

Noble lawsuit will go before a jury

Tenure documents to become public

By Annabelle Boyd

After more than four years of court deliberation, former Associate Professor David F. Noble's tenure suit against MIT is going to trial before a jury. This marks the end of the confidentiality restriction imposed on the court proceedings in 1986 at MIT's request.

In a telephone interview last week, Maggie Hassan, MIT's lawyer from the Boston-based firm of Palmer and Dodge, claimed that the confidential nature of the tenure review process led to MIT's decision to fight for a confidential status on the court proceedings. "MIT has consistently filed briefs calling for confidentiality and closed hearings," she said.

"MIT has wanted privacy from the beginning [of Noble's suit]," she added. She declined to comment on MIT's response to the public trial.

Noble, in a letter to the chairman of the MIT Corporation, David S. Saxon '41, explained that he undertook the tenure suit because "the strict confidentiality of MIT's tenure proceedings and the lack of any meaningful institutional appeals procedure, [compelled him] to file suit in order to make the record public and thereby restore his rightful reputation."

Noble, now a full professor at Drexel University, filed a lawsuit in September 1986 asking for \$1.5 million and/or reinstatement as a faculty member in the Program in Science, Technology, and Society. Noble charged that the Institute violated his First Amendment rights by denying him tenure in the STS program on political, not academic, grounds. Some of Noble's scholarly work and public statements had criticized MIT as an institution and its ties to industry.

Noble spent two years in the courts earning the right to see the documentation from his tenure review committee. He spent another two years trying to make that documentation public.

The American Association of University Professors guidelines define the right of a professor under tenure review to look at the documentation of his case as "essential." Noble's case is being partially financed by the National Coalition of University Professors, and is being used as an example of the drawbacks of confidentiality in the University of Pennsylvania tenure suit that went before the Supreme Court two months ago. The latter suit is still in litigation.

In its official policy guidelines, MIT claims that confidentiality in tenure reviews is an important guarantee of quality and, ultimately, is in the best interest of

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Tech file photo

Former Associate Professor David F. Noble

Property thefts went up in 1989

By Niraj S. Desai

Thefts of personal property on campus increased substantially in 1989, according to the just-released annual report of the MIT Campus Police Department. A total of 346 such thefts were reported last year, compared to 229 in 1988. The dollar value of stolen items rose from \$38,007 to \$71,132 — an 87.2 percent increase.

At the same time, the number of thefts of Institute-owned property rose only slightly, with the value of the stolen merchandise dropping sharply. Last year, 143 incidents of theft resulted in dollar losses of \$169,274. In 1988, 135 thefts totaled \$354,587 in losses. Computers and computer components were the MIT-owned items most frequently stolen in

both years.

Most of the personal property thefts occurred in non-residence Institute buildings. The number of thefts reported was 277 with a total value of \$52,105. Wallets and pocketbooks were the most commonly stolen types of property.

Personal property thefts from residence halls totaled 69 with a value of \$19,027. Burton House and MacGregor Hall, each of which reported eight incidents, experienced the most thefts. The residence hall thefts mostly involved the taking of wallets, cash, and audio equipment.

Forty-one motor vehicles were stolen from the MIT campus in 1989, compared to 30 last year.

The number of bicycle thefts

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NSF head foresees university problems

By Niraj S. Desai

American research universities will face serious problems involving funding and enrollments in the future, according to Erich Bloch, director of the National Science Foundation, who spoke last Tuesday in room 9-150. But despite potential future problems, he believes that this is in some ways "the golden age" of research.

Bloch noted that the dollar value of federal support for research and development has been rising steadily and called the US research enterprise "still the most creative and powerful in the world." The discoveries being made today are fundamental and far-reaching, Bloch said, and universities have been at the center of the discovery process.

Despite these signs of success, Bloch saw a mood of uncertainty and pessimism in academia. As a percentage of gross national product, US spending on R&D has remained relatively constant at about 2.8 percent since 1975. During the same period, other countries, notably Japan and West Germany, have increased their shares, and the per-unit cost of research and development has risen substantially.

The composition of R&D spending has also caused concern in universities, Bloch noted. Over the last decade, the military took a heavier share of the country's

total research budget, a trend only recently reversed. And the physical sciences and engineering have experienced less growth than other disciplines, including the life sciences.

Moreover, a small number of very expensive projects are seen as draining money and personnel away from the rest of the research enterprise, Bloch said. Among such "big science" projects are the \$1.5 billion Hubble Space Telescope and the proposed Superconducting Super Collider, which is expected to cost \$8 billion.

Given the size of the federal

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photo courtesy MIT News Office
Eric Bloch, NSF Director



Two versions of the "Batmon" cartoon's first panel. The upper one is from *Nonsense* May 1989, the lower from *Voo Doo's* winter 1990 issue.

Contest entry called plagiarism

By Dave Watt

Mikyung Kwah '91 has been accused of plagiarizing a comic she submitted to a contest run by MIT's humor magazine, *Voo Doo*. Associate Dean for Student Affairs James R. Tewhey is looking into the matter, which may be forwarded to the Committee on Discipline for further action.

Kwah won \$25 for her submission of the comic "Batmon: The Killing Toke," which was published in the Winter 1990 edition of *Voo Doo*. A substantially identical cartoon, also called "Batmon: The Killing Toke," was published in the Hofstra University humor magazine *Nonsense* in May and September 1989. The authors of the Hofstra comic were listed as Rick Engdahl and Pat S. P. Fitzgerald, members of the *Nonsense* staff.

David Streich, a student at Hofstra in Hempstead, NY, and the editor of *Nonsense*, noticed the similarity between the two comics and contacted Tewhey's office.

Only then did he contact any

members of the staff of *Voo Doo*, according to Lawrence J. Appleman '76, a veteran *Voo Doo* staff member. "I would have handled it differently," Appleman explained, saying that Tewhey and *The Tech* could have been notified after contacting *Voo Doo*.

Streich threatened *Voo Doo* with legal action initially, but decided after consultation with Hofstra Dean of Students Maureen Murphy not to file a lawsuit for copyright infringement. Instead, Murphy sent a letter to Tewhey requesting that *Voo Doo* run an apology, and that Kwah be taken to the Committee on Discipline.

Tewhey would not confirm that Kwah would be taken before the COD, but he did say in a recent phone conversation, "Most plagiarism cases are handled through the COD."

To produce their winter 1990 issue, *Voo Doo* held a contest, offering cash prizes for jokes, prose, and art. Kwah won her \$25 prize for submitting the Batman satire, which took the sec-

ond prize for art.

The Association for Student Activities, which funds production of *Voo Doo*, has not taken any action on the charges, since some of the ASA officers have gone home for the summer.

Voo Doo, which has no formal editors this term, is waiting for a lead from Tewhey before they decide how they will respond. On seeing Murphy's letter, Appleman said that there was nothing in the conditions, outlined that he objected to, but that he could not speak for *Voo Doo* as a whole. Murphy's letter calls for *Voo Doo* to print a disclaimer in the next issue saying that the magazine believed the submitted work to be original.

Explaining their reluctance to talk to *The Tech*, Larry Johnson, another *Voo Doo* staff member, said, "The main thing we were worried about was the lawsuit. It's a matter of publicizing something that's going to be a discipline committee action."

Kwah did not return repeated phone calls.