A. Majority Report

At the faculty meeting of October 3, Document 914 concerning policies on human rights for students was referred to the University Committee. The Committee has done its best to examine the issues thoroughly and to give all interested parties an opportunity to be heard. It submits the following report for the faculty's approval.

Principles

By its nature, the University is usually precluded from taking a position on controversial public issues. Attitudes on such matters are an individual prerogative. But the University is not precluded from taking a stand on racial and religious discrimination. Indeed it is constrained to take such stand for the following reasons:

(1) Discrimination corrodes the dignity and worth of the individual person -- the precept that underlies our Constitution and distinguishes our way of life from that of the totalitarian state. Everything we know about society belies the arrogant assumption that the individual should be treated according to preestablished judgments about groups.

(2) The Federal Constitution expressly forbids state action which denies a person basic civil rights on considerations of race or color. When a state university provides or approves housing, it has entered the reach of this provision. The State Constitution and statutes both directly and by implication disapprove such discrimination.

(3) Notwithstanding marked progress in human relations, racial and religious bigotry continue to sow seeds of disunity and dissension in the United States. This prejudice and the resulting practices are seized upon by the proponents of totalitarian philosophies both here and abroad as a major ideological weapon.

Beyond combating prejudice, the University is obliged to condition the individual for integration in a well-rounded community life.

The Committee is unanimous in its opinion that this adds up to a clear and convincing case for a positive, vigorous, and continuing program against prejudice, discrimination and segregation at the University and by the University.

The majority report of the Committee on Student Life and Interests (document 914) states that the University now "strives to promote the fullest possible measure of democratic living in all aspects of University life," and adds that "the University now enjoys a high degree of democratic living." The minority report, however, and the student report, and to some extent the majority report take the view that the University is doing considerably less than its full duty in this area. With this latter conclusion the University Committee concurs.
University Committee on Human Relations

The Committee is of the opinion that a positive continuing program seeking to reduce prejudice and to prepare youth for integration in a well-rounded community life is more important than any anti-segregation and anti-discrimination rules that the Committee might recommend and the faculty might adopt.

The recommendation of the Committee on Student Life and Interests calling for a joint student-faculty committee to work continuously on human relations problems seems to us sound and constructive. There is much that such University Committee on Human Relations could accomplish. For instance, it could:

(1) Follow up instances of discrimination seeking by education and persuasion to prevent their occurrence and recurrence;

(2) Encourage extra-curricular education in this field;

(3) Cooperate with interested groups on the campus and similar groups in the city and state;

(4) Provide appropriate recognition for outstanding achievements in improving human relations;

(5) Promote suitable research in techniques for dealing with prejudice and discrimination;

(6) Keep the faculty informed as to progress made and when necessary recommend action to the faculty.

We recommend that a University Committee on Human Relations be created to consist of three faculty members and three students, the former to be elected by the faculty for a term of three years (staggered) and the latter to be selected in such manner as the Student Board may determine.

Although our Committee is agreed that the most effective attack on discrimination must take the form of education and persuasion, it is also of the opinion that certain University practices should be modified to accord more strictly with the objectives herein stated.

Dormitories

The University has the highest level of responsibility and the greatest opportunity to demonstrate the feasibility of inter-racial living in the housing that it provides directly for students. The evidence indicates that the dormitories have shown commendable fairness in their selection among applicants. But they have practiced segregation of races when requested to do so or even on their own initiative. This they have justified on the ground that it might avoid "embarrassing difficulties," "uncongeniality" of close associates, and shock to members of minority groups.

The Committee recommends the following procedure:

(1) Application blanks should make a forthright statement of the University's policy against discrimination;

Doc. 933 - Jan. 9, 1950
The University should never assume that interracial living will be uncongenial, and it should avoid questions on its application blanks that imply as much; specifically it should eliminate questions as to race and creed even on an optional basis;

(3) It should provide for and recognize (so far as feasible) requests for specific individual room-mates, for single rooms, and for transfers on the ground of individual incompatibility;

(4) This procedure should be subject to exception, review and modification by the University Committee on Human Relations in accordance with the general purpose and intent of this report.

The Committee is impressed by the abundant evidence that prejudice frequently evaporates when individuals become accustomed to interracial living under favorable circumstances. As to protecting minority groups from shock, the Committee agrees with the student report that "minority groups have felt discrimination too often to be shocked on meeting it face to face."

The University's responsibility to combat discrimination extends also to private housing for students. Some of this housing is given the University's affirmative stamp of approval and all of it bears significantly on the student's educational experience. It is in this "students' home-life" that valuable opportunity is or should be afforded for cross-fertilization of viewpoints growing out of widely different conditions of living. To limit close associates to those with similar background is to cheat youth of a rich educational experience needed for adaptation to modern life.

Too often the foibles of smugness, snobbishness, and other false standards of excellence are magnified by University experience where they should be tempered or corrected.

We agree with the Student Report that operation of an approved house is a privilege and not a right.

But the administrative problems in the way of accomplishing the objectives of this report vary from one type of housing to another.

Fraternities

The fraternities and sororities, for instance, present special problems. Some (a minority) of these organizations operate under obsolete national charter provisions ruling out all candidates except those of certain color and religion. On the other hand fraternities and sororities have one of the best programs of education concerning human relations on the campus. Several of our local chapters which are opposed to these archaic charter provisions have been unable to induce national organizations to change them. However, the recent action of the National Inter-fraternity Conference, especially that of its student delegates, demonstrates a strong tide of fraternity sentiment favoring the elimination of these outmoded clauses. The University should stand ready to aid in any appropriate way local chapters that are seeking needed constitutional changes. Fraternities and sororities that are indifferent to the University's anti-discrimination policy should not expect to receive unconditional approval for their local chapters for the indefinite future.

Doc. 933 - Jan. 9, 1950
Accordingly the Committee recommends:

(1) That no new organization with charter provisions ruling out candidates because of race or religion be approved;

(2) That continued approval of organizations now on the campus be conditioned upon a reasonable effort to secure amendments eliminating the undesirable restrictions;

(3) That these organizations be required to report annually to the University Committee on Human Relations which Committee may make recommendations to the Committee on Student Life and Interests concerning continued approval;

(4) That the University Committee on Human Relations shall review the situation in 1953; if by the end of that calendar year any local fraternity or sorority be still subject to an objectionable restrictive clause, the Committee shall report this to the Committee on Student Life and Interests with recommendations and the latter shall recommend a future policy on the matter to the faculty.

The Committee is fully aware of the fact that discrimination by social clubs runs much deeper than formal charter provisions and that most progress in this area is likely to follow a program of education urging the consideration of individuals on their merits. Fortunately such a program is in operation and we recommend its continuation. We also urge such groups to show some boldness and courage in breaking with indefensible traditions. We repeat that the choice of close associates from persons with much the same background may cheat youth of the rich educational experience needed for adaptation to modern life.

It is understood that no action here recommended in any way abridges fraternities' freedom to select individual members as such.

Other Private Housing

As to other private housing, the Student Report recommends that the University not approve student rooming houses that persist in discrimination and segregation. Presumably this would mean that University students (or, at least, undergraduate women students) could no longer live in these houses. A rule of this kind would be very difficult to administer fairly. The Committee is of the opinion that, for the present, at least, this problem had best be attacked mainly with example, persuasion and education. Plausible economic fears of house owners may dissolve as demonstrations of the feasibility of non-discriminatory housing develop. As student sentiment changes for the better, more and more houseowners will respond. The Housing Bureau states frankly that it has made and is making no effort to promote non-segregated housing and has operated under the impression that the University is neutral on the matter. Students and others have not infrequently gained the impression that certain Bureau personnel is positively favorable to segregation. This is a situation that needs correcting.

The Committee recommends:

(1) That the Housing Bureau be instructed to encourage democratic living and to discourage segregation and discrimination; if Bureau personnel are unsympathetic to University policy in this respect, the situation must be corrected by administrative changes;
(2) That the Housing Bureau in cooperation with the University Committee on Human Relations and other interested agencies be instructed to inaugurate a program of education and persuasion seeking to induce private house owners to abandon segregation and discrimination;

(3) That the University Committee on Human Relations be instructed to serve as an agency of appeal in cases of alleged discrimination and segregation and be requested to report progress in this area to the faculty; that in cases of flagrant and persistent discrimination, the Committee may make recommendations to the appropriate authorities that approval of housing be withdrawn;

(4) That the Housing Bureau (following the lead of the Student Employment Bureau) refuse to entertain or accept any request for segregation in housing.

As to student-house owners, the Committee commends the considerable number who have already demonstrated the feasibility of wholesome, democratic, non-discriminatory selection of tenants. And it calls to the attention of others that discriminatory selection is contrary to the spirit if not the letter of State and Federal Constitutions and to the policy of this University.

Student Responsibility

Human relations among students is in large measure a problem for students themselves. We think the students deserve high praise for taking the initiative in this field. They also deserve cordial and sympathetic cooperation from the faculty. Our students are often criticized on the ground that they have no vital concern for the moral aspects of life. The student report is an answer to these critics.

MAJORITY COMMITTEE

J. H. Beuscher
R. Ralph Benedict
Harold M. Groves
Lowell E. Noland
John C. Walker

Doc. 933 - Jan. 9, 1950
B. Minority Report

I subscribe without reservation to the ideals and principles expressed in this report, but differ somewhat from its philosophy of control and from its complacency with our present knowledge in the field. I am willing to define ideals from an abstract background, but a necessary condition to intelligent regulatory and administrative procedure is the possession of adequate acceptable information. It seems to me that we clearly do not possess such a fund of information. Present sources are largely unproductive and sometimes unreliable. Therefore I propose a recommendation which the various reports have neglected.

I recommend that the University undertake as soon as possible, as a part of its registration procedure:

(1) A continuing census of the student body, using as bases of classification all qualities or characteristics of the registrants which are reasonably believed to be the subjects of socially objectionable discrimination.

(2) A continuing study of the distribution of the above classifications of individuals in all residences operated or regulated by the University and, as far as possible, in all other residences occupied in whole or in part by University students.

(3) A continuing study of the distribution of the above classifications of individuals in any other University or student activities in which it is believed that objectionable discrimination plays a part.

The purpose of this procedure is to obtain the information for a continuous observation and reappraisal, to make it possible to allay chimerical and irrational fears and misunderstandings upon which most prejudice rests, to provide a means of detecting action which is accordant or discordant with our ideals, to provide an escape from dependance upon haphazard, fragmentary collections of incidents, and to provide a firm basis for future progress. It is probable that this must be done in the face of the common presumption of misuse, but Universities should be privileged to disregard such presumptions unless they have proved themselves unworthy of the trust. Adequate safeguards against misuse by individuals must be devised. Under these conditions the existence of the information cannot fairly be regarded as an invasion of the rights of individuals. The procedure should have the wholehearted co-operation of those groups whose rights and interests are to be protected. To insist that these are delicate matters which must be ignored is to drop an Iron Curtain which will effectively seal us off against improved understanding of the problems.

With respect to specific provisions of the report, I dissent only from the following. I do not agree with the implications of the clause after the semicolon in Section (2) of the Recommendations on Dormitories. I do not, in our present state of understanding, give my support to the punitive components of Section (4) of the Recommendations on Fraternities and of Section (3) of the Recommendations on Other Private Housing. If Section (4) of the Recommendations on Other Private Housing is understood to apply to racial or religious groups which prefer, for reasons of their own, to live in houses of their choosing or management, I do not concur. I do not disapprove of such arrangements; particularly since the one bright spot in our hearings was the fragmentary information that such groups are sometimes successful and desirable. Continued and persistent efforts should, of course, be made to persuade fraternity groups to dispense with the outmoded, unmannerly

Doc. 933 - Jan. 9, 1950
exclusion clauses which, it would seem, gentlemen would drop without persuasion. However, I recognize that chapters are the victims of graduate groups who are beyond our educational influence. The operation of Section (4) of the Recommendations on Fraternities, which is obviously intended to be punitive, appears to me to be a proposal which may punish one group for the errors of another, or may visit the sins of the fathers upon the present generation. Either interpretation is repugnant to me. In any case, the problem lies elsewhere, and I do not wish to joust with windmills. It has not been demonstrated or even seriously suggested that the existence or non-existence of these archaic symbols has any actual effect upon discriminatory practices, or that the clauses affect any unquestioned rights, interests or privileges. What is merely a problem in churlish manners is being dignified by being made a subject of punitive legislation.

Finally, I consider the Report of the Committee on Student Life and Interests a good report which goes about as far as we can go in our present state of knowledge, and I compliment the Committee on it.

MINORITY COMMITTEE

Philip G. Fox