

Canadian Journal of Political and Social Theory / Revue Canadienne de théorie politique et sociale, Vol. 6, Nos. 1-2 (Hiver/Printemps, 1982).

OLLMAN VS. THE UNIVERSITY
OF MARYLAND:
ACADEMIC FREEDOM ON TRIAL

On March 15, 1978, Professor Bertell Ollman was offered the position of Chairman of the Department of Government and Politics at the University of Maryland (College Park) by the Provost with the full approval of the Chancellor. Ollman, a professor at New York University and author of the book *Alienation: Marx's Conception of Man in Capitalist Society*, was selected over 100 or so other candidates chosen by a faculty search committee.

More than a dozen Maryland state legislators, including the chairmen of the committees which deal with the university's budget, protested the appointment. Acting Governor Blair Lee dubbed it "unwise", saying "it may kick up quite a backlash". Several conservative newspaper columnists condemned the appointment, and at least three members of the university's Board of Regents made their objections public.

Outgoing president of the University of Maryland, Wilson Elkins, stalled any final decision. On July 19, 1978, incoming president John Toll rejected the appointment. Denying that Professor Ollman's Marxist views played any part in the decision, President Toll claimed that he acted solely on academic grounds, but refused to state what these were. Professor Ollman then filed a suit against the university for violating his constitutional rights by denying him a job on political grounds.

ACADEMIC FREEDOM ON TRIAL

The case came to trial in Baltimore on May 18, 1981. During the month-long trial, considerable evidence was produced indicating political pressure on presidents Elkins and Toll not to appoint Ollman. In his testimony, President Toll cited "academic grounds" as the basis for his negative decision. The main reason being, he said, that Ollman has "poor administrative judgement"; as evidence of which, he cited anti-Vietnam War political activities that Ollman is alleged to have taken part in.

Judge Alexander Harvey III, a member of one of Maryland's leading banking families, found for the defendants, claiming that President Toll acted "honestly and conscientiously". Praising the great achievements of presidents Elkins and Toll as educators, Judge Harvey said he simply did not believe that they would lie about their actions.

The decision is being appealed.

Judge Harvey made a number of possibly serious judicial errors. For example, he ruled out as irrelevant all evidence pertaining to the standards President Toll used in appointing department chairmen in his 16 years as university president. This deprived Ollman of a base from which to show that he was being treated in a unique manner and judged from a standard that did not apply in other similar appointments.

The rejection of Ollman's appointment has contributed further to the chilling atmosphere for academic freedom in America's universities. This is even more true in light of the widespread publicity that this case has received. Whatever the final judgement on Ollman, this ruling cannot be allowed to stand.

Ollman's lawyers are working *pro bono*, but he is responsible for various "incidental" expenses, the most pressing of which is \$15,000 to \$20,000 (which he does not have) for typing out the trial transcript in order to begin the process of appeal. If progressives and others concerned with issues of academic freedom cannot help out in cases of such flagrant abuse, the time will come when no one will want or be financially able to seek legal redress for any discriminatory practice. What will reactionary administrators unleash then? Solidarity and enlightened self-interest both require that Ollman be supported.

Please give generously:

Make cheques out to Ollman Academic Freedom Fund and send to Prof. Michael Brown, 210 Spring St., New York, N.Y., U.S.A. 10012.

Supporters of this appeal include: Sheldon Wolin (Princeton); Frances Fox Piven (Boston); Harry Magdoff (Monthly Review); Immanuel Wallerstein (SUNY-Binghamton); Sam Bowles (U. Mass.); Ted Lowi (Cornell); Bert Gross (CUNY-Hunter); Peter Bachrach (Temple); Christian Bay and C.B. Macpherson (Toronto); Bill Livant (Regina); James O'Connor (U. Calif.); Ben Barber (Rutgers).