Standing Committee of the Alumni Board or by the President.

For continuity, memberships in the councils should ordinarily be for staggered terms. Members should be asked to accept appointment for two-year terms.

²For purposes of this report, the word "faculty" means professors, associate professors, assistant professors, instructors, and lecturers. It does not mean research associates or research assistants. Nor does it refer to acting instructors, teaching associates, or teaching assistants, most of whom are students carrying some faculty responsibilities.

Standby Forums

The Commission has recommended effective councils rather than a representative assembly, which it fears would be cumbersome, not genuinely representative, time consuming and therefore ineffective--for reasons that run throughout this report. Having done so, the Commission acknowledges the need for wider opportunities for participation in governance than membership on the councils will offer. One of several proposals for wider participation is for forums for students, for faculty, and for nonfaculty employees.

On a number of occasions in recent years, it has been important for administrative officers and Corporation to hear faculty views on urgent issues, like the status of ROTC on campus. They have wanted to hear directly from large numbers of faculty and not through the mediation of formal representatives who, on any given major issue, may themselves be in serious doubt about the state of faculty opinion. Since the entire faculty of the University is too large a body to convene for sustained rational discussion, the Yale College Faculty meeting has been used to determine faculty opinion.

The need for direct participation in discussion of major policy issues is likely to continue in the future, both because officers and Corporation now recognize its value in some crises and because in crises many members of University faculties want to be able to speak for themselves to their colleagues and indirectly to officers and Corporation. It should be possible, then, for faculties other than Yale College to discuss issues of central University policy: and students and staff should be given the same opportunities to make their voices heard, consult with their peers, and speak to officers and Corporation.

What is new in the proposal? Is it not true that if students in one of the colleges wish to meet for debate on University policy, they can do so now--and do indeed do so from time to time? And cannot faculty and non-faculty employees also meet if they wish? The Commission's proposal aims to regularize and greatly enhance an existing imperfect capacity for the Yale

community to organize when it desires to do so for "public" discussion.

In the case of the faculty, the required improvement is minimal. Faculties do meet and do so in orderly ways. All that is required is two changes in their customs: first, that each faculty accept as routine an opportunity that heretofore has been taken up with misgivings-- the discussion of general university policy, that is, of questions not specific to their school alone; second, that they distinguish between their actual authority on academic policies internal to their school and their advisory role on general questions of all-university policy. The intention of the proposal that faculties constitute policy forums is not, it needs to be added, that they suffer under a new burden but that they avail themselves of the opportunity if and when they wish.

For nonfaculty employees, there is no custom of meeting as a whole or in large subgroups; and it may be that other methods of expressing joint opinion are preferred by these employees. In any case, however, all nonfaculty employees should be given an opportunity to assemble in forums, and the point of the Commission's proposal for them is that arrangements be made in advance of need so that procedures are available to assemble forums of suitable size and composition if and when employees desire them.

Students cannot now organize for public discussion as easily as can the faculty. On the other hand, they do so organize from time to time and need therefore less help than do nonfaculty employees. The proposal is to create a standby structure capable of calling forums into life when students need them and to do so in ways that assure orderly, fair, and well conducted discussion in meetings not too large for rational discourse.

Procedurally, the core of the proposal for nonfaculty and student forums is simply this:

There should be located, for each undergraduate college, for each professional school, for each division within the Graduate School,¹

¹Humanities, Social Sciences, Natural Sciences.

and for each category of nonfaculty employees, a steering committee responsible for convening meetings open to all members of the group and for conducting the meetings with scrupulous regard to fair play. This requires that the committee play a neutral role with respect to policies under discussion, respond to reasonable requests for meetings, select in advance neutral presiding officers and competent parliamentarians, supervise balloting, and accurately report the character and results of the meeting.

The Commission is not at all confident that the forums will succeed. In emergencies, the planned forums may be ignored in favor of other convocations, like meetings at Ingalls Rink. In ordinary times, they are likely to be forgotten, because not many members of the Yale community want to debate policy issues in any except emergency conditions. They have come to Yale in pursuit of learning, not for the tasks of governance, even though participation in governance is itself educational to some degree.

Yet on those occasions which make hundreds or thousands of people want to join in policy deliberations, Yale ought to conduct discussions of which it can be proud. It ought now to begin to develop a readiness for public discussion in which such meticulous procedures for open, fair, unmanipulated debate as have characterized many New England town meetings are honored. Especially when passions run high, every member of the University should be confident that he can attend a meeting presided over by a scrupulously impartial moderator, painstaking in its arrangements for equal time for advocacy of each conflicting position.

Yale should not in any way undercut the rights of advocacy groups to organize and meet as they wish. But it needs routinized arrangements for deliberation of issues by concerned members of the community who begin their public participation with a desire for discussion rather than with a position, or who, in any case, want the assurance, if they attend a meeting, that it will hold to the best traditions of public debate, voting, and reporting.

The recommendation of the Commission is only that opportunities for discussion be improved, not that everyone now take upon himself an obligation to participate. The recommendation is to improve a channel of widespread participation.

Organization of Forums

Established procedures already exist for calling faculty meetings. Student and staff forums can be called by President or Provost. Presumably college masters or councils can also call college forums. But some device is required to permit appropriate students and staff to call meetings of their forums on their own initiative.

For this, it is here proposed that from a list of names of eligible members of any student forum, enough names be chosen at random to constitute a nominating committee of eight willing students. The nominating committee would then appoint (from other than its own members), after careful deliberation and interview, a steering committee of three, who would thereafter be empowered to call meetings, establish the agenda, and appoint a moderator for each meeting. The members of the steering committee would accept an obligation to play a neutral role, meet legitimate demands for convocation of the forum, establish fair rules of procedure, and generally make a success of an attempt at public discussion of a high order. The eight nominators would disband after nomination, and another eight would be constituted at random each September and as vacancies on the steering committee arose.

It seems wise not to wait for the development of inevitably more cumbersome methods of student election in any academic year, especially since the arrangements should be made effective at the onset of each year and be operative throughout, whether the forum is ever actually convened in any one year or not.

Similarly, staff forums should be called by steering committees nominated by a randomly chosen nominating committee as explained in Appendix C.¹

A rejected alternative.--The alternative to forums is an all-university representative assembly. But an assembly of even as many as two hundred

¹Where student groups already exist, they should inaugurate the nominating committee. Where they do not, the appropriate dean should take the initiative. For nonfaculty employees, the President or his designate should take the action as described in Appendix C.

members, which is as large as hopes for sustained discussion permit, is so small, relative to the number of faculty, students, and staff it is designed to represent, that its members would be at a loss to know the opinions of constituents and would themselves be dependent, for obtaining that information, on some such system of forums as here proposed. An assembly would be neither as expert as the advisory councils can be nor as conducive to genuine participation and representation of views as forums permit. For University governance, it falls between two stools.

The Policy Review Commission

If a greater contribution of information and advice from faculty, students, and staff is to be encouraged, ultimate Corporate and administrative responsibility in appropriate areas should at the same time be asserted. A point made by the President several times in recent public statements is much to be applauded: that Yale cannot be well run without generous scope for executive responsibility and initiative.

But that in turn imposes an obligation on officers to be accountable. The Commission therefore proposes that the President establish a somewhat formalized system of interrogation of President, other administrative officers, and members of the Corporation. It does so both to provide specific occasions on which justifications of decisions reached can be requested and to encourage the administrative officers of the University in the habit of fuller reporting than they have in the past practiced. The Commission proposes the Policy Review Commission, not as a policy-making or advisory body but as a method of putting questions to administrative officers and Corporation about actions they have taken or have decided not to take.

Given its particular function, the Policy Review Commission ought to draw its members from a wide variety of sources. Accordingly, it is recommended that the Policy Review Commission consist of 35 members:

One student from each of the ten schools, with an additional student each from Yale College and the Graduate School;

One faculty member from each of the ten schools, with an additional faculty member each from Yale College and the Graduate School;

Nine nonfaculty employees, one from each of the categories described in Appendix C:

Two alumni, to be chosen by the Standing Committee of the Alumni Board.

Faculty representatives can be nominated by deans, subject to faculty ratification by vote. Student and staff representatives can be chosen in ways described in Appendixes B and C.

A subsidiary purpose of the interrogations is to open up to a wider audience matters of policy discussed between the advisory councils and the officers of the University. The chairman of each of the advisory councils should join the officers in answering questions.

The proposed interrogatory sessions will discredit themselves, will serve no useful function in governance, if they turn into circuses. Members of the Policy Review Commission must, consequently, be as well informed as possible before they undertake to participate in an interrogatory session, and no one should accept membership on the Commission unless he is willing to take the trouble to put himself in the position to ask fruitful questions.

To prevent the degeneration of these sessions into speeches from the floor instead of questions and to forestall the eager and voluble, though perhaps uninformed, participation of spectators who come more for a spectacle than a serious review, the interrogations could be broadcast on WYBC or published subsequently, with admission to the session reserved for members of the interrogatory commission.

It should be possible for the President to convene sessions for himself or for his officers at any time that he believes it advisable to account for decisions reached. It should also be possible for a small elected steering committee of the Review Commission to schedule sessions.

Sessions of the Policy Review Commission should be publicly announced in advance, and members identified, so that anyone in the Yale community can propose questions for members of the Commission to put to the respondents.

Committees on University Services

The University operates a number of services for which the Commission either endorses existing advisory arrangements or proposes new ones: libraries,

health services, dining halls, graduate and off-campus housing, parking, police, computing operations, and museums. For each of these University services, some kind of advisory committee--often already established--is desirable. Where it is feasible, as it is in these cases, the Commission believes that people who have to make use of these services could usefully have a voice in determining their policies and operations. Clearly, the consumer's voice cannot always be the dominant control for a service; consequently, the advisory committees should include representatives of management and staff of each service, as well as grievance boards or adversary organizations but as a useful source of ideas and suggestions for the presumably interested and openminded managers of these services.

Normally the chairmen of these advisory committees should be chosen from the ranks of the consumer members, and meetings of any committee should be at the call of its chairman, as well as at the call of the service manager to which it is advisory.

The Commission proposes new advisory committees for health, parking, dining halls, and housing, and certain minor alterations in existing advisory committees. On some University service committees, the Commission makes no recommendations because they are satisfactory (e.g., police), because no identifiable need for a formal structure was found (e.g., Peabody Museum), and because the all-university Council on University Operations and Services will provide planning advice directly to the administration (e.g., museums, generally).

Details are in Appendix E.

Aside from new committees, the Commission also recommends:

Each University service organization, including libraries and museums, should designate one of its administrative officers as a complaints officer. The names of these complaints officers, together with their telephone numbers and office addresses, should be published in a section of the University Directory.

A working committee of the Commission has prepared a detailed report on University services copies of which will be made available on request through the office of the Secretary of the University, Woodbridge Hall.

IV. THE CORPORATION

A problem with the Corporation has been its homogeneity and its consequent intimacy with some parts of society to the near exclusion of others. The Successor Trustees who perpetuate themselves by electing their own replacements--and, even more so, the trustees elected by the alumni--have been drawn overwhelmingly from a narrow stratum of society. Women, Blacks, Jews, Catholics, and other persons, however distinguished, who are not members of the more favored groups in society have only recently begun to take seats on the Corporation.

The difficulty in improving the Corporation is the difficulty of recruiting a body of trustees who will not be homogeneous in social origin, socioeconomic status, ideology, and the like but will be homogeneous in a passionate concern for intellectual exploration and education of the highest achievable quality. To diversify the Corporation in the ways desired requires a most painstaking and tedious search for men and women who, whatever their occupations, can regard the pursuit of learning with the deep respect with which it is regarded by the present Corporation.

It looks as though the Successor Trustees have not taken the selection of their own successors seriously enough. Judging by the character of the group, they must have repeatedly cut the search process short by turning to men sufficiently close to them in social origin, career, age, school affiliation, and the like to make the choice of successor fairly easy. It also appears that, in selecting successors, the Successor Trustees have undervalued the importance of scientific, educational, and research leadership in favor of financial, business, and administrative leadership. Or they have simply

been so impressed with the responsibilities of managing Yale's assets that they have not attended to recruiting successors of sufficiently diverse other qualifications. What should come with diversity is not so much a clash of constituencies, as a gain in the variety of ways available to the Corporation for showing intelligent hospitality to, and exercising good judgment on, innovative and imaginative proposals.

The Alumni Trustees have been shown to be even more homogeneous in undesirable ways than are the Successor Trustees,¹ and the process by which the alumni select them has been criticized recently in the Dwyer committee report from the alumni.²

Faculty and Student Members

Nothing is to be gained by converting the Corporation, even if it were possible, into a faculty or student board of trustees. Nor, it should be added, is there any persuasive case for adding minority representation of Yale's students or faculty to the Corporation. For the problem is not at all to find ways of representing students and faculty on the Corporation: the problem is to find Corporation members of rare capacities for the kinds of decisions that ought not to be made by faculty or students--for the overall, long-term trusteeship of Yale. The Corporation should be independent, not representative. It needs information and advice from faculty and students--more than it has so far arranged to take; but this can be arranged, in various ways, including the newly proposed all-university advisory councils. There are members of University committees with just those qualities that could add greatly to the Corporation, but the Corporation should draw the few scholars appropriate to the Corporation from a university other than Yale.

One or a few Yale students or faculty on the Corporation could not, in any case, establish their credentials as representatives, given the size and diversity of their constituencies. It would always be a matter of doubt that they knew their constituencies any better than they were known by

¹Jorge I. Dominguez, Notes on Models of University Governance, Part II, "Boards of Trustees" (mimeo).

²Report of the Commission on Alumni Affairs, December 1970 (mimeo).

any other members of the Corporation. A more serious objection is that, if there were such members, they should not be encouraged or even allowed to think of themselves as representative of constituencies. They should instead be committed to the University's major purpose, even at the expense of constituencies whenever conflict between purpose and constituency wishes developed. But, then again, if they did not represent constituencies the justification of their membership on the Corporation would have been anchored in their own personal qualities. But if that is so, there is no reason to specify that any members should be, specifically, Yale faculty or Yale students. And, to protect against the degeneration of a Corporate seat into a constituency seat, it would be better to avoid Yale faculty and students entirely, all the more so since they have far superior methods of communicating to the Corporation through existing devices, as well as through the new all-university advisory councils.

Improving the Selection of Trustees

At such a time as seems appropriate to ask for legislative revision of the charter given to Yale University by the state of Connecticut, the Commission believes, the Corporation should seek the following changes in the charter:

1. Student-faculty election of two trustees.--By adding to the trustees or replacing existing seats, two trustees should be elected to the Corporation by an electorate composed of Yale faculty and students, each trustee to serve a six-year term, with the term of one to begin three years after the term of the other. A nominating committee should place at least two names of candidates before the electorate. Student members of the nominating committee should be chosen as explained in Appendix B; faculty members by the faculty members of the Council on Priorities and Planning. In the event of more than two candidates, voting should be by preferential ballot. For calculating the percentage of votes received by each candidate an average should be taken of the percentage of student votes and percentage of faculty votes for each candidate.¹

¹This corrects for students' greatly outnumbering faculty: it gives each group as a whole equal weight.

The proposal has the merit of giving students and faculty some increased attention from the Corporation without the disadvantage of student and faculty memberships on the Corporation. Such an election of trustees would also reduce the distance between campus and Corporation, undercut some distrust of the Corporation, and encourage a sense of Corporate legitimacy that currently needs strengthening.

Why only two seats for a student-faculty election? Because generally the trustees should be chosen by persons more disinterested than are students and faculty. For example, students sometimes lack a sufficient time perspective: they tend to think that today's issues are the issues of all time, while faculty make their livings from the institution and consequently tend toward a self-protective role. Moreover, student and faculty elections run a risk of politicizing the trustees more than is consistent with their need for a cooperative collective discharge of their duties. Moreover, there is a great deal to be said for trustees' choice of their own successors. Trustees can bring to the task all their experience with the work of the Corporation, their desire to maintain an effective and cooperating group, their detachment, and their pride in the quality of their own organization.

2. Twelve-year terms for Successor Trustees.--Successor Trustees should be limited to terms of twelve years. This would not significantly reduce the average term of office of Successor Trustees, but it would permit the elections of younger men, who are often now passed over because the incumbent Successor Trustees do not want to commit a lifetime post to a young man.
3. Enfranchisement of recent graduates.--The present disenfranchisement of Yale College graduates for the first five years after their graduation should be terminated.

Several other improvements in the selection of trustees can be made, fortunately, without legislative action. The Commission consequently recommends:

4. Diversification.--The Successor Trustees and the alumni should seek to diversify their choices in the dimensions indicated. Choosing a young man or woman is one small possible way to diversify. Equally important

is ethnic, socioeconomic, sexual, religious, occupational diversification, not in order to "represent" various social and economic groups but to bring a variety of minds to the Corporation. Diversification should also bring a few greatly distinguished intellectuals to the Corporation, as well as one or two foreigners into the Corporation in acknowledgment of Yale's position as one of the world's major universities. Moreover, trustees should not be drawn exclusively from Yale alumni.

5. Successor Trustee consultation with faculty and students.--The Corporation's search for Successor Trustees should incorporate consultation in each case with a faculty-student committee. That committee should independently undertake preliminary search of its own, taking care to consult with Yale faculty and students, and only then bring its recommendations to the Successor Trustees for discussion, thereafter possibly resuming search. Or, if the Successor Trustees prefer, the students and faculty could join with trustees at the outset of the search to constitute a joint nominating committee. In either case, the committee should work informally and confidentially with the Successor Trustees and should of course respect their right, ultimately, to make their choice. If students and faculty join with some Successor Trustees in constituting a nominating committee, the Successor Trustees should of course have the right to reject the committee's nominations in favor of others if they wish to do so.

The student-faculty committee should be appointed by the newly proposed all-university Council on Priorities and Planning.

6. Alumni consultation with faculty and students.--Similarly, the Standing Committee of the Alumni Board, in its search for nominees for alumni elections, should consult with a faculty-student committee to take advantage of the contribution that such a committee could make to its own search efforts.

If and when a charter change permits students and faculty to choose two trustees, the faculty-student nominating committee should, of course, consult with the Corporation and with the alumni on its nominations.

Corporation Procedures

On procedures of the Corporation, the Commission recommends that:

1. Appropriate committees of the Corporation should establish consulting relations with the newly proposed all-university advisory councils.

It has already been recommended in section II that, within a day or so after each Corporation meeting, the President should be available at an announced time and place to report on and answer questions about the meeting, for the benefit of representatives of student publications and other interested students, faculty, and staff.

2. Roughly once a month, perhaps on the occasion of meetings of the Corporation, two or three trustees should make themselves available for a limited time on campus to hear from any members of the Yale community who wish to bring proposals before them.

V. DISCIPLINARY PROCEDURES

In an organization that is not a political community but, like Yale, a single-purpose voluntary association, discipline for infractions of rules normally has to be handled as a routine administrative operation and cannot be elaborated into a complex judicial proceeding. This is how it has been handled at Yale, and on the whole disciplinary procedures at Yale both for errant faculty and for students have been reasonably satisfactory.

Still, some patterns of paternalism in disciplinary procedures are no longer acceptable. On that score alone some reforms are called for and have indeed already been undertaken, as, for example, in the appointment of student members to some disciplinary bodies in the University. In addition, the new possibilities of organized demonstration, occupation of buildings, confinement of University officials, and the like create the need for new procedures, especially since attempts to bring disciplinary action to bear in such cases will have to be unusually sensitive to issues of high principle that defendants will raise in their defense. Some members of the faculty are likely to be involved in such activities if they occur; and disciplinary action against them has to proceed cautiously, as in the case of students too fully aware of possible conflicts between disciplinary action and academic freedom.

Pending a report from the Study Commission on Governance, the President has appointed a temporary all-university disciplinary tribunal of students and faculty composed of senior faculty, junior faculty, and students.¹ The Commission has been asked to consider whether that tribunal should be perpetuated or should give way to some improved set of procedures.²

¹One student, one senior faculty, and one junior faculty from Yale College; the same for the Graduate School, the Medical School and the Law School. And the same for any other school whose members are charged with misconduct.

²The Commission has not attempted recommendations on disciplinary procedures for nonfaculty employees and does not believe that it is well constituted to do so.

A major issue running through deliberations on disciplinary procedures is the extent to which they should be centralized and standardized for the whole University. For reasons given above, it seems desirable to avoid doing centrally what can be done by the individual schools. Their particular distinctions and contributions are best protected by a high degree of autonomy for them. And that aside, centralization tends to produce, of course, rigidity, as well as uniformities insufficiently sensitive to actual circumstances varying from one school to another. On the other hand, some kinds of acts are offenses against the whole University community, and the stake of the whole community is so great as to argue against assigning the authority for disciplinary action to one school alone. Then too, on some points the University needs the development of common standards for the whole University community.

Student Discipline

The Commission therefore recommends the following:

1. Informal administrative procedures within each school.--Each dean, in consultation with his faculty, now maintains routine administrative procedures for very informal handling in the first instance of student disciplinary cases--usually by the dean himself. For any few cases of minor importance that cut across school lines, the Provost or cooperating deans should establish comparable administrative procedures. The large number of such cases, the ease with which they can usually be settled through a decision by a dean or his designate, and the acceptability of such procedures by students and faculty, all argue for retaining such informal administrative action.
2. Semi-formal school procedures.--Sometimes a student will want a somewhat more formal procedure--a hearing before a committee--or he may wish to appeal the administrator's decision to a committee within his school. Or the administrator himself may wish to convene a committee. In all these cases, school faculties should act to arrange the appointment of students to such committees, as they now are appointed to the Yale College Executive Committee. They can

be selected by the procedures outlined in Appendix B. They should, for reasons to be discussed below, constitute a large minority or half of the whole committee.

3. Formal appeals to an all-university body.--A student who is dissatisfied with the procedures that have actually been brought to bear on his case in his own school should have the right of appeal to a body that proceeds through carefully drawn rules like those already designed for the temporary all-university disciplinary tribunal-- rules that specify, among other things, rights of the defendant to written specification of charges, to counsel, to cross examination of witnesses, and the like.¹ The President should establish such a body.

The case for more formal appeal procedures for the protection of students seems fairly clear. It is not obvious, however, why such a body should be an all-university body. A number of considerations argue strongly for it. Such a body will need to develop some expertise in the conduct of formal hearings, and it is unlikely that such a body in each school would be called into service often enough to develop the necessary expertise. It also seems unnecessary to try to mobilize a committee in each school, given the small number of cases that will come to them. Another consideration is that appeals carried up to such a body will often, like constitutional cases before courts of appeal in the United States, be in effect pressing for new definitions of "constitutional" rights of students, in which case some meticulous central attention to the issues seems desirable. Sometimes, too, students can be expected to appeal on no other ground than that their school has dealt more harshly with an offense than other schools do, in which case an appeal that goes outside the school is called for. Moreover, it seems undesirable to create appeals procedures within a school that call on committee members to undercut their own school administrative officers or committees. Finally, for reasons to be indicated immediately below, such an all-university body should be in existence and be developing experience as the body of original or initial jurisdiction in cases in which public order is challenged, and it should therefore develop a competence that can be employed in appeals cases.

¹If there is a plaintiff in the school procedures, he should also have the right of appeal to the all-university body, provided the plaintiff appears as an agreed individual and not in an official capacity as, for example, dean or departmental chairman.

4. An all-university disciplinary body for public order cases.--For serious challenges to public order, regardless of numbers of students involved and regardless of whether they are students of one or many schools, the all-university body should take immediate jurisdiction, although not necessarily in the first instance with its formal procedure.

By "public order cases" is meant disciplinary cases arising out of occupations, illegal demonstrations, personal or collective intimidation, interruption of classes, and the like. More generally, cases that involve alleged violations of those established rules and regulations whose violation constitutes a serious infringement of the recognized rights of members of the University community, a serious offense against the University's mission, a threat to the ability of the University to carry on its essential operations, or a substantial impairment of the common and legitimate interests of the University. The President in consultation with the school deans should decide whether a case is or is not a public order case.

In handling these cases, the all-university body ought to be able to proceed informally if it has the consent of the students whose cases are being investigated. It must proceed more formally if requested by students to do so, and it may proceed formally at its own initiative as well. In administering penalties that may have to vary from school to school, because the force of any specific sanction varies in application to students in different circumstances, it can call on the help of school disciplinary authorities. After it first determines guilt or innocence and the general severity of disciplinary action, it may turn to school disciplinary procedures for the specific design of disciplinary procedures. Or it may ask the schools to submit, within guidelines given to the schools, proposals for specific disciplinary action appropriate to each school. In the first case, it should review and alter the school's disciplinary action, if necessary, if appeal is brought by a student against the disciplinary action of his particular school.

Plaintiff and defendant should be able to appeal decisions of this body to the Corporation.

Membership of the all-university body.--Membership of the body would be as in the present temporary tribunal: one senior faculty, one junior faculty, and one student each from Yale College, the Graduate School, the Law School, the Medical School, and similar representation from any other school whose students are charged.

Faculty members of the all-university body should be appointed from each school by its dean subject to faculty ratification. Student members should be selected in the way outlined in Appendix B.

Faculty Discipline

Two problems in faculty discipline call for attention. The first is faculty participation in disturbances in public order. The second is faculty offenses against students, such as plagiarism. If a new all-university body is to be established to handle appeals, the same procedure can be made available to faculty who wish to appeal from the informal procedures by which they are now disciplined. The Commission's proposals for faculty discipline therefore roughly parallel those for student discipline.

1. Informal procedures for faculty discipline.--No change is proposed except that students should be made aware that complaints of faculty offenses against students can be brought to the dean of the appropriate school.
2. Appeals from informal decisions to the formal all-university body.--Faculty dissatisfied with the informal disposition of their cases can appeal to the all-university body already referred to. Students may appeal the informal disposition of their earlier complaints against faculty members made to deans. Plaintiff and defendants alike can appeal from the tribunal to the Corporation.
3. Public order cases.--Faculty offenses against public order, as defined above, should go directly to the all-university body. But if a faculty member is found guilty of an offense, student members should not participate in determining the sanction. Nor should nontenure faculty participate in determining the sanction for tenure faculty.

The Debate in the Executive Committee

Of all the recommendations reached by the Commission, these on disciplinary procedures were the most difficult. Because the debate in the Executive Committee ran in many directions, it is not possible to give a unified set of reasons that led the Committee to its recommendations to the Commission. Different reasons appealed to different members. The character of the debate can be suggested, however, by indicating some, though by no means all, of the considerations raised.

It is probably true that there was a consensus within the Executive Committee, students included, that most students are not yet, because of age and inexperience, sufficiently aware of the fragility of academic freedom and of the University itself when public order is challenged. In this and certain other respects, they sometimes reveal some failure in the kind of judiciousness required of members of a disciplinary tribunal. On the other hand, many faculty can be similarly challenged, despite their advantages in experience, longer term commitment to the University purposes, and--perhaps--capacity to resist popular pressure. Some members of the Executive Committee weighed these conflicting considerations heavily in favor of faculty domination of disciplinary procedures: at the other extreme, some argued that the differences between the two groups was not enough to justify any inequality in representation on tribunals.

It was also recognized that what a faculty member will sometimes call student injudiciousness, a student--or even another faculty member--will simply characterize as a difference in values. In any case, the discussion did reveal an array of opinions about the relative values of reasoned discussion and "direct" methods as alternative means of pursuing values, and some members of the Committee argued that students might tend to attach less importance to certain traditional procedural conventions if doing so would be seen as jeopardizing a higher cause. To be sure, some members pushed for greater student membership for precisely this reason, for they questioned to some degree the traditional conventions or values.

In this connection, the question was raised of the degree to which disciplinary procedures should protect Yale and its institutional purposes: and presumably some disagreement on the answer was reflected in greater or less sympathy with student participation in disciplinary action.

It was also argued that the selection of student members of tribunals would be less careful than that of faculty members, given the greater difficulty of organizing student selection procedures.

There was probably a second consensus in the Executive Committee: that student participation in disciplinary action would add greatly to the legitimacy of disciplinary action.

It was also argued that, short of equal representation, there is value in student participation as a means of bringing student viewpoints to bear on the interpretation of facts in a case. Others believed this could be arranged by other means and that judicial competence should be the sole criterion for membership on a tribunal.

It was also argued that student participation would begin to build, if successful, a heightened student sensitivity to public order problems. It might, beyond that, also help to define a conspicuous differentiated role for the student as judge, so as to make it possible in the future to rely more on students to dispose of their own disciplinary problems.

The result of all these considerations--on which opinions were always in some degree of disagreement--was that the Executive Committee considered, at one extreme, no student participation at all; at the other extreme, equal student-faculty participation; and gradations between. However each member weighed these and other equally important considerations, the Commission was finally able to agree on the proposals made here.

Perhaps the most noteworthy feature of the recommendations is the inclusion of students on the all-university tribunal in cases of action brought against faculty members. Where faculty actually join with students in acts that give rise to public order cases, the Commission believes that the same tribunal that decides whether the students are guilty or not should decide whether the faculty are guilty or not: there seems little reason to separate the cases. But if a tribunal is to be established to act in such cases, as well as in cases in which students act alone, the Commission believes--among other considerations--that its prestige and legitimacy would suffer if faculty offenses against public order were excluded from its jurisdiction. The Commission, it will be noted, does, however, propose to leave the

imposition of sanctions, if guilt is determined, to the faculty members of the tribunal alone, a recommendation roughly parallel to its proposal to call on the various schools to administer sanctions on students judged guilty of offenses by the all-university body.

Faculty offenses not against public order but against a student--plagiarism, for example--or against the rules of the University that are appealed from informal existing methods for disciplinary action will, under these proposals, also come before both faculty and student members of the all-university tribunal. The Commission has agreed on this point. Some members have agreed because it is a matter of principle; others because they do not expect any such cases to come before the tribunal except on student complaint, for which they believe student participation is desirable; and others because they do not want to make an exception to a general rule of student participation for improbable or extremely rare appeals.

The agreement of the Commission is on its combination of recommendations; that is to say, the Commission believes that each recommendation can be defended only as part of a comprehensive set of disciplinary procedures.¹

¹As the discussion has indicated, the Commission has generally endorsed the continuation of the present interim procedures, though with some changes, such as its proposal for student participation in decisions on faculty discipline. With respect to specific procedures for the conduct of hearings, which the Commission as a whole did not have time to discuss, a subcommittee of a working group of the Commission proposes certain modifications of the interim procedures outlined earlier by a committee headed by Professor Fleming James. Most members of the Commission have not seen these proposals. Copies of them are available in the Office of the Secretary of the University, Woodbridge Hall, under the title "Disciplinary Procedures: Report of a Subcommittee of the Working Group on the University's Procedures."

VI. THE STUDENT ROLE IN GOVERNANCE

Up to this point in this report, the Commission has recommended a number of new roles for students in governance, as well as an opening up of information flows that facilitate participation. The Commission wishes now to offer some additional recommendations for enlarging student participation, and it would like to do so in the context of an extended set of considerations explaining them.

Why Student Participation Should be Enlarged

One reason for responding to the requests of some students for a larger share in governance is that they have generally shown themselves to be deeply committed to cooperation in the pursuit of Yale's functions. No more than the faculty do they seek benefits at the expense of the welfare of the institution or of other groups in it. Nor do they ordinarily play an adversary role. If they propose redirections of the University that are alarming to administration and faculty, it is usually because they believe them to be good for the College or University.

Moreover, students are an indispensable link in feedback on the educational function of the University. Since students are not simply interested observers of the educational process but are part of it and an immediate purpose or objective of it, they are the key element in feedback. There has been a lag in institutional adjustment to the quality of the input that can be expected from those who are willing to participate.

In addition, some of their biases are a helpful counterweight to contrary faculty biases, especially when they incline toward the unification of knowledge and the faculty's toward its fragmentation.

Even if they were less committed to the University's welfare than they are and less able and informed than they are, it is desirable for some of them to be at faculty and administration elbows as prods and reminders in order to protect the educational function of the University as the commitment to research grows apace.

The popular cliché that everyone who wishes should have a voice in determining policies that greatly affect him is not, however, very helpful in justifying student participation. It claims too much. It says that students who will someday come to Yale ought to participate. That all over the world people who will be affected by research in its laboratories ought to participate. So also American taxpayers, who pay heavily for Yale research. And parents of present and future students. Whether a group is greatly affected is only one consideration among several. Another is its competence. Another its willingness, which cannot always be assumed. Another its sense of right. Also its available time and energy, which are not necessarily correlated with competence or willingness. Also its degree of commitment to the organization's purpose. Also, in a university, the educational value of participation, which some students rate low and others high.

All these criteria argue for more participation of students who wish it. But in one particular circumstance or another, any one or more of the criteria will be invalid or inapplicable. And they have to be weighed in the light of rival claims to participation on behalf of other groups, for sometimes more participation for one group implies less for another. Finally, they have to be weighed in the light of very practical considerations of expediency, specifically of dispatch and efficiency in getting the University's work done. Too much participation in the form of too many committees, too many elections, too much talk is no mere flaw in governance: it is a disaster.

Existing Student Participation

Even in the absence of actual participation in policy making, existing student controls over policy are more numerous and, in some cases, more powerful than students generally know. Their greatest influence on policy, like that of the faculty, they achieve through simply choosing among alternatives offered them. Year by year, departments competing for students adapt their courses and requirements to student demands in order not to lose students to other departments. And individual teachers adapt their courses in order to attract students.

Quite aside from on-campus student agitation on coeducation, students now, say, at Harvard, pushed Yale into coeducation by refusing to come

to Yale because it was not coeducational. In earlier decades curriculum changes, like dropping the Latin requirement, were imposed on faculty and Corporation because otherwise Yale could not attract the students it wanted. At both undergraduate and graduate levels, as well as in the professional schools, Yale can attract and keep students of the highest quality only if it goes a long way toward meeting their wishes, even if only a small number of students actually inform themselves about alternatives and switch their enrollments accordingly. Students who have not come to Yale are therefore, in a sense, part of Yale's governance, although they are not here to add their voices now.

A major limitation in this important form of student control is of course that students do not know early enough what they want and do not choose schools or departments accordingly. And even those who do not like what they have been getting and would like to change are often not clear about where they would find something better. For this and all the other reasons already given, students at many universities, including Yale, have in the last few years been given important new channels in participation and control.

At Yale, they have been put on course of study or curriculum committees in some schools and departments, as well as on other important committees of concern to them, like the Yale College Course of Study Committee, the Yale College Executive Committee, the Yale College Committee on Teaching and Learning, and the Advisory Committee of the Graduate School. They also have easy access to course design through their initiatives in introducing new college seminars. Beyond curricular affairs, students are now on the Police Board, the Library Advisory Committee, the Committee on Coeducation, the Governing Board of Athletics, and the University Housing Committee; and their representatives are sometimes consulted in the choice of new deans and sometimes in the selection of directors of graduate and undergraduate studies and department chairmen.

New Proposals

Adding to proposals already made above, the Commission further proposes to enlarge student participation in the following ways:

1. All school and departmental faculties should put student members on permanent or ad hoc curriculum or course of study committees and other permanent or ad hoc committees on educational issues (except for faculty appointments). Student membership on faculty committees is generally preferable to parallel committees.
2. As is now the practice in Yale College, school faculties should permit a student member of a school faculty committee to be present at a faculty meeting for the purpose of explaining his committee's reports.

For some purposes faculty should be able to meet without any students present and students should not vote in faculty meetings. The Commission has been unable to agree, however, on certain other questions. Commission members differ on whether a student committee member should attend a school faculty meeting only for the time during which a report from his committee is under discussion, whether he should be present or absent during a vote, whether he should be allowed to enter into any discussion other than on his committee's report, and whether, on that report, he should enter into debate or not do more than join in presenting and interpreting his committee's report.

3. Whether students on departmental committees should attend departmental faculty meetings to present committee reports should be determined by each department.
4. The Corporation should arrange for a sample of students (or student representatives) of all schools to be systematically consulted in the selection of the University President. The President should systematically consult students in a school in the selection of its dean; and deans of schools and departmental chairmen should consult students in a department or school on the selection of a director of graduate studies or comparable official in a professional school.

There are recognized problems in the selection of the director of undergraduate studies. It is true that in many cases the chairman will congratulate himself if he can find any one faculty member who is willing to serve or whose other past or current administrative tasks do not preclude appointing him. In some cases, too, the only feasible method of

filling the post is individual negotiation between chairman and potential candidate in which the chairman has to offer reduced teaching load or immunity from future administrative tasks in order to win the candidate's consent. Despite these obstacles, the Commission recognizes that there are compelling reasons from some systematic consultation with students in the selection of the director of undergraduate studies. At the very least it is important that the person under consideration be one who the students believe is receptive to their ideas and aspirations and who shares with the students the demand for the highest excellence in teaching.

Similar difficulties will often undercut effective graduate and professional student consultation on choice of director of graduate studies; but the dependence of graduate students on that officer is so great that consultation is especially desirable.

The Commission does not propose that students be collectively consulted on the selection of a department chairman, but that some informal individual consultation be undertaken for a sample of students. In Yale College and the Graduate School, faculties themselves are not collectively consulted in such appointments. Instead the President or his designate interviews tenured members of the faculty individually (a procedure that the Commission recommends below be extended to all ranks). Such a procedure reflects the delicacy of the choice process: the difficulties in many cases of finding anyone willing to serve: the need to make special arrangements to free a faculty member's time so that he can serve; the need to reject a willing candidate because his service as chairman can better be used in a subsequent term; and the need to elicit frank appraisals that would not be forthcoming in a faculty meeting.

The Commission would bring the same objections against systematic student consultation on appointments of deans of schools, were it not for two offsetting considerations: first, the greater formality and impersonality of the process by which the deans are now selected (specifically, the use of search committees that can in the future be instructed to consult with students); and second, the centrality of a dean's functions to student concerns, which is much less the case for the functions of the departmental chairman.

Faculty appointments.--The Commission has been unable to agree on specific recommendations with respect to any new student participation in faculty appointments. The Commission agrees that, if students have suggestions or opinions on how a department should be staffed or on specific prospective appointments, department chairmen should consider them carefully and transmit them to appropriate departmental appointments committees for their careful consideration. The Commission also agrees that final authority over faculty appointments should rest with the faculty. But some members of the Commission propose--and others oppose--the establishment of systematic, somewhat formal, faculty consultation with graduate and professional students, coupled with a responsibility of each department chairman to keep representatives of graduate and professional students informed on almost all contemplated faculty recruitment, promotion or termination. The Commission is in agreement, however, that, if such procedures were established, they should vary from department to department and school to school, for, among other reasons, recruitment and hiring practices differ from one discipline to another. For example, a degree of student participation acceptable in some disciplines or fields is offensive to potential candidates for positions from others.

In any case, the Commission believes that graduate and professional students can be consulted more successfully than can undergraduates; and it does not recommend the formal consultation with undergraduates that some of its members advocate for graduate and professionals. The Commission does believe that each department chairman should welcome--and accept a moral obligation to consider most seriously--student initiatives, individual and collective, in bringing information and suggestions on faculty appointments to him and his appointments committees. In addition, if undergraduates request it, he should arrange to discuss with them such issues as the teaching adequacy of the department, the distribution of faculty among fields within the department, and plans for future staffing.

The Commission is in agreement that students have information and ideas helpful to appointments procedures. The objection of many Commission members--both faculty and students--to formalizing consultation, even with graduate and professional students is that appointments procedures are delicate, protracted and complex to a degree that is already troublesome and cannot bear the burden of further complication. Appointments are extraordinarily time consuming, all the more so for members of committees who have to read each candidate's publications. The pressures on faculty time already often obstruct as careful a consideration of a candidate as he deserves. Moreover, highly confidential information has to be exchanged, as well as guarded. And moreover, faculties have to be capable of very rapid action when exceptional hiring opportunities occur. Then too, issues directly pertaining to appointments are not scheduled for discussion at discrete intervals: they are the constant business of a faculty and a common continuing topic of discussion when members of the faculty meet.

All these objections to formalized student consultation would be overridden, of course, if there were no other way for student suggestions and opinions to be heard. But many members of the Commission find other methods satisfactory: informal discussion between individual faculty members and students about courses and kinds of teaching that students would like to see inaugurated or expanded: expression of students' views through their participation in departmental curriculum committees: initiatives taken by individual students and groups in communicating with chairmen or committees: and, finally, student appraisals of performance of faculty members at Yale whose promotions are under consideration (on which the Commission makes recommendations in section VII).

The Specialized Role of Student Participation

In a single-purpose voluntary association different groups play different specialized roles in governance. Anyone unfamiliar with university

governance will be perplexed by its consequent complexity. Most of us are more familiar with forms of governance in ordinary political communities, in which all groups share in general policy making by electing delegates to a representative assembly and by electing a chief executive. Students, faculty, Corporation, staff, and administration each play, in a university, different governance roles in delicate relations with each other.

Student Participation and the Faculty

In a voluntary association, a first constraint is that governance has to be consistent with the continued recruitment of persons necessary to the organization. Hence, the role of students is bounded by the need to keep Yale attractive to a first-rate faculty. For that matter, so is Corporation participation: the Corporation long ago surrendered control over academic staffing, curriculum, and teaching to the faculty. If Yale is to be able to attract and hold a first-rate faculty, that faculty has to be given a high degree of autonomy on academic decision making: on what is to be researched at Yale and how; on what is to be taught at Yale and how; and on who is to be recruited for the faculty and promoted within it. These are the options that professional scholars and teachers of Yale quality want as a condition of their joining or remaining with any university.

It will be touch and go whether Yale can much longer maintain a first-rate faculty against the competition of other major universities and research institutions. Its ambition is to bring to its faculty only those who are or show promise of becoming among the less than a handful at the top of each specialty, men of such quality that their publications and other accomplishments significantly advance their discipline. But there are now so many well-financed universities that there are not enough talents of this quality to go around. In the competition, Yale often loses out, even under present circumstances. To remain at the forefront of universities, Yale needs every hiring advantage it can get in order to maintain a first-class faculty. If it cannot offer faculty considerable autonomy on academic policy, it simply cannot recruit and maintain a first-class faculty any longer.

Not only do the faculty demand a high degree of autonomy; it is also necessary to their productivity at Yale and in society. To be sure, society cannot afford to turn scientists, philosophers, and artists wholly free to pursue their work on their own terms. People who support them have an understandable interest in what they do with their time. Society sometimes has urgent practical tasks to which they have to be assigned. Someone other than the scholar himself has to help make the decision on how much of society's resources are worth putting at the disposal of scholarship. But the failure of most societies is to give the scholar and artist too little rope, not too much. No one is as competent as a scholar to judge the most fruitful lines of further research in a field. No one is as competent as a scholar to know what new fields need exploring. If, therefore, a society wants knowledge to be produced and disseminated, it has to see to it that scholars are accorded a great deal of freedom in their work. That freedom includes choosing their own colleagues. For, to be productive, most scholars need interchange with other scholars; and scholars in a given field are most competent to choose highly qualified associates.

Substantial faculty autonomy on education, as distinct from research, might seem to be a less compelling need. But one cannot ask a first-class mind to teach what he does not believe, nor would any intelligent student want a course from a teacher who did not believe that what he taught was worth teaching. Nor can the world, let alone Yale's students, afford to refuse to allow scholars to pass on through teaching what they, as scholars, think is valuable knowledge. The world is still pitifully short of knowing what it needs to know; the best universities should consequently make sure that their scholars, who know more about academic learning than do any other groups in the university, are relatively free to decide what is and is not to be taught.

Where faculties err most is in failing to meet student educational needs in wholly acceptable subject matter, either because faculties do not trouble to inform themselves about student needs or because they are carried away by their own professional specialties. Faculties err, too, in neglecting the evaluation of the role of learning in society, so preoccupied are most scholars with their own specialties. Similarly,

faculties have been inattentive to issues concerning the political role of the scholar, which he plays whether he knows it or not. These are all major problems for which substantial new student inputs are needed if they are to be resolved successfully. But the proposition that education calls for expert knowledge carries with it the implication that, insofar as education is inadequate at Yale, as it has been argued above to be, the cure may lie more in the expert practice of education by faculty than in turning to the nonprofessional approach that students bring to it.

Student Participation and the Corporation

The student role in governance is bounded on another side by Corporation autonomy. Final authority over finance, major priorities, specification of the purposes of the University, opening up or shutting down major branches of the University, admissions, and institutional policy should be lodged in the hands of persons, like the trustees, who have no immediate stake in the University's existing policies: who have no directly vested interest in its status quo: who can easily take a long time perspective: who will manage Yale's assets in such a way as not to mortgage its future: who have enough years and experience to see today's urgencies in terms comparable with yesterday's; who, being not wholly of the University, have some sense of proportion about its relation to society: who are sophisticated about management, politics, finance, research, education, and the qualities of the human mind: who are obligated to no constituency within the University; and who are beholden, so far as possible, to no one. Such a group of trustees need all kinds of information and advice from students, as well as faculty; but their final authority should be carefully protected against students, as well as against faculty.

To be sure, independence of constituency does not insure neutrality or invulnerability to many political, cultural, and social influences. But it is not neutrality that is desired. It is a connection between University and society, which is not simply a connection between University and its immediate clientele or employees.

Future of Student Participation

The need for a high degree of faculty autonomy, on one hand, and Corporation autonomy, on the other, does not, of course, precisely

prescribe the appropriate role for student participation. The proposals made in this report are not, consequently, proposals for all time. If these forms of participation are successful in the next few years, some specific proposals for expansion of student participation ought to be forthcoming, just as, for example, retrenchment would be expected to follow on failure. The Commission even now is inclined to believe that there is in student action groups and representative assemblies a capacity for growth that might turn out to be significant for new possibilities of student participation (to be discussed below).

The development of student participation would perhaps be accelerated if student procedures could better cope with students who do not support the general purposes of the University and who do not accept the basic ground rules for participation: respect for fact, commitment to genuine exchange of opinion, a presumption of personal fallibility, and--finally--the settlement of issues within the University by reason whenever possible, by rules for peaceful adjudication where reasonable men cannot agree, and by naked power never.

Because such students are a very small minority, it makes no sense to disqualify all students because of them. But their role in the University does hurt the general case for student participation. For it is these students who sometimes claim and win leadership in student movements, sometimes because of default of other leadership. They have also been skillful on some campuses in provoking controversies in such a way as to rally large numbers of students to their side against the faculty and administration. Some of their members, moreover, find their way into representative positions because students generally are not well enough organized to choose more representative students. In short, the way they play their role demonstrates that students not in those groups are sometimes manipulated or preempted by them. To be sure, they sometimes win influence because more responsible leaders are rebuffed by faculty or administration or despair of making headway. Still, their potential influence with other students poses a problem.

Student Action Groups and Assemblies

Some desirable, though not always hardy, forms of student participation may flourish best if students wholly maintain their own initiatives and autonomy: for example, new experimentation in college councils, a variety of ad hoc organizations like some of those organized last May for various crisis functions, and the graduate and undergraduate senates. Two forms or categories are worth distinguishing: the organization that comes together either to advocate a specific policy (a lettuce boycott, for example) or to accomplish a specific action function (the student marshals who maintained order last May); and the organization that brings together a variety of students of differing views to debate and to take action to which their debates lead them (the senates).

The stumbling block in attempts to organize deliberative assemblies of students has been their aspiration to be representative. For that aspiration has led them to try to induce participation, at least for elections, from more students than wish to participate: and it has drawn attacks from those students who do not wish to be represented generally by other students.

Waiving for the moment the question whether representation is desirable, a deliberative assembly certainly is, both for students in it and for the University. In the first place, more students want and ought to have significant sustained participation in deliberations on University policy than can have it through membership on various existing and proposed committees or through occasional participation in the proposed forums. Second, some students want to deliberate on policy questions--and then perhaps take action--more than they want to share the work of organizations already committed to specific causes. Third, their findings and recommendations would be of interest to and might play an important role in giving leadership to students who want information and ideas about policy more than they want to act in their existing uncertainty about what makes good policy.

A fourth reason for a student assembly is of concern to the entire Yale community. Whatever their inexperience, impatience and short time perspective, students are unquestionably a source of initiative on needed changes in policy in any area. They put items on the agenda that administrative and faculty inertia would otherwise keep off. They also see Yale differently from administration and faculty and are consequently a source of fresh thinking on the University's problems. If, through deliberative assemblies, students were willing to take on a special responsibility for innovative thinking, for prodding the bureaucracy, and for keeping the faculty on its toes, they would make Yale a better University. They might perform that function for the University better than any other possible group.

Whether a student assembly should try to be representative or not is the next question.

It would be to the advantage of the University if the members of an assembly cared to carry an obligation to inform themselves of what students not in the assembly were thinking, so that their deliberations took account of a larger number of ideas and wishes than their own. But a formalistic kind of representation, in which the member of the assembly can claim no more than that he was elected from a constituency--about which he knows little and which knows and cares little about him--is worth very little to anyone. And there seems little point in compelling students to delegate any responsibility and authority to anyone else if they do not wish to do so. Nor any point in establishing a so-called representative body the members of which are attacked or disdainfully dismissed by their own constituents.

Can students create the desired kind of representative relationship and avoid the other kinds? Is there any way they can maintain an assembly that is representative in the sense that it is elected, that its members and constituents know and care about each other, and that it would consequently come to such conclusions and recommendations as its constituencies would in fact not oppose? The answer turns on no legalistic issue but on the issue of whether members of an assembly can be well enough informed about their constituents and otherwise competent to work their way to decisions that in actual fact correspond to what their constituents endorse or believe they would endorse if they took the trouble to inform themselves.

Despite the failures of the Undergraduate Senate this year, the Triffin Plan for representation might offer a way of exploring and testing such a possibility. For it might be employed to build outward from a small assembly to a larger and more representative one while it claims no more than that it represents those groups of 10, 15, or 20 who have taken the trouble to elect a member. Beginning without credentials, it establishes them only with demonstrated success. Even such an assembly would fail to be representative in the sense desired if students signed electoral lists simply to oblige their friends or if there were insufficient communication between electors and representatives. Still, the Triffin Plan might work; and it does not seem foolish for students to continue to experiment with it, as in the present Undergraduate Senate. If students can make it succeed, then those who want to participate in sustained discussion of and action on University policy can do so, those who want a lesser participation through a representative can have that, and those who want none of it and who want no one to presume to speak for them can also have their way. In particular, those who want to be represented through specific action groups would remain free to do so; the assembly would enjoy no monopoly on representation. Success with such an assembly would improve the morale of those who want participation, perhaps put an end to disputes over who can and cannot call himself a representative of whom, and give interested students a serious new role in University policy making for the benefit of Yale. How large that role would be would depend on how well the assembly performed it.

VII. FACULTY, GOVERNANCE, AND EDUCATION

In recent years in which governance has become a live issue in universities, faculties have shown more interest in increasing the scope of student participation than in increasing the scope of their own at the expense of administration or trustees. At Yale, for example, there has been no substantial enlargement of faculty participation comparable to what students have enjoyed through, for example, student participation in the work of the curriculum committees. Many faculty want no enlargement at all: nor is there any reason to impose new burdens of governance on the unwilling.

At Yale, as well as in many other universities, many faculty members, especially senior faculty, are ambivalent. They would like to have a larger voice on some policies that have customarily been left to Corporation and administration: University priorities and budgeting, for example. But they know that increasing participation would be costly to themselves. It would divert time and attention from their research and teaching. Committee meetings take time. What is worse, developing a competence on high-level issues of University management--on such questions, for example, as whether the School of Forestry should become a School of Environmental Studies, whether the master's degree program in city planning should be abandoned, or whether Yale should undertake a special adult education program for New Haven residents--takes even more time.

An enlargement of student participation in governance pushes at least some faculty into a somewhat larger role in governance than heretofore. If students (and staff, as will be seen below) are to have a place on new all-university councils advisory to University officers and to the Corporation, if they are to have forums in which they can discuss policy issues, and if they are going to participate in interrogation of University officers from time to time, then faculty will also have to serve on advisory councils, participate in forums and interrogations.¹

¹Here, incidentally, is now uncovered still another constraint on extending student participation in those areas of policy making that are now the responsibility of the University administrative officers and Corporation. Any new influence that students win over officers or Corporation will have to be shared with the faculty. But because faculty are often less innovative than officers and Corporation in these policy areas, the effects of growth of student participation in these areas will be in part offset by the growth in faculty participation.

Whatever its implication for students, the extension of faculty participation in governance will be deeply disturbing to many faculty at Yale who want to delegate the tasks of governance to deans and other officers who will then leave them at liberty to pursue their academic responsibilities. To protect the teaching and research of these many members of the faculty and to make it clear that a faculty appointment at Yale does not necessarily carry with it burdensome governance responsibilities, members of the faculty should not be put under moral obligation to serve on the newly proposed councils and committees.

To be sure, a university has to require that its faculty carry certain burdens of governance, and every faculty member has to assume some responsibility for faculty appointments and other decisions close to teaching and research. But as faculty participation expands beyond that, as it already has in, say, faculty participation in decisions on student housing, the operating principle has to be established that faculty participants in the wider tasks of governance, like student participants, have to be drawn from those who are genuinely interested in playing a governance role. If the day arrives in which there are not enough of these faculty, Yale will be in trouble: for the time being, there are enough; and it is on them that the responsibilities for extended participation should rest.

President, Provost, and deans should constrain their impulses to ask for participation from those who do not want it or are willing but prefer not to participate. Given the pressures on such officers, they will often be tempted to urge a member of the faculty to accept a committee assignment, forgetting that they have a greater responsibility to keep him at his academic tasks, unless he signals that he wants to join in the tasks of governance. That faculty be given a wholly free option on these new tasks is a specific recommendation of the utmost importance.

Nontenured Faculty

Many nontenured faculty members express, however, a good deal of discontent with their role in governance. In part, their dissatisfaction is traceable to inadequate communication. Many policy issues are in the hands of tenured faculty (along with administrative officers). A member of the

faculty learns about them because he is on the relevant committee or because he picks up information at lunch, in the corridors, or at a dinner party. But that kind of communication tends to move horizontally through rank or age group rather than down through age groups and ranks.

Although a University policy information office would be of some help, the best way to remedy the communications problem is to put younger faculty, nontenured faculty, on more committees. And that would have the additional advantage of coming to grips directly with a more serious problem, which is not simply one of poor communication but of the disbarment of nontenured faculty from many important policy deliberations.

Their competence has not been questioned. It is for other reasons that they are now frequently disbarred: tenured faculty members understandably want the advantages of informality and confidentiality in faculty business, hence want to keep the decision-making group as small as possible: they find it awkward to discuss among younger colleagues some issues that imply adverse judgments about some of the senior faculty: and they sometimes fear a conflict of interest problem if a younger colleague debates issues of departmental policy that bear on the future of his kind of work and his consequent tenure prospects in a school, a division, or a department.

Of these three reasons, the first two are no longer persuasive. In a trade-off between the value of gentlemanly convenience and courtesy, on one hand, and the value of mutual esteem and trust between senior and junior faculty, both acknowledged to be qualified to do teaching and research at Yale, on the other hand, the case now seems clear for according junior faculty a fuller share of the responsibilities and privileges of faculty status.

On the third reason, conflict of interest, there are conflict of interest problems within the tenured faculty too. The argument cannot be accepted, therefore, except for specific issues of appointments. There it does seem wise to hold to the present policy of disqualifying any faculty member from voting on appointments to higher rank than his own. Even so, consultation with all ranks on appointments is desirable and feasible.

The Commission therefore recommends:

1. Officers of the University, deans, and department chairmen should make it a practice to include liberal representation of nontenured faculty on all policy committees, including departmental executive committees.
2. The President should consult nontenured faculty in the choice of their departmental chairmen.

The cost to younger faculty members of increased participation in governance is great, however, as young faculty members of the Commission on Governance have learned, sometimes to their dismay. Given the University's pressures for publication to qualify for tenure, it ought to be possible for a nontenured faculty member to exercise options even broader than those of tenured faculty: specifically, to decline without penalty an appointment to a burdensome committee of any kind, not only the new committees and councils here proposed.

To be sure, promotion of a nontenured faculty member will depend on his contributions to the work of the University, and those that take the form of committee work are among them. There will consequently always be at least some inducement to participation in committee work. Still, the nontenured faculty member who wants to concentrate on his contributions to teaching and research ought to be free to do so.

A Challenge to the Faculty

Consider now, thoughtfully and even painstakingly, the implications for the faculty of sources of generalized student discontent. One source is the world outside the university. Another is the university itself.

Why the university? Because, among other reasons, many students do not believe that they are getting as good an education as they should. Is there any merit in such a view? It is indeed possible that, for all the advances in learning that make improved education possible and for all the freedom students now enjoy to choose their own educational

programs, education, including graduate and professional training, is suffering from the competing pull of research--or perhaps of specialization--within the university. Possibly more serious than that, however, is dissatisfaction that grows out of new demands. A bright student who is worried about survival of man on this planet will often want a great deal more out of his education than the more sanguine young scholar of the 1950s. Or a student who has to cope with the remarkable new challenges to accepted life styles, morality, aesthetic standards, and career aspirations may bring formidable demands for enlightenment to his courses and teachers.

Discontent with university governance is in large part reflective of discontent with education rather than directly with organizational forms. To be sure, students protest that existing governance denies certain roles that at least some of them want to play, is stingy with information, is excessively paternalistic, and does not seem to square on some points with the professed values of an open and democratic society. But they also say--and this is the point that is often missed by faculty and administration--that governance is not designed to give strong support and practical implementation to the educational function of the university.

In short, whether one looks outside the university for sources of discontent, or to the university's educational programs, or to governance, demands for better education are a major element of that discontent. Educational reforms are more important than reforms in governance. Or, to put it another way, reforms in governance that do not achieve educational reform will not go very far to ameliorate student discontent.

Yale has already recognized that changes in governance are worth trying as a way of improving education. It has placed students on various curriculum and teaching committees on the supposition that the students will bring valuable new inputs into educational policy making. It has also given students greatly enlarged authority and responsibility for planning new courses through the college seminar system. Many of the proposals made above for student participation in governance follow the same strategies. Student participation in academic policy making in order to provide feedback to faculty is one of them. So also student participation in deliberation on university long-term plans and priorities.

Why Governance Reforms Fall Short: The Problem of Amateurishness

The proposals made do not, however, add up to a major attempt to improve the quality of education. Why not? The answer is complex. It begins with the proposition that high-quality education requires a great deal more than easy communication between teacher and student. Education requires sustained study of educational purposes, of learning processes, of intellectual weaknesses and strengths that students bring to their work at any point in their education, and of the difference between what scholars in a field know about it and what students at various states of readiness need to know about it for their educational purposes.

Most faculty members do not go about education with the same seriousness of purpose and commitment of skill that they bring to their research. The difficulty is not that faculty time is unavailable to students or--worse still--that faculty are busy everywhere except on their own campus. It is that educational work is often done offhandedly.

One symptom of amateurishness--at the same time a reason for its poor results--is the practice of not subjecting one's educational work to the scrutiny of one's colleagues. What a teacher does with his courses is not displayed to his colleagues; and, curiously, a professional ethic has developed in which they are constrained not to criticize his course work. Mutual criticism is the life of scholarship: it is almost taboo for educational work.

Technical skills in oral presentation or in seminar leadership are only a small part of good educational work. Course design and curriculum design are more important, and it is these that are only spasmodically attended to. Professors do not often write articles for, or read articles in, journals given over to serious analysis of the educational needs of university students. A "gifted teacher" is more often than not a man with a special flair for lecturing, a skilled discussion leader, or an attractive or inspiring personal counselor. Even he does not go about his teaching as professionally as he would his research.

A typical defect at the undergraduate level is inadequate selectivity or discrimination in design of courses within a discipline. From each discipline undergraduates need not a summary but a careful selection of

just those of its accomplishments that are suited to their competences and curiosities, to the discharge of their predictable future private and civic responsibilities, and to self-development other than career success. But faculty are not practicing the required meticulous selectivity.

If the problem is as here described, then its cure runs far beyond alterations in governance. It requires a far-going change in the ethos of the academic profession. New goals, new career aspirations, new professional codes, new incentives--all these are required.

A great deal of change of this kind is unlikely in the short run. Some faculty believe the change would be undesirable, for, they would say, the gains in education would not be worth the losses to the world's research. Others will endorse such a change but confess that they know no way to bring it about, for a profession develops its own ethos in subtle, unplanned ways. Certainly no one university can accomplish much independently of others. If, for example, Yale tried to force on its teachers new educational responsibilities, it would begin to lose its faculty.

Can anything be done, then, through governance?

The Commission proposes, first, several fairly obvious reforms in methods of faculty appointment. Specifically:

1. Departments and schools should regularly collect systematic written student evaluations of their courses and teachers.
2. Where possible on original appointments and in any case for internal promotions, the documents supporting the request for favorable action on a candidate should include course outlines and bibliographies prepared by the candidate, as well as other documents, if any exist, representing the candidate's educational work. Systematic written student evaluations should also be included. This is, of course, in addition to the documents bearing on his research skills. The oral presentation to the appointments committee on the candidate's behalf should embrace not simply the usual summary judgment that he is an "excellent" or "good" teacher but specific points of information and appraisal bearing on the current competence with which the candidate has attacked his problems of course and curriculum design and other problems in teaching.

3. Within the Faculty of Arts and Sciences, departments intending not to renew a faculty appointment should, through the chairman of the relevant appointments committee, notify the committee of its intention. The committee can, then, if it wishes, ask the department to defend its action, if the concerned faculty member does not object.

The intention of this third proposal is to save for the University some young faculty whose educational work is of great value to the University but whose qualifications, by the traditional and somewhat narrow standards of evaluation of the discipline and the department, are easy to overlook. The proposal does not force unwanted personnel on any department: it would, however, have the effect of compelling a department to think twice before taking action insufficiently attentive to University needs beyond those of the discipline or the department.

Minding the store.--Beyond these proposals is another line of more important recommendation.

In each school, the faculties should create a specific body, structure, or process that locates responsibility for significant educational reform in the hands of some of its faculty.

The implications of this recommendation are several. First, ordinary committee work is not enough. Responsibility has to be taken for sustained, time-consuming study and deliberation on education going well beyond the demands of ordinary curriculum committee work. Second, educational reform has to be a collective effort, for it is beyond the authority, competence, and incentives of individual faculty members. Third, educational reform has to be the responsibility of a small minority in each faculty, since most faculty cannot be induced to take a significant sustained interest in it. Fourth, faculties as a whole ought to allow such minorities considerable scope for innovation. Fifth, the innovating group needs substantial support, not only by being empowered by school faculties but in the form of available time made free from other university responsibilities, in appropriate promotion opportunities, in salary, and in staff resources to support their necessary studies. Sixth, these bodies or structures should not freeze onto any one formula for education improvement but should stimulate experimentation on many fronts.

What kinds of processes, bodies, or structures might do the job? That is for the faculties to study and propose. Illustrative, however, of the possibilities is a proposal, increasingly popular in recent years in university circles, for residential colleges organized around teaching programs, of which the University of California at Santa Cruz provides an example. Another possibility, no more likely to find favor at Yale, is that major educational policy, including curriculum design, be turned over to a committee of faculty who thereafter become permanent administrative officers assigned to that specific responsibility.

A proposal specific to Yale College is that the faculty establish a somewhat autonomous interdepartmental curriculum planning and teaching group. It could be charged with designing, and teaching where necessary, educational programs not now offered by existing departments or interdepartmental committees. Faculty in the new group would remain active in their own disciplines, and many of them would return wholly to their regular departments after a few years in the program. Such a group could develop new major programs, as well as four-year, three-year, and one-year programs. It could also experiment with sequences of courses of increasing intellectual challenge and other groups of courses, as well as individual courses. The point of such a proposal is to enlist a first-class segment of the faculty in a new commitment to teaching and educational work, to give them institutional support in their new commitment, and to put them in a strong position to exert educational leadership by both planning and actually teaching courses and programs.

Faculty will think of still other proposals. What is required is the application of high-level competence. Only the faculty can supply it. If it is not willing to supply it, Yale cannot be both an excellent research institution and an excellent educational institution at the same time. It will certainly, given recent tendencies and the needs of the nation and the world, sacrifice education to research.

VIII. RELUCTANT REVOLUTIONISTS

Considering how overwhelming a proportion of intellectuals are gathered into the universities, it has always been puzzling why so few great intellectual achievements spring from them. It is even more puzzling that so few come from American universities by comparison with European universities of much smaller faculty and student populations.

Radical critics of the university explain the phenomenon to their satisfaction. The university, they say, is a class institution. Its trustees are the rich and the powerful. Its top administrators identify with or are otherwise subservient to rich and powerful trustees. Its faculties, whatever their social origins, become somewhat complacent and self-indulgent and gradually forget about asking fundamental questions about their role in the pursuit of knowledge.

As a description of Yale, these allegations contain a great deal of truth. One does not need to hold to any Marxian concept of social class to recognize that, like many other successful institutions in society, Yale University has a tradition of being comfortable and complacent. No better example can be found than its institutional and scholarly neglect of Blacks until recent years. If its recent attempts to seek out and find Black students represents good policy, as the Commission believes it does, one is forced to ask the question why such an attempt was not made many years or decades earlier. The answer is that a complacent Yale had to be prodded: it was incapable of such fundamental thinking about its role as would have led it into such a policy years ago. The complacency was not to be found solely in the Corporation or in the University's administration, for almost no one on the faculty was interested in researching or teaching in fields that now, again thanks to the prodding from the outside, are recognized as legitimate and necessary.

One of the most striking evidences of university complacency is the tendency of the scholars in applied social science to busy themselves with social problems at least a decade too late. Just as studies of the

predicament of the urban Black were taken up by university faculties only after public concern drove them to these problems, so also, for example, economists studied economic development only after a post World War II independence movement in European overseas colonies made the problems of economic development politically prominent.

Intellect is a great transformer of individual man and of his society. Universities are therefore inevitably cast in a revolutionary role. It appears, however, that universities are revolutionary in spite of themselves, at best only reluctant revolutionists. Their work cannot but transform human beings and the world, yet it seems rarely fired by ambition appropriate to so powerful an instrument as intellect.

Is revolution the wrong note to sound? To be sure, the university is also, and ought to be, a conservative force in the best sense--an institution for transmitting a heritage of knowledge, value, and critical judgment, including a heritage of knowing and valuing how to learn. But to do this, no less so than to accomplish intellectual revolutions, it has to ask fundamental questions that educated men have always asked.

These days some men say that the greatest demand on our universities ought to be neither for intellectual revolution that looks forward to better men and better societies nor for the preservation and transmission of a heritage of learning. It ought to be instead a demand for learning how to survive, for man's problems may soon be terminal. But if this is true, if today's problems threaten man's survival on the planet, then, again, fundamental and radical questions have to be asked.

Is there anything that reforms in governance can do to enable the University to realize, in the best sense of the term, its extraordinary potential for individual development and for society?

The Commission cannot entertain empty hopes. In the best of all possible universities, only a small minority of a faculty will tackle the fundamental or intellectually radical questions that now tend to be neglected, for the kinds of questions ordinarily asked by academic scholars and teachers are also important questions. To change the ethos of

academia in ways that would induce at least a few more faculty to tackle more fundamental questions is perhaps beyond man's competence in rational planning. It has often been suggested, for example, that great advances in thought rest on the cultivation of the intellect by a leisure class. Whether that is true or not, it seems likely that whether intellectually ambitious questions will be asked and whether great advances in thought will be achieved will depend less on anything the university does deliberately to encourage them than on features of society and culture that no one plans.

Such reforms in governance as have been here proposed, it can be hoped, will improve the University in various ways: make it a more creative workplace for students and faculty, improve the quality of education at Yale, dispel some troublesome mistrust, and move some steps toward a more amicable community. But it is too much to ask of governance that it make great headway against so basic a problem as the University's timidity in the pursuit of learning.

If timidity or complacency had their roots solely in the domination of the Corporation by the rich and powerful, it would be appropriate to consider turning the Corporation over to the faculty. But the faculty members--their preconceptions, their routines, their limited imaginations--are part of the problem. Nor would turning the Corporation over to the students of the University make any headway, for students suffer from the severe disability that they identify the intellectual issues of their early adult years with the intellectual issues of all time. Moreover, most of them do not themselves ask questions more intellectually radical or more fundamental than those asked by the faculty; and in most periods of time, students are probably more reluctant revolutionists than their faculties, very recent years to the contrary.

The Commission has already recognized that the composition of the Yale Corporation can be improved and that the Corporation can be made less complacent about Yale's role in the pursuit of learning. It has said the Corporation ought to become a more heterogeneous body, not heterogeneous in a mechanical sense, not representative of all groups in society, but heterogeneous in specific ways designed to bring into the Corporation ideas, values, and attitudes that will make of Yale a greater center of profound intellectual and creative ferment.

For the faculty, reforms in governance are quite inadequate to achieve the changes in values, attitudes, insights and ambitions that are required. The Commission does suggest, however:

That the President should constitute a special standing search committee, acting for the faculty as a whole or perhaps for the Faculty of Arts and Sciences, with a continuing obligation to make special efforts to seek intellects and talents of extraordinary gifts and reach for the Yale faculty, preferably as permanent appointments but also as visitors.

The tendency of school and department faculties to fall into ruts in faculty recruitment, concerned as they are with meeting teaching needs for particular courses or needs for research competence in established fields, requires a counterweight. The proposal is not to give the committee authority to hire but instead to give it a responsibility for looking actively for the ambitious, powerful and creative mind and to call it to the attention of the relevant school or department. It might best work in cooperation with committees holding closely related responsibilities, like the divisional advisory committees in the Faculty of Arts and Sciences, and with student groups. This is a pitifully small proposal for attacking a problem of magnitude; but, as for many other university problems, improvements in governance cannot be the major channel of reform.

IX. OPEN END

The Governance Commission has attempted to analyze problems of governance thoughtfully, not cynically, hoping to find its way to reforms that would appeal to reasonable and moral men. For it is a cherished hope of everyone who has seriously contemplated the nature of a university that its governance will appear to be legitimate in the eyes of the members of the university community--legitimate not in the technical legal sense but ethically or morally right and reasonable in the eyes of reasonable men.

The Commission has been sparing in its proposals for new instruments of governance. For governance is costly in time, attention, and energy. The new procedures impose new demands on the time and attention of members of the Yale community. Among other demands, they require that experienced members invest in the education of new participants. And they require as well that new participants accept obligations of work, restraint, discretion and trust. These proposals may also bureaucratize the University to a degree, although in spreading participation rather than concentrating it, they may reduce bureaucratic tendencies already strong at Yale. Any evidence that the Commission has underestimated the costs should be watched for closely in coming months and years.

As was said above, the proposals of the Commission are not the end of the line. Success or failure with those that are implemented will lead to new reforms or abandonment of newly adopted reforms in coming years. For that matter, the way in which the Commission's proposals are considered will itself give rise to new attitudes, perhaps new proposals. If, for example, some groups in the University display an unwillingness to reflect carefully on the proposals or cannot stir themselves to the required actions, they undercut their own claims to participate or their own defense of their existing authority.

This is said not to threaten any group, but to call attention to the extent to which the Commission's recommendations respect a valuable

tradition at Yale: that good faith and trust are, beyond some point, better instruments of governance than a precise and contraining set of instructions to participants. For example, in its recommendations on Corporation consultation on choice of Successor Trustees, the Commission has not proposed that the Corporation pledge itself to a form and intensity of consultation prescribed in detail. It has instead proposed only that the Corporation commit itself to serious, systematic consultation with a student-faculty committee. Whether, several years from now, that reform will continue to be endorsed or whether more constraints on the Corporation's authority to select its own members will then be proposed depends on the degree to which the Corporation has seen to it that the consultation here proposed has in fact become genuine. That example aside, as a general rule the Commission has counted greatly, for each group of participants, on its good faith, sensitivity to other groups, and capacity for self-criticism.

Some of the structures here proposed may fail, of course, not for lack of trust but because the Commission has miscalculated a need or a capacity. For these, no one should object to euthanasia. One may hope that the university as an institution for the pursuit of learning will last a second thousand years but not the specific instruments of governance here proposed, some of which may die early. And so, a final recommendation:

The persons or organizations to which the Commission's recommendations are addressed should from time to time review the new structures here proposed and terminate them if they are ineffective. They should not be kept alive by pious hopes of improving them but put to death if they do not work.

Improvement in governance of any institution is always difficult. In many organizations--and certainly at Yale--informal procedures do a great deal more of the work of governance than is usually realized, and new formal arrangements sometimes unintentionally cripple them. In these cases, the net effect of reform is to retrogress. In coming months and years, the Yale community should be alert to the ways in which new forms of governance actually make their effects.

APPENDIX A

Distribution of Membership on the All-University Councils

Discussion within the Commission on the composition of the councils brought out a large number of conflicting criteria, no one of which can be allowed to dominate the others.

On alumni membership, given alumni participation in governance through alumni organizations, through the University Council, and through election of alumni trustees, a case can be made for no alumni representation at all on the proposed councils. Moreover, given the distance of most alumni from the campus, it could be argued on that score too that the participation roles they now play are more appropriate than participation on a campus council. Yet the Commission concluded that, because the councils are designed to improve input into policy making, an alumni representative on each council would be valuable, even if he would have to bear heavy responsibilities for keeping himself informed about the variety of alumni concerns and views on University policy. It also seemed possible through alumni participation to increase the flow of information to alumni if alumni members of the councils could be counted on to report through the various convocations of alumni and their delegates that are held from time to time throughout the country. Finally, the objection that alumni members would have to be drawn from, say, a hundred-mile radius of New Haven was not so troublesome as first appeared, for they could bring to the attention of the councils not only alumni concerns but local and regional concerns for Yale's role in the area.

On staff membership, the Council on Operations and Services clearly needs full participation from the ranks of nonfaculty employees. All such employees are as greatly concerned as students or faculty about University services like health, policy on unionization, managerial efficiency, hiring practices, fringe benefits, and the like. Some employees have a union through which to express their own special interests, but in the Council it is intended that they would join in deliberations on policy for the good of the University rather than play an adversary role.

The Commission also acknowledges a staff concern about University financial policy, perhaps largely limited to land acquisition and use in New Haven; hence it proposes staff membership in the Council on Finance and Investments. On the Institutional Policy Council, staff concern is probably greater than for finance and investments. Many staff might be expected to be generally concerned about Yale's relations with New Haven and its immediate neighborhood. But other matters of institutional policy--secrecy in research, for example, or military training, or relations with the U.S. Government--seem to go beyond the proper jurisdiction of staff. Institutional policy generally raises important questions about Yale's educational and research mission, and on these questions Yale needs primarily the contribution of persons directly engaged in and competent on education and research. That leads the Commission to propose two staff members on the Institutional Policies Council, to be drawn from professional, administrative, and library employees.

For the Priorities and Planning Council, only those engaged in the main educational and research work of the University should be included. Hence the recommendation for only one member from the nonfaculty employees, and he should be chosen from those nonfaculty professionals who hold research or high-level library appointments.

On student and faculty membership, there is no question that some students and faculty are greatly concerned about the whole range of University problems, nor is there any question that both students and faculty who care to can bring a great deal of competence to each of the councils.

If these councils were to be representative policy-making bodies with carefully calculated proportions of representatives, it would be appropriate to provide a heavy disproportion in favor of faculty. Faculty are central to all the work of the University--research and teaching alike. Students, except for advanced graduates, are central only to its educational work. Moreover, faculty have professional responsibilities toward the University, and, in any case, have both greater experience with matters of University policy and a longer time perspective.

That is not, however, the issue. The advisory councils do not challenge the authority of the Corporation and administration in their responsibilities nor the faculties in theirs. They are designed to bring improved inputs

into policy making. For that purpose, arranging for student inputs is no less necessary than arranging for faculty inputs. Moreover, the Commission has been especially concerned with avoiding token representation, which would be the result of any significant inequality between faculty and students in favor of the faculty; and, in addition, it ought to avoid casting students into an adversary role such as might easily develop in these small councils if student membership were stingily allocated. For the specific advisory function for which they are designed, the Commission has therefore followed a simple rule of equal student and faculty memberships, hoping at the same time to thus dispose of a specific small issue on which both students and faculty are otherwise likely to freeze into incompatible positions.

APPENDIX B

Procedures for Choosing Student Members of Councils and Committees

The special problem of organizing students to choose their committee and council members is the following. For membership on various curriculum committees and other academic committees of concern to students on the proposed all-university advisory councils, on the Review Commission, and on other bodies to be discussed below, some form of student election or appointment is required. The same is true for the selection of students empowered to call meetings of the student assemblies. But students do not appear to want the administration or faculty to make appointments of students to these offices; nor, ideally, should they, because faculty and administrative officers do not know the whole student population well enough to choose wisely. Their appointments would inevitably come from too narrow a range of students. On the other hand, students often do not take very seriously as their representatives those of their fellows who put themselves forward for election or who take position by default of general competition for the position.

The problem of choice is complicated because, if students are to hold their own on committees in which they join with faculty, they have to be chosen, as the faculty members will be, with some consideration for their particular competence for the assignment, a competence which is a product of personal characteristics--in personal relations, for example--and knowledge of the subject matter, which calls for time and effort. Thus fitting the right student into the right position is not easy and will not be done well by lighthearted elections.

What is required is that candidates be encouraged to come forward, that their credentials and potentials be thoughtfully considered by some person or persons competent to do so and--if it can then be arranged--that their assignment to various positions be reported back to, preferably ratified by, a larger body that exercises a scrutiny not over the individual nominations so much as over the care with which the whole process is maintained.

The Commission therefore recommends that students be chosen for various positions by nominating committees, the nominating committees themselves to be elected by ballot of appropriate constituencies. Nominating committees are to fill vacancies within their jurisdiction. Their nominees are to be qualified for taking office by reason of nomination alone; they do not have to wait for a favorable vote from the nominating committee's constituency.

Student members of departmental committees should be chosen by nominating committees elected by departmental student organizations.

Student members of school committees should be chosen by nominating committees elected by students in that school, if they are organized to do so. Or, in the appropriate cases, by the Graduate Student Senate, if it can operate expeditiously. Or, if these methods are not feasible, the dean should randomly select enough names from a list of all students in the school to constitute a willing committee. In Yale College, members of the nominating committee could be elected directly, each college electing one member.

For choosing student members from the professional schools for the all-university advisory councils, the nominating committee from each school should choose one of its members to serve on a professional school joint nominating committee. The member chosen by the Law School nominating committee should take the responsibility of convening the joint nominating committee.

The same procedure should be followed for choosing students from the professional schools for membership on the various advisory committees attached to specific University services.

One of the merits of proceeding in this way is that, for any one school, one nominating committee will be charged with the responsibility of finding appropriate students for its school committees as well as for any all-university committees.

Some schools already have established what they believe to be effective systems of direct student elections for certain offices rather than nominations. Where elections are operating well, the Commission would not, of course, oppose extending elections to these new offices.

APPENDIX C

Procedures for Choosing Nonfaculty Employee Members of Councils and Committees

Nonfaculty employees do not constitute a uniform subgrouping. They are of many different kinds: their interests, educational levels, identification with the University, and desire to participate in governance differ strikingly within the group, quite aside from individual differences such as are also found within the student and faculty communities. At one extreme, senior research associates are no closer to other nonfaculty groups than are senior faculty.

As a minimum the following groups have to be recognized as significantly different from one another:

- Professional employees engaged in the main research and educational work of the University (for example, research associates other than one-year visitors)
- Professional employees of other kinds (professional engineers in University services, for example)
- Technical
- Administrative
- Supervisory
- Clerical
- Hourly workers, nonunion
- Hourly workers, unionized

Such a classification is further complicated. For some purposes, for example, library employees in some of these categories should be taken together. Or, for another example, out-of-town employees of certain categories need to be distinguished from on-campus counterparts.

Representation from these many possible groups on the Governance Commission and in the Executive Committee was not--nor could it have feasibly been--large enough to qualify the Commission to propose a definitive classification that will serve the purpose of governance. The proposals of the Commission for defining and organizing participation by these categories are therefore tentative and should be reviewed next fall by a committee of nonfaculty employees, joined by a few members of the University administration.

The Commission proposes that the above list of categories, modified only to create an additional group composed of library employees of all

categories except hourly employees, be made for the time being the basis of participation by nonfaculty employees. (Professional librarians should be listed in both the first category above and in the library group.)

Forums.--Each of these groups should have the opportunity to constitute a forum. To that end, a willing appointments committee of eight for each category should be constructed by a random selection of names drawn from a list of members of that category. The appointments committee for each category would then appoint a steering committee of three that would have the same specific authority and explicit obligations as were described for steering committees for student forums: specifically, "to play a neutral role, meet legitimate demands for convocation of the forum, establish fair rules of procedure and generally make a success of an attempt at public discussion of a high order."

Policy Review Commission.--The same appointments committee for each category should appoint a member for the Policy Review Commission, with one member to be nominated by each of the nine categories.

All-university advisory councils.--The appointments committee from the first category above should choose a member for the Priorities and Planning Council for a term of two years.

The staff members to be designated for the Institutional Policies Council and the Finance and Investment Council should be chosen by the appropriate appointments committees, one from the library group and one from the first professional group for terms of two years, alternating with one from the administrative group and one from the second professional group with terms of two years. Thus, in each four-year period, each of these four groups will send a delegate to each of the two councils.

The staff members for the Operations and Services Council should be appointed by a joint nonfaculty employees nominating committee composed of one person from each of the nine appointments committees, that person in each case to be elected by members of his original appointments committee. The joint appointments committee can appoint persons from any of the nine categories, except that at least two should be from the clerical, technical, supervisory, and hourly categories.

Advisory committee for the various University services.--Similarly, the joint appointments committee should choose persons from any of the nine categories to serve on advisory committees attached to the various University services.

The committee that is proposed to review the tentative proposals of the Commission should give attention to the possible need for special arrangements for selection of representatives from the unionized employee category. Moreover, in appraising the present proposal for random selection of nominating committees, it should know that that proposal was reached after a discussion of possible alternatives including elections and appointment by the President of the University.

APPENDIX D

Admissions and Financial Aid

Admissions and financial aid is an area in which the Commission disqualifies itself from any recommendations except further study and deliberation by others. Several considerations impel the Commission to do so. First, issues of policy and issues of governance in this area are intimately intertwined, and an investigation of governance inevitably leads far afield into questions of admissions and financial aid policy that could be better looked into by another body. Since, for example, there has long existed a conflict between faculty and alumni preferred policies, any position the Commission might take on the distribution of authority between faculty and alumni over admissions would constitute in effect a position on policy.

Even so, the Commission might have been willing to plunge ahead in this field except that, secondly, admissions and financial aid pose questions of the utmost delicacy, on which information is difficult to get and on which a disposition is of enormous consequence to the future of the University. These issues deserve painstaking attention--more attention than the Commission can give them, given that--and this is the third reason for disqualification--the Commission simply does not have enough time to attend to all possible issues that it might claim for its agenda.

Why is admissions and financial aid so consequential for the future of the University? Because, for example, at the graduate and professional level, financial aids policy will determine the quality of graduate students and therefore in some large part determine the quality of the faculty, since excellent faculty will not stay at an institution without excellent graduate students. Because, for example, at the undergraduate level, admissions policy is a major determinant of present and future alumni financial support of the University. Because, for another example, the distribution of financial aid among professional, graduate, and

undergraduate students constitutes a major decision about what kind of University Yale will be. Because, too, admissions policy with respect to preparatory school and public schools, Blacks and other minority groups, applicants from low-income families, aggressive recruiting in a diversity of areas and socioeconomic groups, and scholars and activists will determine the character of Yale College for the future. And admissions and financial aids are now to be tied together with a new deferred tuition payment plan that may succeed or fail in providing financial resources sufficient to keep Yale in the front rank of universities. Finally, the very character of recruiting and of procedures in admissions offices affects the expectations and the conduct of those who come to Yale:

Assuming its other recommendations, the Commission therefore recommends:

1. The newly proposed all-university Committee on Priorities and Planning should give a high priority to deliberations on admissions and financial aid and on possible appropriate new structures for governance in this area. It should look into such issues as--and into appropriate machinery for governance of policy on--what the appropriate level of support is for graduate and professional students; whether students being given professional training to increase their earnings should be put on a significantly different financial footing from that provided for undergraduate students; whether inequalities among subgroups within the professional and graduate category are defensible or inequitable; what the size of graduate and professional programs should be relative to undergraduate programs; whether graduate and professional training programs should be as highly vocational as they are in the Medical School or as loosely vocational as they are in the Law School; and what role students should play in admissions and financial aid policy.
2. The President should appoint a special committee for the particular problems of admissions and financial aid for Yale College. It should look into questions about the kinds of attributes desired in undergraduate matriculants. It should explore such questions as whether Yale should communicate its expectations to applicants more emphatically and fully than has been the case in order to enable Yale to carry out its educational mission with students who accept that mission.

And it should of course look into organizations and procedures for recruitment, since the character of a freshman class is perhaps more a consequence of recruitment practices than of the evaluations of given applicants.¹

The President should be given free hand to choose members for such a committee, provided only that, along with faculty, some students should be included. For if such a committee is to be effective in so delicate an area of governance and policy making, it must have a confidential relationship with him and his trust.

3. The Commission also endorses a movement already under way to bring more information on student performance at Yale to bear on admissions policies. Feedback has been extremely poorly organized in the past. The Office of Educational Research should be generously financed for this work.

¹The Commission's charter does not call for it to make proposals for governance in any one school but instead instructs it to concern itself with all-university problems. Undergraduate admissions policy is of general University concern, as evidenced by continuing Corporation and Presidential responsibility for it (in contrast to admissions policies for other schools, which are almost entirely left to their own faculties and deans).

APPENDIX F

University Services

University Libraries

The Commission proposes no change in the composition of the already existing Advisory Committee on Yale Libraries, consisting of 2 nonlibrary University administrators, 4 faculty members, 4 students, and the University librarian. It may be, however, that the present somewhat uncertain arrangements for choosing the 4 students should be replaced by student nominations as provided in Appendix B.

Computing Services

An existing University Computing Operations Committee consists of 16 faculty members and 5 members of the staff of the computer center, together with a deputy provost for the sciences, who serves as chairman. The deputy provost has himself suggested that it would be better not to combine the office of deputy provost with the chairmanship: and, accordingly, the Commission recommends that a chairman should be elected from the 16 faculty members. It is also recommended that the existing committee invite, as a minimum, an undergraduate student, a graduate student, and a professional student to join them. They should be added to the committee. Nominating procedures outlined in Appendix B might be used.

Department of University Health

In the reorganization of health services for the Yale community, a Consumer Advisory Committee has already been established, consisting of 5 employees, 5 faculty members, and 5 students. The Commission endorses the creation of that committee but proposes that for future appointments employee and student members for the committee be chosen by the methods described in Appendixes B and C.

There has also been established a Board of University Health to oversee the new medical services. As it is now constituted for the new health services, it consists of the Provost, the Treasurer, the Dean of the

Medical School and Associate Provost for Medical Affairs, the Dean of the School of Nursing, the Dean of Yale College, the Director of Professional Services (ex officio), the Administrator of the Health Service (ex officio), the chairman of the Committee on Professional and Program Standards, and the chairman of the Consumer Advisory Committee.

The Commission believes that the construction of this board reveals a confusion between the University's medical education and research program, on one hand, and its medical programs for employees and students on the other. It does not believe that the office of Dean of the Medical School or the office of Associate Provost for Medical Affairs ought to be combined with membership on the Board. Nor does it see any point in combining the office of Dean of the School of Nursing with membership on the Board. In addition, the Board is too much composed of persons with other burdensome administrative responsibilities in the University, for whom service on the Board may turn out, consequently, to be perfunctory.

The Commission therefore proposes that the President dissociate from the Board the offices of Dean of the Medical School, Dean of the School of Nursing, Associate Provost for Medical Affairs, University Treasurer, and add, in place of these officers, 2 more members of the Professional and Program Standards Committee--one of them preferably a nurse--and 2 more members from the student and faculty members of the Consumer Advisory Committee.

Dining Halls

To make some contributions toward the remedy of continuing distress, probably inevitable in any food-serving operation, over the operation of University dining halls, the Commission proposes that the President establish a new advisory committee to consist of 2 graduate students, 4 undergraduate students, 2 bursary employees in the dining halls, 2 hourly employees in the dining halls, a dining hall supervisor (to be rotated annually), and the Director of the Dining Halls Department. The students should be appointed by the procedures outlined in Appendix B (or selected in rotation by college councils), except for the 2 bursary employees who could, if the bursary employees so desired, be elected by the bursary employees. Terms should normally be one year.

Parking Services

To legitimize the unpopular decisions that from time to time have to be taken by the Yale Parking Service and to minimize abrasion, the Commission recommends that the President establish a new advisory committee to be composed of 3 nonfaculty employees, 3 faculty members, one graduate student, one professional student, and the Director of the Division of Housing, Parking, and Communications. Faculty, student, and nonfaculty employee members should be chosen by the procedures outlined in Appendixes B and C. Terms should normally be one year.

Housing

The Commission proposes that the President establish a new advisory committee consisting of 4 graduate students resident in the Hall of Graduate Studies or Helen Hadley Hall, 2 graduate student residents of University-owned private dwellings, 6 undergraduates including 2 off-campus residents, and the Director of the Division of Buildings and Grounds Services. Again, the students should be chosen by the procedures outlined in Appendix B. Terms should normally be one year.

University Police

The Commission proposes no change in the composition of the already existing University Police Board. However, as in all of these cases, there is a need for more and better communication to and from the Board, and it may be desirable to select the student members (2 undergraduates, 2 law, 1 graduate) by the procedures outlined in Appendix B.

APPENDIX F

Membership of the Commission

Listed below are the names of the current members of the Study Commission on Governance. From time to time during the life of the Commission, some members originally appointed or elected resigned from the Commission, as a result of leaves of absence, graduations, pressures from other University commitments, and the like. They were replaced by new members chosen by appropriate constituencies in the manner called for in the Dominguez proposal.

Leon Lipson was chairman of the Commission and of the Executive Committee for most of its life. He was succeeded by Charles E. Lindblom on November 24, 1970.

Executive Committee Membership (with categories of election or appointment)

Lewis Beach (Nonfaculty employee)
Edgar Boell (Yale College faculty)
Theodore Burrell, Secretary (Presidential appointment, student)
Russell Duncan (Alumni)
Michael Galligan (Graduate School student)
Paul Kropp (Divinity School student)
Charles E. Lindblom, Chairman (Presidential appointment, faculty)
Leon Lipson, replacing Edgar Boell, February 1971 (Law School faculty)
Yale Nemerson (Medical School faculty)
Peter Parker (Graduate School faculty)
Jaroslav Pelikan (Graduate School faculty)
George Pierson, replacing Franklin Baumer, September 1970 (Yale College faculty)
Charles Powers (Divinity School faculty)
Arvid Roach, replacing Lawrence Engel, December 1970 (Yale College student)
Lucinda Roff, replacing Jose Axtmayer, December 1970 (Yale College student)
Stuart J. Sidney, replacing William Nordhaus, June 1970 (Yale College faculty)
Douglas Smith, replacing Donald Frankenfeld, December 1970 (Yale College student)

Commission Membership (with categories of election or appointment)

Jose Axtmayer (Yale College student)
Franklin Baumer (Presidential appointment, faculty)
Lewis Beach (Nonfaculty employee)
Richard Belin, replacing Lawrence Engel, November 1970 (Yale College student)
Sandra Bialos, replacing Judith Belliveau, June 1970 (Nursing School student)
John R. Black, replacing Edmund Ralph, October 1970 (Forestry School student)
Kent Bloomer (Art and Architecture faculty)
Edgar Boell (Yale College faculty)
J. Edward Brymer (Nonfaculty employee)
William Bulkeley, replacing Timothy Bates, November 1970 (Yale College student)

Theodore Burrell (Presidential appointment, student)
James P. Comer (Medical School faculty)
Stephanie Cotsirilos, replacing William Westney, December 1970, who replaced
Dorothy Siegel, May 1970 (Music School student)
Donna Diers (Nursing School faculty)
Russell Duncan (Alumni)
Hugh Dwyer, Jr. (Medical School faculty)
John Embersits (Presidential appointment, administration)
Philip Felig, replacing Lawrence Freedman, June 1970 (Medical School faculty)
William Ferretti (Medical School student)
William Foltz, replacing William Kessen, June 1970 (Yale College faculty)
Roger Frey (Graduate School student)
Michael Galligan (Graduate School student)
Marjorie Garber, replacing Peter Brooks, October 1970 (Yale College faculty)
Richard Hackman, replacing William Nordhaus, June 1970 (Yale College faculty)
John Hay (Drama School student)
Kevin Hennessy (Yale College student)
Christine Johnson (Nonfaculty employee)
Jabe Kahnke (Yale College student)
Theodore Kornweibel (Graduate School student)
Joel Krieger, replacing Richard Englehardt, November 1970 (Yale College student)
Paul Kropp (Divinity School student)
Christopher S. V. Little, replacing Earl Downing, November 1970 (Yale College student)
Charles E. Lindblom (Presidential appointment, faculty)
Leon Lipson (Law School faculty)
David Maslyn (Professional librarian)
John Perry Miller (Graduate School faculty)
Yale Nemerson (Medical School faculty)
Calvin Nordt (Yale College student)
Michael O'Loughlin (Graduate School faculty)
William Overholt, replacing Charles Troob, November 1970 (Graduate School student)
Peter Parker (Graduate School faculty)
Thomas Pechinsky (Nonfaculty employee--bargaining unit)
Jaroslav Pelikan (Graduate School faculty)
George Pierson (Yale College faculty)
Louis Pollak, replacing Abraham Goldstein, September 1970 (Presidential appoint-
ment, faculty)
Charles Powers (Divinity School faculty)
Alfred Rankin, Jr. (Alumni)
Robert Rescorla (Graduate School faculty)
Arvid Roach, replacing Martin Sokolow, November 1970 (Yale College student)
Lucinda Roff, replacing Benjamin Shaftey, June 1970 (Yale College student)
Stuart J. Sidney (Yale College faculty)
Mark Singer, replacing Allan Manier, June 1970 (Yale College student)
Douglas Smith, replacing Donald Frankenfeld, November 1970 (Yale College student)
Albert Solnit (Medical School faculty)
William Sterling, replacing Edward Youkilis, November 1970 (Art and Architecture
student)
David Tunderman (Law School student)
Garth Voigt (Forestry School faculty)
William Warfel (Drama School faculty)
Harry Wasserman (Graduate School faculty)
Yehudi Wyner (Music School faculty)

On February 16, 1971, William Coquillet replaced Joel Krieger.