

Mediaeval Traditions:

Autonomy 'Essence' Of University

By EDGAR JOHNSON Professor of History

It should cause no surprise that the University of Nebraska is being agitated by the issue of institutional autonomy and the relation thereto of intellectual freedom...

The notion that a university is an autonomous guild of scholars is mediaeval. In origin a university (universitas) was such a guild, arising quite spontaneously and freely with the desire and need for learning.

Such guilds organized themselves in a democratic manner, elected their own officials and assumed full responsibility for laying down the rules and regulations necessary for those to follow who sought membership in the craft of teachers.

The university was thus a self-perpetuating, self-governing association of masters or students or both. When once its free status had been secured and recognized, it sought fiercely, and often with a too easy mediaeval resort to violence, to maintain this freedom.

The university of students at Bologna (Bologna began as a city of students) found that its liberty to pursue learning as it saw fit (and these students of the law were very serious) was obstructed by the professors Johnson

who were in league for certain purposes with the citizens of Bologna. At Paris and elsewhere in northern Europe where masters and students were regarded as clerics and thus amenable only to the jurisdiction of the church, the university of masters (here the university was first composed of teachers) had to struggle to maintain its privileged autonomy against

the local hierarchy of the secular church: the officials of the cathedral chapter, the bishop and the archbishop, and against the cardinals and legates of that Rome to whom they often had to appeal for protection.

They had also to protect themselves against the burghers who more often resented their liberties and license than they understood the essential freedom for which they fought. They had to resist the encroachments of royal officials, and ultimately of the king himself, who was their second source of appeal.

This fight on many fronts to preserve the liberty of the university was stubbornly conducted. Its chief weapons were the migration and the cessation. Professors who needed nothing much more than student fees to carry on their work were quick to move to another town when they felt their privileges locally abused.

About half of the universities of mediaeval Europe, and among these some of the greatest, owe their foundation to this willingness on the part of teachers and students to tolerate any local oppression.

When the matter was not important enough for an exodus or migration, it was often sufficient to stop lecturing (cessation). And while the refusal of the professors to go on talking was not always regarded as intolerable, revolting universities were never without a welcome elsewhere. This impulse to get out the town council of Bologna tried finally to curb with the death penalty.

It is worth citing some of the incidents of this large struggle for institutional freedom. Oxford in the fourteenth century was the academic home of a master, John Wycliffe, whose heretical opinions the strenuous efforts of neither Pope nor archbishop could totally suppress.

After his opinions had been condemned by Rome and by the Archbishop of Canterbury, a former disciple, Nicholas Hereford, in a sermon on Ascension Day, 1382, boldly asserted, as he had done on many

occasions, his sympathy with Wycliffe, and in his prayer he deliberately omitted the mention of the Pope.

Yet, he was not hindered in his progress toward a degree. On Corpus Christi of the same year he was again appointed to preach before the University, by the chancellor, Robert Ruge. Before the day arrived, an order from the archbishop was served upon the chancellor, directing him to publish the condemnation of Wycliffe's theses.

The chancellor flatly refused to comply with the injunction. In his sermon on that day, Hereford went on with his defense of Wycliffe and, "as the chancellor retired in state from the church, followed by the whole concourse of doctors and masters, he made a point of waiting for the preacher at the church door, and walked home with him, laughing, and great joy came upon the Lollards (Wycliffe's followers) at such a sermon."

The chancellor professed that he dared not, for fear of his life, publish the condemnation of Wycliffe in Oxford. "Then is Oxford," replied the archbishop, "the university of heresies, if he will not allow orthodox truths to be published."

In 1411 the archbishop, in spite of a papal exemption, cited the University to appear before him. The chancellor and the proctors refused to allow the archbishop to enter Oxford. The church at which they were to appear was fortified against him.

The scholars appeared in the streets armed with bows and arrows and showed themselves quite prepared to use them against the primate and his retinue should the attempt be persisted in. When the town was laid under an interdict, a proctor broke open the doors of a University church and said mass as usual.

When the archbishop, complaining with "what insolency he had been received by a company of boys" took the matter to the king, who required the chancellor and

protectors to resign, the University decreed a cessation, and, when required to elect a new chancellor and proctors, it re-elected the old ones.

It was difficult at Paris to get the impudent friars to obey the statutes of the University and the chancellor of the cathedral chapter to respect its privileges.

To tame the latter an election of their own chancellor and even

Upper Chamber

Today's "Upper Chamber" column was written specially for The Nebraskan by Edgar Johnson, professor of history. The theme, "The Mediaeval University", was given as a lecture to Johnson's History of Western Culture class.

A dissolution of the University were tried. The general of the Dominicans complained that his friars were hard put to it in the course of their subjection. "It was dangerous for a friar to be seen abroad. . . . No sooner was he caught sight of. . . than he was surrounded by the human swarms that poured forth from every house and hostel in the narrow street 'hurrying as if to a spectacle.' Instantly the air was full of the tumult of shouting, the barking of dogs, the roaring of bears, the hissing of serpents, and every sort of insulting exclamation.

Filthy rushes and straw off the floors of those unsavoury dwellings were poured upon the cowed heads from above; mud, stones, sometimes blows, greeted them from below." Arrows were shot against their convent, "which had henceforth to be guarded night and day by royal troops."

It was a special satisfaction for the mere rector of the masters of arts at Paris, when a dean of theology, who was also an archbishop and a papal legate was "by the superior numbers and athletic prowess of the young Masters of Arts, and their younger pupils. . . forcibly expelled from the Rector's chair of State in the choir of S. German-des-Pres."

After a riot or two he even succeeded in acquiring the dignity of sharing "in solitary grandeur," with the Bishop of Paris bringing up the rear of public processions.

These struggles for institutional freedom were paralleled by some efforts to secure an adequate representation of more than one point of view. Mediaeval philosophers were divided between two main schools, realists and nominalists.

In some of the German universities at least the dispute between realist and nominalist raged so hot that it was necessary to offer in the arts courses both a realist and nominalist approach to each book on philosophy and, for

the sake of more than academic peace, to house the respective teachers and scholars separately.

Former President Conant of Harvard took care to point out to his Board of Overseers in 1948 that "universities. . . could develop only in an atmosphere which permitted that liberty of association and that juridical autonomy which are not only the condition sine qua non for the formation of the essence."

He argued that such "a group of devoted and loyal men united for a special purpose, governed by its own traditions and perpetuated by its own rules, yet given recognized status by a higher authority, must be an unconscious agent for the spread of ideas hostile to all forms of tranny."

He then said that "to the extent that we depart from this traditional ideas we endanger the independence of our universities and thus tend to destroy their usefulness in these days so critical for freedom."



Ellie Elliott Mitchell Statement Needs Clarification



First of all may I commend Brugmann for the vigorous and persistent way in which he has handled the Mitchell situation. He has made mistakes, to be sure, but the overall value of his contribution outweighs those errors.

The Mitchell case has seemed to me rather nebulous from the beginning. The fault has not been the Rag's but simply a lack of conclusive evidence.

Now we finally have at our disposal a statement by Dr. Mitchell himself. This statement does much to clear the air, although it is by no means conclusive.

I believe that several points in Mitchell's statement warrant clarification, for his case is not, as some have claimed, "black and white."

1. Mitchell states that attempts were made "to tone down, modify, and even to censor my publications." What is the difference between attempts at modification and attempts at censorship, and to what extent were those attempts successful?

2. He states that he was "advised to curtail my speaking and writing activities." What was the specific nature of the advice, how strong was it, and to what extent was it followed?

3. He states that he was notified

sponsibly mutilated not only their explanations but also a man's reputation and the spirit of academic freedom.

The question is not one of lack of loyalty. We are, first, men, and second, citizens. As men and as citizens our loyalty is not to other men but to principles: the principles which make our government in all its facets our tool and not our tyrant.

Academic freedom is one of those principles. It is a principle which stands above the level of politics and Regents and social-economic ideology.

It is a principle which has led the AAUP to confirm the right of Communists to teach in our universities: "How else are Americans to know the nature of the ideological currents in their world?"

Our loyalty, then, is not to the Chancellor or the Board of Regents or Mitchell; it is to the spirit and letter of academic freedom. Remember what Voltaire says? "I disapprove of what you say, but I will defend to the death your right to say it."

Or do we prefer Alice's Queen, whose entire vocabulary consists substantially of the cry "Off with their heads!"

Nebraskan Letterips Statement 'Shocking Proof'

The long awaited statement by C. Clyde Mitchell came as shocking proof that academic freedom has been violated at the University of Nebraska.

The letter, when placed beside the developments in the Mitchell case as reported in The Nebraskan during the past weeks, brings out two salient points. First, The Nebraskan's reporting of the facts prior to the statement was objective. Second, the integrity of the administration in its handling of the Mitchell case has been highly questionable.

Several weeks ago The Nebraskan reported that C. Clyde Mitchell was being relieved of his chairmanship. Adam Breckenridge, resorting to what was clearly semantic duplicity, "scotched these rumors" with a statement to the effect that the case had not come before the Regents since he had assumed his position July, 1955.

The Nebraskan reported that a high administrator in the College of Agriculture had told a meeting of 16 members of the Agricultural Economics department that Mitchell would not be retained as chairman.

It was well known at that time the University had contacted men outside of the state for the job. At least one of these men had visited the campus.

Dean Lambert publicly denied all knowledge of these facts, though they could hardly have been unknown to him. As persons associated with the Agricultural Economics Department began to submit statements to The Nebraskan, the administration labeled their articles "ridiculous."

Two weeks ago Chancellor Hardin issued a statement asserting that academic freedom had not been endangered because no case had been presented for Mitchell before the Liaison Committee or

the Academic Freedom and Tenure Committee.

It was inconceivable that the Chancellor, surrounded by his capable advisors, did not know that a chairman could be relieved for any cause or no cause whatever. Following the Mitchell statement the administration wisely declined to comment.

The administration has maneuvered shrewdly, but has placed both feet squarely in its mouth each time it has taken a stand on the Mitchell issue. This should not be construed as a slam at the administration's political skill, for I doubt that anyone could have successfully suppressed the evidence.

The administration has not been without support in its stand. I am sure that they appreciated Dr. Pfeiler's letter, in which he eloquently questioned The Nebraskan's motives, and concluded that The Nebraskan's handling of the Mitchell case was yellow journalism.

If The Nebraskan has at times approached the limits of yellow journalism, then the demotion of C. Clyde Mitchell and the reasons given for it, which are a direct reflection upon the professional competence of Mitchell, are clearly a case of slander.

No one who has objectively considered the issue could doubt that Mitchell was demoted because interests outside the University did not agree with his economic views.

A faculty member told me a few days ago that both sides were liberally endowed with "brains," but that men of honesty, honor and integrity have rallied to the support of Mitchell. The Nebraskan can be proud that such men as Dr. Edgar Johnson, Dr. Nathan Blumberg, Dr. Frederick Beutel, Dr. William Swindler, Dr. Herbert

Jehle, Kris Kristianson and Ernie Feder have supported Mitchell. The Mitchell case has cast serious doubt upon the integrity of the administration. Mitchell has demonstrated that his demotion was a first, known to the administration for many months, and second, the result of outside political pressures. This is a direct contradiction of the statements by Hardin, Lambert and Breckenridge.

I am certain that what Chancellor Hardin meant, when he commented several weeks ago that "The Nebraskan was doing a disservice to the University," was that The Nebraskan was doing a disservice to the present administration.

The courageous stand of The Nebraskan in the Mitchell case is a credit to the editor and the University. Though this The Nebraskan's final issue, I know that the fight for academic freedom will not end at Nebraska.

A Student

'First Step' To The Editor: As a graduate of the University who has kept in close touch with student groups since leaving school, I wish to thank this semester's Nebraskan editor and staff for a job might well done.

The free press is a wonderful thing, but can sometimes be pretty meaningless. The Nebraskan, with both courage and hard work, has put meaning into its own freedom by publishing what needed to be published.

That your paper has been free is to the credit of the way our University is organized. That it has said what it has is to the credit of the editor and staff.

I am sure I am joined by many other alumni in being proud of our University, and in having confidence that when things go wrong on the campus they will be righted.

The Nebraskan has taken the first step in this process, by showing what is wrong. For a job well done, thanks.

An Alum

Clayton 'Sorry' To The Editor: I am very sorry to learn that Dr. Mitchell is being or has been replaced as chairman of the department of agricultural economics at the University. I was a member of the department while Clyde Mitchell was chairman and I enjoyed very much both the work and association with Dr. Mitchell.

There is no question about Dr. Mitchell's professional ability. In my opinion Dr. Mitchell should be commended for dealing with controversial issues which many public employees try to avoid.

Unfortunately, these controversial issues are often the most important ones and also the areas which need more information.

It is good to see students take an active interest in the academic affairs at a university.

P. C. Clayton Former agricultural economics staff member

Answers Needed On Tribunal

To The Editor: In considering the possibility of a student tribunal and honor system, satisfactory answers must be provided to several important questions.

(1) What law would tribunal enforce? Will the student justices merely enforce regulations handed down to them by the University administration or will the regulations be those which students had a hand in drafting?

A tribunal enforcing the legislative fiat of our administration may well be only a scrapgoat for workable policies such as the University "drinking policy."

(2) What qualifications will be required of candidates for positions on the tribunal? Law student status? Over 21? Open to anyone?

(3) What rules of evidence will be used: In honor cases especially will intent be proved? Will an "overt act" be necessary, or can "conspiracy to cheat," such as preparing crib-notes before class without actually using them, be a violation? Who will obtain "evidence?" Student spies? University plain-clothesmen?

(4) Will someone who knows of an instance of cheating but who says nothing be subject to such punishment for not informing? If he is subject to such punishment a vast atmosphere of fear

and suspicion is created. If one is not required to report violations under penalty of punishment, few indeed will be the cases brought before the tribunal.

(5) Who will prosecute the cases and present the University's evidence? Dean Hallgren? Or student inquisitors? Or will the justices themselves confront the accused with such evidence as they may have?

Would not the accused, then, be guilty until proved innocent. Who would defend the accused: Law students? Himself? Could witnesses be subpoenaed? What if they refuse to testify? Could such a silent witness be expelled from school, for example, because he wouldn't tell on someone else?

It should be borne in mind that a successful honor system requires a genuine belief that it is wrong to cheat or lie in any form. Lacking this, the community on which such a system is imposed must be so rigorously policed that everyone is constantly watched.

In an American University community the second possibility is unthinkable. It is equally obvious that on this campus, cheating is not considered dishonest.

An effective tribunal and honor system seems remote until these difficulties are resolved.

Charles W. Gomen

NOW LOOK HERE! FOR LUCKY DROODLES!

Advertisement for Lucky Doodles cigarettes. It features a woman in a graduation cap and gown pointing to a large circular graphic containing a grid of boxes. Below the graphic are several small illustrations of cigarette packs with captions: 'PARACHUTIST LANDING IN WATER' (John Arctichow, U. of Oklahoma), 'PILOW FOR PERSON WITH NARROW MIND' (Wynn Delgren, U. of Oregon), 'FLOWERS (PICKED)' (Lowell Grison, Southern Illinois), 'BANDAGED FINGER' (Jobus Harvey, IV, Yale), 'SLOWDOWN FOR NATIVE CONTEMPLATING SMOG' (Richard Turpe, Holy Cross), and 'JETS IN CLOSE FORMATION' (Donald Knudsen, Harvard). The text reads: 'THERE'S A MEETING OF THE MINDS in the Doodle above: Board meeting out for Lucky break. All in favor of better taste have signified by lighting up a Lucky. Luckies fill the bill when it comes to taste, because they're made of fine tobacco—mild, good-tasting tobacco that's TOASTED to taste even better. First item on your agenda: pick up a pack of Luckies. You'll say they're the best-tasting cigarette you ever smoked!' At the bottom, it says 'LUCKIES TASTE BETTER - Cleaner, Fresher, Smoother!' and 'CIGARETTES'.

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