

Speculation Surrounds McClellan Legal Action

by Jeff Jurmu
Chairman, Editorial Board

As the school year drew to a close last June, the University was still very much in an uproar over the dismissal of history professor Dr. Robert McClellan, who's case was at that time pending in Federal District court.

But now it is September and it's all over. Shortly after the beginning of summer vacation there was a short press release which said the case had been settled out of court. Dr. McClellan had been reinstated, all suits had been dropped, and that that would be the only information made available.

This is a very frustrating situation for the Northern student body. Why was the case settled in the manner it was? Why, in the midst of taking depositions with each side appearing very optimistic, did the University offer to settle out of court and reinstate the individual who had been the source of so much grief?

The answers that can be presented are naturally pure speculation, but the range of possibilities is extremely interesting.

Looking at it from one angle it could be viewed as a complete admission on the part of the University that they were wrong and an acknowledgement of the principles of shared authority, as they were interpreted by the McClellan issue.

At the other extreme the administration could have been extremely certain of victory and simply wanted to settle the issue without causing any additional anxieties.

However, one of these extreme explanations is probably as ridiculous as the other. Most likely the answer lies in a much more subtle explanation that is a combination of many factors.

First of all, underlying everything was most likely a desire on the part of the University's incoming president, Dr. John X. Jamrich, for a settlement. Even though he was not in the least any party to the controversy, he would understandably like to see the air cleared so that the University could begin immediately to approach the problem of academic governance as a single unit.

From this point on the speculation becomes thicker, but after evaluating information from various sources it appears that very possibly there could have existed at the time immediately prior to the announced settlement a serious uncertainty of a court victory on the part of the administration.

The decision to settle out of

court came in the midst of taking depositions. There seems to be a certain amount of agreement that this testimony wasn't painting a very rosy picture for the administration's case, or at least was indicating that the fight would be long and bitter, that individuals who had no desire to be dragged any deeper into the mire would have to be, and, in short, it created a serious question of whether or not it would be worth it in the end, even if a legal victory resulted for the administration.

Going back to the possibility of a loss for the administration in Federal District court, just imagine for a moment what this could have meant.

We are dealing with a case in-

volving a non-tenured faculty member which potentially could set nation-wide legal precedent. This is what could have been the consequences of an in-court loss for the administration, a decision that would reach far beyond the boundaries of Northern Michigan University.

And it would be very possible that the administration and their counsel looked at the extent of the possible consequences and decided that the risks were too great. Total victory for Dr. McClellan would have established national precedent, whereas the affects of total victory for the Board of Control would have been of comparatively little value.

Task Forces To Develop Base For Decisions

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Kafer, Jarl Roine, and Dr. Michael Shapiro.

The Task Force on the Future of the University will examine the undergraduate program, the climate of learning and residence hall environment, quality of instruction, advisement and counseling, research and scholarly productivity of the faculty, the Public Services program, commitments to international activity in education, the future of John D. Pierce Laboratory School, and present and future graduate programs.

Those on the academic governance committee will look at the role of the faculty in terms of the general long-range planning of Northern, programs and courses, physical facilities, budgeting and finance, promotion and tenure "with attention to due process" and student life.

The committee also will give "careful attention to the evolving and emerging concepts of faculty participation" and study present governance arrangements.

Jamrich said the Task Force on Students' Rights and Responsibilities has the "difficult assignment of analyzing" the present needs of Northern's campus with respect to student governance, student regulations, their enforcement and the "role of the student in appropriate activities determining the welfare and efficiency of the learning and living environment."

"What is envisioned in these Task Forces is the development of a factual basis for our opinions and decisions. Our future is too important to leave to chance or to emotionally based decisions of the

moment," said Jamrich, who expects the studies to be completed within a year.

In closing, Jamrich said "it seems to me that all of us (students, faculty, and administrators) have the responsibility and are accountable for the objectives, programs, plans and operations of Northern.

"May each group cooperatively work together to help make Northern a truly great university."

Farrell Named To Head Park Planning Group

One of the nation's newest national parks, the Pictured Rocks Lakeshore, is located approximately 45 miles east of the NMU campus.

Spearheading the planning for the Lakeshore, which stretches along Lake Superior from Munising to Grand Marais in Alger County, is J. Patrick Farrell, Northern's director of research and development.

Farrell, a native of Escanaba, is serving as chairman of the five-member Pictured Rocks National Lakeshore Advisory Committee which was appointed by Secretary of the Interior, Stewart L. Udall.

The commission was authorized by an act of Oct. 15, 1966, that established the National Park. The act stipulated that the commission shall be composed of five members, each serving terms of two years. Two of the five are to be appointed by the Governor of Michigan, two from recommendations by the Alger County Board of Supervisors, and one by the Secretary of the Interior.