Steven Solnick

Berkeley's Blues

Tomorrow is a fateful day for the University of California at Berkeley. For tomorrow, Berkeley stands to lose all of its Federal contracts—over $25 million—if it cannot come to terms with the Department of Labor.

Tomorrow is a fateful day for the academic world as well. For tomorrow, the term Berkeley may reach the Labor Department may radically alter the traditional employment practices of major universities and research institutions—including MIT.

In 1978, the Labor Department requested to see Berkeley's files pertaining to hiring decisions involving women. The authorities were in investigating Berkeley's affirmative action program for women.

Berkeley was initially reluctant to allow the investigators full access to the files since they contained peer-review evaluations whose authors had been promised confidentiality. Berkeley eventually opened some files.

When the Labor Department returned in a few weeks and asked for photocopies of 466 documents for placement in the government's affirmative action program for women, Berkeley was initially reluctant to allow the investigators full access to the files. Since they contained peer-review evaluations whose authors had been promised confidentiality, Berkeley eventually opened some files.

If such documents were actually placed in a permanent Federal file, they would become subject to requests for review under the Freedom of Information Act. Anybody could request to see them, more or less.

That, said Berkeley, was just going too far.

Berkeley objected to the request and appealed to the Labor Department. Their appeal was granted. Only one other university filed its amicus brief for the Labor Department.

That university was MIT.

On September 4, Secretary of Labor Ray Marshall overruled the previous appeal and gave germans until October—tomorrow—to supply the documents. If it failed to meet the deadline, Marshall ruled, Berkeley would be stripped of its Federal contracts.

What's the whole fuss? you may well ask.

Well, imagine yourself an eminent professor contacted by the Chairman of a Department. He asks you to supply a candid appraisal of a candidate for tenure. He requests a letter that can be considered by the committee.

"Will he be held in confidence?" you ask routinely. It is not every day you are summoned to call your colleague a second-rate hack, which is how you view him.

"Well, we hope so but we can't be sure," the Department Head replies. "You see, as long as the Labor Department doesn't ask for a copy of it..."

Yet you will require your professor to provide an evaluation on the phone, as long as he doesn't take notes. Or you'll make up some patronizing minute phrases about the candidate's competence.

This prospect of Big Brother hanging over the shoulders of academic administrators is exactly what is confronting colleges today.

Imagine yourself now behind the closed doors of a tenure meeting. Now, I can't say I've ever been an enthusiastic proponent of the cloak-and-dagger aura surrounding such deliberations. But, if the specter of government dissemination of the proceedings hangs heavy in the room, competent administrators may find themselves fretting their notes much as if they were selecting the new Pope.

A professor in Georgia was recently jeered for contempt of court when he tried to defend his vote in a tenure decision during a pretrial hearing. The case concerned a woman who was suing the University of Georgia charging discrimination after she was denied tenure three times.

Surely this will not open up such processes but close them beyond the hearing of the occasional suitor.

In addition to this so-called "chilling effect" on employment deliberations, the Department of Labor Action may make it difficult for tenured professors to do their work

A small number of department was addressed by large research universities, which unite and use their power against the Federal Government.

MIT Vice President Constantine Simonides, the Institute's Affirmative Action Officer, told me, "Unfortunately, the best we can do is say what we've already said in our brief again. I don't see any new light on the scene."

The Institute's regret seems a sorry reply to Heyman's plea. Unless major institutions have the foresight to try to avert the precedent being set at Berkeley, there will be no one to answer their cries when Big Brother comes knocking at their door.

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Stephanie Polack

The Egyptian precedent

Once upon a time there was a secret society at MIT known as Osiris, consisting of students, faculty, and administrators. For most of the 20th century, Osiris held regular meetings at which its members enjoyed stimulating conversation and reportedly excellent dining. The group was dissolved in the acid fumes of early '70s unrest at MIT.

We Meet in the Name of Osiris

Two decades later, a group consisting of students, faculty, and administrators emerged as Osiris. For the first ten years of its existence, Osiris met occasionally, but with the increasing rift between the two organizations, the group was dissolved in the acid fumes of early '70s unrest at MIT.

In fact, one member was involved in an unsuccessful attempt to revive Osiris a few years after its demise. Some aspects of Osiris are clearly no longer applicable.

We Meet in the Name of Osiris at MIT. One of the current members of the current group, Mr. Osiris, in fact, one member was involved in an unsuccessful attempt to revive Osiris a few years after its demise. Some aspects of Osiris are clearly no longer applicable.

WALTER: ... IT SEEMS THE REAGAN CAMPAIGN IS WORKING HARD TO PREVENT ANYMORE SLIP UPS...