

UNIVERSITY FACULTY SENATE

SUMMARY OF AGENDA

April 8, 1991

- I. ADOPTION OF THE AGENDA
- II. APPROVAL OF THE MINUTES: March 4 and March 11, 1991
- III. REMARKS BY PRESIDENT ROSELLE and/or ACTING PROVOST MURRAY
- IV. ANNOUNCEMENTS: Senate President Goldstein
- V. UNFINISHED BUSINESS FROM MARCH SESSION
 - A. Recommendation from the Committee on Budgetary and Space Priorities on amending the Smoking Policy
 - B. Recommendation from the Committee on Faculty Welfare and Privileges on amending the Smoking Policy
 - C. Recommendation to change the sections on "Disruptive Conduct" and "Living on Campus" in the Official Student Handbook
 - D. Report from the Committee on Budgetary and Space Priorities on loss of agricultural plots
 - E. Recommendation from the Faculty Senate Executive Committee on a reduced teaching load for Senate officers
 - F. Recommendation from the Faculty Senate Executive Committee and Committee on Committees and Nominations regarding honorary degrees and the creation of a new standing committee of the University Faculty Senate
- VI. OLD BUSINESS
 - A. Resolution, introduced by Senator Edward Schweizer at the December 3, 1990 Senate meeting, and as amended at the March 4, 1991 meeting, on house directors

VII. NEW BUSINESS

- A. Report from the Coordinating Committee on Education on procedures for faculty reduction because of University-wide financial considerations
- B. Recommendation from the Committee on Budgetary and Space Priorities to move to monthly payment of salaries for faculty and professionals
- *C. Recommendation altering the Constitution of the Faculty of the University of Delaware
- D. Recommendation allowing the President Elect to present a written statement prior to election
- E. Report and recommendation from the Ad Hoc Committee on Divestment in South Africa
- F. Introduction of new business.

*Constitutional change; requires a 2/3 vote of those senators present and voting



University of Delaware

UNIVERSITY FACULTY SENATE
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NEWARK, DELAWARE 19716

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March 25, 1991

TO: All Faculty Members

FROM: Ken Lomax, Vice President *K Lomax*
University Faculty Senate

SUBJECT: Regular Faculty Senate Meeting, April 8, 1991

In accordance with Section IV, paragraph 6 of the Constitution, the regular meeting of the University Faculty Senate will be held on Monday, April 8, 1991 at 4:00 in room 110 Memorial Hall.

AGENDA

- I. Adoption of the Agenda.
- II. Approval of the minutes of the Senate meetings of March 4 and March 11, 1991.
- III. Remarks by President Roselle and/or Acting Provost Murray.
- IV. Announcements: Senate President Goldstein
- V. Unfinished Business from March Session
 - A. Recommendation from the Committee on Budgetary and Space Priorities (L. Leon Campbell, Chairperson), amending the Smoking Policy as approved by the Faculty Senate on April 6, 1987. (Words to be added are indicated in bold type. Words to be deleted are indicated in italics and brackets.)

RESOLVED, that the Smoking Policy in the Faculty Handbook at V, "Personnel Benefits and Miscellaneous Information," subsection M. "Smoking Policy," page V-M-1 be amended as follows:

1. Prohibited smoking areas: (a) Academic Areas--classrooms/lecture hall, seminar rooms, laboratory and computing facilities; (b) General Areas--conference rooms, auditoriums, exhibition areas, indoor athletic facilities, theatres, pavilions and reception areas, corridors, hallways, lobbies, and offices; (c) Special Function Areas--health facilities, library stacks, elevators, escalators, stairwells, restrooms, customer service areas, kitchens and food service area shops, storage rooms, warehouses; (d) Miscellaneous areas--all vehicle storage areas, all common garages, all University vehicles (unless assigned only to smokers), all motor pool vehicles.
2. Provisions for Smoking Areas: (a) Large open spaces such as dining rooms and lounges that have adequate ventilation may have up to one-third of the area designated for smoking. (b) Libraries may designate specific areas or rooms for smoking if ventilation is adequate and there is no fire hazard; (c) If requested and where possible, unit heads or their designees must [may] establish as "Smoking Permitted Areas" rooms that have closed doors and floor to ceiling partitions as long as ventilation is adequate and non-smokers in adjacent areas are not exposed to secondhand or side-stream smoke; (d) The Directors of the Student Center, Food Service, and Conferences and Centers may, at their discretion, allow smoking by groups making use of large group function areas or other rooms in these buildings, if they determine that it is appropriate to the nature of the scheduled event; (e) [Smoking is permitted in corridors, hallways and lobbies unless "No Smoking" signs are posted.]

AND FURTHER BE IT RESOLVED,

That the corresponding changes be made in the Smoking Policy as it appears in the University of Delaware Policy Manual and pages 46 and 47 of the Personnel Policies and Procedures for Professional and Salaried Staff.

- B. Recommendation from the Committee on Faculty Welfare and Privileges (G. DiRenzo, Chairperson), amending the Smoking Policy as approved by the Faculty Senate on April 6, 1987.

RESOLVED, that the Smoking Policy in the Faculty Handbook at V, "Personnel Benefits and Miscellaneous Information," subsection M. "Smoking Policy," page V-N-1 be amended as follows:

- 2.e. Buildings that have a "reasonable area allocated for smoking" will be designated as one in which smoking is not permitted in the corridors, hallways, and lobbies. Otherwise, smoking is permitted in these areas.
- 2.f. An office or work area with more than three regularly assigned individuals is classified as a public area and one in which smoking is not permitted. An office or work area with three or fewer regularly assigned individuals may be designated as a smoking area, provided all parties so assigned are in concurrence.

AND FURTHER BE IT RESOLVED,

That the corresponding changes be made in the Smoking Policy as it appears in the University of Delaware Policy Manual and pages 46 and 47 of the Personnel Policies and Procedures for Professional and Salaried Staff.

- C. Recommendations from the Committee on Student Life (D. Shade, Chairperson), to change the sections on "Disruptive Conduct" and "Living on Campus" in the Official Student Handbook.

WHEREAS, the Committee on Student Life was commissioned by Faculty Senate President Leslie F. Goldstein to review the Student Code of Conduct with regard to acts of violence and reporting of violations, and

WHEREAS, the Committee found both of these sections to be unclear and in need of revision, be it therefore

RESOLVED, that pages 43 and 84 of The Official Student Handbook be changed to read as follows: (Changes are in bold type)

Add to p. 43 of the Student Handbook:

- A. Violence or threat of violence against self or any member or guest of the University community. This includes but is not limited to physical assault, rape, acquaintance rape, and sexual assault. **Rape is forced sexual intercourse, whether or not a weapon is used. Rape, attempted rape, or other serious physical assault on another student may lead to expulsion from the University.**

Add to p. 84 of the Student Handbook:

1. Residence hall regulations are designed to protect individual rights and freedoms. Students are expected to respect the rights of others and to assert their own rights. Any time individuals feel their rights are being violated, they are expected to confront, with the assistance of Residence Life staff members when necessary, those individuals who are violating them. **However, any member of the University community who knows about a violation of the code of conduct may report that violation, whether or not the reporter was personally victimized by the violation.**
- D. Report from the Committee on Budgetary and Space Priorities (L. Leon Campbell, Chairperson), on loss of agricultural plots by the College of Agricultural Sciences. (The following is provided for informational purpose only.)

The Land and Facilities Use Planning document (August 8, 1990) from the College of Agricultural Sciences was reviewed. The Committee concurs that the loss of agricultural plots 1-8, immediately on the south side of the railway tracks, would have a serious negative impact on the research and teaching programs of the college. These plots would be particularly difficult to replace, given their special composition and accessibility.

Given the recent reductions in accessible farmland on the south campus for agricultural research and teaching, further reductions should be avoided.

- E. Recommendation from the Faculty Senate Executive Committee on a reduced teaching load for Senate officers.

WHEREAS, the Ad Hoc Committee on Senate Reorganization (1988) recommended that the President and President-Elect of the Faculty Senate receive a reduced teaching load, and

WHEREAS, it is not prudent to rely on department chairs for that recommendation, be it therefore

RESOLVED, that the President of the Faculty Senate receives a one-course load reduction each semester and the President-Elect receives a one-course per year reduction.

- F. Recommendation from the Faculty Senate Executive Committee and Committee on Committees and Nominations (J. Olson, Chairperson), regarding honorary degrees and the creation of a new standing committee of the University Faculty Senate.

WHEREAS, the Bylaws of the Board of Trustees of the University of Delaware, amended in December 1989, now mandate that honorary degrees "shall be granted by the Board of Trustees upon the recommendation of the Committee on Honorary Degrees and Awards [which consists of three faculty members, four trustees, and one non-voting faculty 'observer'] and . . . after consultation with the faculty," (emphasis added)*, and

WHEREAS, due to time constraints and a series of unintentional misunderstandings, consultation "with the faculty" in 1990-91 was limited to consultation with the faculty members (and observer) of the Committee on Honorary Degrees and with members of the Faculty Senate Executive Committee, and

WHEREAS, the Board of Trustees has agreed that a procedure for faculty consultation needs to be implemented for future years,

The Faculty Senate Executive Committee, having consulted with the "named" professors, proposes that it be therefore

RESOLVED, that a new committee be established called the Faculty Advisory Committee on Honorary Degrees, and be it further

RESOLVED, that the procedures and membership be as follows:

1. In April announcements requesting suggestions for candidates for honorary degrees will be published in campus news media. These suggestions may be sent to the President's Office by June 1 for transmittal to the Board of Trustees.
2. The Trustees' Committee on Honorary Degrees and Awards shall communicate the names of their nominees with supporting documentation to the Faculty Advisory Committee on Honorary Degrees. This communication will occur early enough to allow adequate time for consultation between the Faculty Advisory Committee on Honorary Degrees and the Board of Trustees' Committee on Honorary Degrees and Awards, and certainly before the report of these nominations is submitted to the Executive Committee of the Board of Trustees.

*The Bylaws formerly called for a recommendation from the Committee on Honorary Degrees to the faculty and for the "action of the faculty" to be "reported" to the Executive Committee of the Board of Trustees.

3. The Faculty Advisory Committee on Honorary Degrees shall submit an annual written report to the University Faculty Senate in May describing their activities.
4. The membership of the Faculty Advisory Committee on Honorary Degrees shall be chosen by the Committee on Committees and Nominations from the "named" and "chaired" professors of this University. There shall be seven members, one of whom shall be designated as the Chairperson. The committee members shall serve staggered two-year terms.

VI. Old Business

- A. Resolution, introduced by Senator Edward Schweizer at the December 3, 1990 Senate meeting and amended at the March 4, 1991 meeting, on the hiring of house directors for all undergraduate student residences or organizations recognized by the University of Delaware. (Relevant excerpts from the University of Delaware Charter and Bylaws of the Board of Trustees, Revised 1989, are at Attachment 1.) Report and recommendation from the Committee on Student Life (D. Shade, Chairperson) will be distributed.

WHEREAS, there are a number of organizations recognized by the University of Delaware that have houses on and off campus that serve as dormitories, and

WHEREAS, these houses, if they were not "recognized" by the University, would be in violation of the City of Newark Landlord-Tenant Code which allows for no more than four unrelated individuals to live in a residential unit, and

WHEREAS, the University of Delaware's recognition constitutes a de facto assumption of responsibility for the behavior of the individuals living in the houses, therefore be it

RESOLVED, that all undergraduate student residences of organizations recognized by the University of Delaware whose occupancy exceeds ten be required to have a resident house director, and be it further

RESOLVED, that the house director is to be hired by the organization in question and is expected to work with the University in the same manner as comparable residence hall staff. The house directors may not be members of the organizations they are supervising, and must be at least 22 years of age or a college graduate.

The occupants of the residences in question shall bear the cost of the house directors. The house directors shall be in place by the beginning of the Fall semester 1991.

VII. New Business

- A. Report from the Coordinating Committee on Education (R. Taggart, Chairperson), on procedures for faculty reduction because of University-wide financial considerations. (Attachment 2) [A copy of the Letter of Understanding from the Collective Bargaining Agreement, dated April 13, 1984, concerning reduction in faculty positions proposed as a result of University-wide extraordinary financial circumstances is at Attachment 3.]
- B. Recommendation from the Committee on Budgetary and Space Priorities (L. Leon Campbell, Chairperson), to move to monthly payment of salaries for faculty and professionals.

WHEREAS, the University of Delaware could save approximately \$140,000 per year by changing to a monthly pay plan from the present semi-monthly pay period, therefore be it

RESOLVED, that the University change to a schedule of pay at the end of each month for faculty and professional staff effective September 1991.

- C. Recommendation from the Committee on Committees and Nominations (J. Olson, Chairperson), with the concurrence of the Committee on Rules (R. Cox, Chairperson), altering the Constitution of the Faculty of the University of Delaware. [Per motion from Senator S. Sandler at the December meeting, motion was referred to committee.]

WHEREAS, the President of the Senate may profit from one year of executive experience and training prior to attaining this office, and

WHEREAS, the current electoral process is judged to be cumbersome, therefore be it

RESOLVED, that the Constitution of the Faculty of the University of Delaware, Section IV, paragraph 7, as it appears on page I-3 of the Faculty Handbook be amended to read:

[Note: Words in bold type are to be added and words underlined are to be deleted.]

- 7.) At the first regular May* meeting the Senate shall elect a President Elect, a Vice President and a Secretary from the full-time voting faculty of the University. The Secretary shall serve for one year and may be reelected for one additional term. The Secretary of the Senate shall also serve as Secretary of the University Faculty. The Vice President shall serve for one year and may be reelected for one additional term. In the second year of office the Vice President shall assume the office of The President Elect of the Senate and in the third year of office shall assume the office of President of the Senate in the second year of office. The President, President Elect, Vice President, and Secretary shall all serve as voting members of the Senate.

AND FURTHER BE IT RESOLVED,

that Section IV, paragraph 9, as it appears on page I-3 of the Faculty Handbook be amended to read:

- 9.) The President Elect

The Vice President shall assume the office of President Elect of the Senate the year after service as Vice President.

The Vice President

The first item

AND FURTHER BE IT RESOLVED,

that these modifications will apply to the Vice President elected in May 1991 and thereafter and to the President Elect chosen in May 1992 and thereafter.

- D. Recommendation from the Committee on Committees and Nominations (J. Olson, Chairperson), with the concurrence of the Committee on Rules (R. Cox, Chairperson), allowing the President Elect to present a written statement prior to election. [Per motion from Senator S. Sandler at the December meeting, motion was referred to committee.]

WHEREAS, it is important for the members of the Faculty Senate to know the views and goals of the President Elect prior to the May ballot, and

*Beginning in 1992.

WHEREAS, the opportunity for statements from President Elect nominees is lacking, be it therefore

RESOLVED, that under the specific rules of this Senate and starting with the May 1992 election, nominees for President Elect may submit a short (less than 500-word) written statement of their views and goals for the Faculty Senate to be distributed in the May agenda.

- E. Report and recommendation from the Ad Hoc Committee on Divestment (D. Colton, Chairperson). (Report is at Attachment 4)

Based on our considered deliberations and our extensive consultations and, after having fully considered the significant political changes that have taken place in South Africa, we hereby recommend to the University Faculty Senate the adoption of the following resolution:

WHEREAS, the University of Delaware continues to deplore the policy of apartheid still practiced in South Africa, and

WHEREAS, the University of Delaware has the moral and intellectual responsibility to provide leadership in opposition to this abhorrent policy, and

WHEREAS, divestment has proven to be an effective weapon against apartheid in South Africa, and

WHEREAS, a fundamental and irreversible rupture with apartheid policy has not yet occurred, and taking note of the continuing calls for sanctions by organizations representative of the majority of South Africa's people, and

WHEREAS, considering that the suspension of armed struggle in South Africa makes economic pressure against apartheid all the more significant at this historic juncture, be it

RESOLVED, that the University Faculty Senate of the University of Delaware recommend that the officers and trustees of the University divest the University of stocks, bonds and other holdings in all corporations that have operations in South Africa.

- F. Such items as may come before the Senate. (No motion introduced under new business, except a motion to refer to committee, shall be acted upon until the next meeting of the Senate.)

Attachments: Committee Activities Report

1. Excerpts from the University of Delaware Charter and Bylaws of the Board of Trustees
2. Procedures for Faculty Reduction from the Coordinating Committee on Education
3. Letter of Understanding
4. Report of the Ad Hoc Committee on Divestment
5. Resolution from Professor David Smith, Life and Health Sciences, referred to the Library Committee

COMMITTEE ACTIVITIES REPORT

BUDGETARY AND SPACE PRIORITIES, COMMITTEE ON (L. LEON CAMPBELL)

1. FY 91-92 University Budget Plan
2. FY 91-92 and 92-93 Proposed Budget Reductions
3. Budget Implications of Final Report of Computer Resources Planning Committee (September 1990)

COMMITTEES AND NOMINATIONS, COMMITTEE ON (JON OLSON)

1. Staffing of committees for 1991-92
2. Nominations for Senate Elected Positions

CULTURAL ACTIVITIES AND PUBLIC EVENTS, COMMITTEE ON (HILTON BROWN)

Ongoing consideration of requests for funding.

FACULTY WELFARE AND PRIVILEGES, COMMITTEE ON (GORDON J. DI RENZO)

1. Four grievances pending
2. Codification of mandates and procedures
3. Resolutions of revisions of smoking policies

INSTRUCTIONAL, COMPUTING, AND RESEARCH SUPPORT SERVICES, COMMITTEE ON (MADELINE LAMBRECHT)

Review of Proposed Policy for Responsible Computing Use

LIBRARY COMMITTEE (JAMES MORRISON)

1. Library budget restraints
2. Journal subscription reduction procedures
3. User charges

PROMOTIONS AND TENURE, COMMITTEE ON (JOHN F. WEHMILLER)

Dossier review

STUDENT LIFE, COMMITTEE ON (DANIEL SHADE)

1. Enforcement Suspension Policy
2. Faculty Handbook policy on sexual harassment
3. Model Student Disciplinary Code
4. NASULGC resolution on homosexuality in ROTC
5. Proposed Medical Leave of Absence Policy
6. Schweizer proposal--report and proposal
7. Student Grievance Policy
8. University Plagiarism Policy

Relevant excerpts from the University of Delaware Charter and Bylaws of the Board of Trustees, Revised 1989

The Bylaws of the Board of Trustees of the University of Delaware

Under Chapter 2, Section II. THE FACULTY

C. The faculty shall:

1. Formulate rules and regulations for the government and the discipline of the student body.

Under Chapter 2, Section III. ADMINISTRATIVE OFFICERS OF THE UNIVERSITY

D. Vice President for Student Affairs

Under the direction of the President, the Vice President for Student Affairs shall develop, coordinate and implement the total program of student services consistent with regulations promulgated by the faculty and trustees, including . . . fraternities, sororities, and . . . student housing

Charter of the University of Delaware

Par. 5111. Faculty; powers

The faculty . . . shall have the care, control, government and instruction of the students, subject, however, to the bylaws. (Emphasis added.)

**PROCEDURES FOR FACULTY REDUCTION BECAUSE OF UNIVERSITY-WIDE
FINANCIAL CONSIDERATIONS**

1. Upon notification of the Chair of the Coordinating Committee on Education of the necessity for faculty reduction due to financial considerations short of financial exigency, a Reduction in Force Committee comprising seven members shall be formed within one week. The Committee members shall be: two members of the Budget Council, two faculty from the Committee on Budgetary and Space Priorities, and three faculty, including the Chairperson, from the Coordinating Committee on Education. The chairs of each committee shall choose members of the new committee. The Chair of the new committee shall be the Chairperson of the Coordinating Committee on Education. With the advice of the three parent committees, such new committee shall establish criteria for faculty reduction.
2. The new committee shall present the criteria to the Provost as soon as possible, and shall inform the Senate Executive Committee of the new criteria.
3. Using the new criteria, the Provost and the Budget Council shall design a University Plan of Action in consultation with the Dean of each college. The Dean(s), in turn, will consult with the department Chairs and their respective faculties regarding the plan for the college. Each Dean shall have a minimum of two weeks to discuss the Plan with the faculty of the college. Copies of each college Plan shall then be given to the Budget Council, the Committee on Budgetary and Space Priorities, and the Coordinating Committee on Education for review and comment.

4. After the above deliberations and negotiations the Budget Council shall send its final report to the Committee on Budgetary and Space Priorities and to the Coordinating Committee on Education. The Chair of the Coordinating Committee on Education shall then present such report to the Faculty Senate for its information and comment.
5. The final report, as given to the Faculty Senate and with comments from the Senate floor, shall then be transmitted to the Provost.

/wc

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE
19711

VICE PRESIDENT FOR PERSONNEL
AND EMPLOYEE RELATIONS
PHONE: 320-726-5700

April 13, 1984

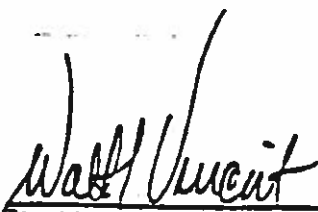
Dr. Walter S. Vincent, President
American Association of University Professors
University of Delaware Chapter
Newark, DE 19711

Dear Dr. Vincent:

This letter sets forth guidelines to assure faculty involvement in matters related to reductions in faculty positions.

1. Reductions in faculty positions proposed as a result of University-wide extraordinary financial circumstances as defined in the Statement on Guidelines for Faculty Involvement Related to Extraordinary Financial Circumstances. (Faculty Handbook, Section 11, Subsection 16, pages 11-13, published May 15, 1978) shall be implemented only after the procedures specified in that "Statement" have been followed.
2. Reductions in faculty positions proposed because of financial considerations short of University-wide emergency shall be implemented only after the department, college, or division faculties most immediately affected have been given the opportunity to participate in planning the reduction. The Faculty Senate Coordinating Committee on Education shall assist in the development of procedures to be followed at departmental, college, or division levels in planning such reductions, and shall submit a timely report and recommendations to the Faculty Senate. The Faculty Senate shall give its advice and recommendations to the appropriate administrative offices in a timely manner.
3. Reductions in faculty positions proposed as a result of the type of reorganization referenced in Trustee Bylaws, Chapter 2, 11-D, 2 and 11-E, 3 (The University of Delaware Charter and Bylaws of the Board of Trustees, Revised 1981) shall be implemented only after the requirements of these bylaws have been met.

Very truly yours,


President, American Association
of University Professors
University of Delaware Chapter


Vice President for Academic Affairs


Vice President for Personnel and
Employee Relations

**REPORT OF THE UNIVERSITY FACULTY SENATE
AD HOC COMMITTEE ON DIVESTMENT**

APRIL 8, 1991

**Professor David Colton, Mathematical Sciences (Chairperson)
Professor Wunyabari Maloba, History
Professor Mark Miller, Political Science
Professor Ludwig Mosberg, Educational Studies**

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1

1. INTRODUCTION

2 On October 7, 1985 the University Faculty Senate voted on a
3 resolution brought before it by an Ad Hoc Committee on University
4 Investments in South Africa. That resolution recommended that the
5 University divest itself from the ownership of all stocks in
6 corporations with operations in South Africa. The resolution was
7 approved by the Senate and forwarded to the University Board of
8 Trustees. The Board did not adopt this recommendation, but rather
9 continued its 1979 policy which committed the University actively
10 to encourage companies with operations in South Africa in which the
11 University owns common stock to follow the so-called "Sullivan
12 Principles" or simply "The Statement of Principles" as they were
13 referred to in the Board's 1988 policy statement. (The Sullivan
14 Principles, since renounced by their promulgator, comprise a
15 voluntary code of conduct for corporations with subsidiary
16 operations in South Africa.) In addition, the Board's current
17 policy commits the University to "Adopt programs of its own to
18 improve primary, secondary, university, vocational and technical
19 education to help integrate blacks into the South African economy
20 on the basis of equality" (see Appendix B).

21 In the intervening years, discussion of the University position on
22 divestment has continued; economic sanctions against South Africa
23 have become U.S. and United Nations policy, and political
24 developments have occurred in South Africa in relation to
25 apartheid. In response to continued controversy concerning the

26 University policy on divestment among various segments of the
27 University community, the University Faculty Senate decided to
28 formally re-visit this question and, thus, established the present
29 Ad Hoc Committee on Divestment. The charge to this committee
30 included 1) to review University policy toward apartheid; 2) to
31 hold hearings in order to solicit the various views on this issue
32 from the University community; and 3) to make appropriate
33 recommendations to the Faculty Senate.

34 To accomplish these tasks the Committee undertook a study of the
35 political and economic history of apartheid, the sanctions movement
36 and its resulting political and economic effects, and the history
37 of events at the University of Delaware in relation to apartheid
38 and divestment. In addition, the Committee solicited the views of
39 various segments of the University community and held an open
40 hearing to which the entire University community was invited and
41 encouraged to participate.

42 This report is an attempt to summarize the results of our efforts
43 and concludes by making a recommendation for consideration by the
44 University Faculty Senate.

45

2. BACKGROUND OF THE DIVESTMENT ISSUE

46 The predicament of the non-white majority population of South
47 Africa has long been the object of international concern. By the
48 1960's, internal and international opposition to the apartheid
49 system increased. Decolonization and the growing influence of
50 anti-apartheid forces within the British Commonwealth nations
51 contributed to South Africa's diplomatic isolation. In the United
52 States the civil rights movement and the emergence of African and
53 Black Studies programs on many campuses helped foster awareness of
54 the South African situation.

55 Divestment and related anti-apartheid policies first became a
56 significant issue for the 3,331 institutions of higher learning in
57 the U.S., of which 2,025 are four-year universities and colleges,
58 in the aftermath of the Soweto uprising of 1976. The killing,
59 maiming and mass arrests of black students protesting educational
60 policies, particularly the Afrikaans language requirement, prompted
61 world-wide indignation. While a few U.S. universities had
62 experienced anti-apartheid protests in the late sixties, such as
63 at the University of Wisconsin-Madison, it was the widely-
64 publicized violence associated with the Soweto uprising that
65 spurred an international reaction. In 1977, the U.N. adopted a
66 mandatory arms embargo against South Africa and the Carter
67 Administration announced restrictions on the sale of goods to South

68 Africa. Divestment and related anti-apartheid policies emerged as
69 an issue in the context of world-wide moral outrage and reaction.
70 The British Commonwealth countries, the member states of the
71 European Communities and of the Arab League would eventually join
72 the U.S. in taking punitive steps against South Africa.

73 In March of 1977, 12 U.S. corporations doing business in South
74 Africa announced their adherence to the Sullivan Principles. By
75 1979 the list of such U.S. corporations had grown to 119, including
76 most of the major U.S. firms with operations in South Africa. Of
77 the 175 U.S. colleges and universities surveyed by IRRC (Investor
78 Responsibility Research Center) by 1979, 25 had divested in some
79 manner, particularly from banks making loans to South Africa, and
80 most of these institutions adopted policies tied to the Sullivan
81 Principles.

82 Anti-apartheid activities on U.S. campuses appeared to wane in the
83 early years of the Reagan Administration. However, by 1984 a new
84 cycle of violence associated with South Africa's plans to
85 inaugurate a multiracial parliament which excluded the black
86 majority prompted a new outburst of campus activism and adoption
87 of anti-apartheid policies. The surge in divestments by U.S.
88 colleges and universities in 1985 was clearly linked to the
89 worsening situation in South Africa. In 1985 alone more
90 institutions of higher learning divested than in the previous eight

91 years. A total of 100 institutions had partially or totally
92 divested by 1985 (partial divestment typically means to divest from
93 companies which do not comply with the Sullivan Principles). About
94 half of the colleges and universities adopting new or revised
95 policies pertaining to South Africa in the mid-1980's opted for
96 total divestment.

97 The upsurge in divestment and related anti-apartheid policies
98 adopted in the mid-1980's responded to a groundswell of student and
99 faculty concern and activism. Of those institutions responding to
100 the IRRC survey and which adopted divestment or related policies,
101 some 70 percent cited student activism as a factor influencing the
102 policies. However, 20 percent of the respondents stated that
103 events in South Africa were the sole contributing factor to the
104 decisions to divest wholly or partially. A number of college and
105 university administrations decided to take action against apartheid
106 despite apathetic or disinterested student bodies and faculties.
107 In a number of instances, faculty anti-apartheid initiatives appear
108 to have influenced college or university policies more than student
109 activism. By 1985, according to the IRRC, about \$400 million in
110 investments had been divested or committed to be divested. This
111 figure represented a little over 1 percent of the total value of
112 college and university endowments, estimated to be almost \$33
113 billion in mid-1984. Among the 100 institutions with the largest
114 endowments, 40 had at least partially divested their portfolios by

115 1985 and 7 had adopted total divestment policies. By August of
116 1988, according to The Africa Fund, a total of 155 U.S. and
117 Canadian colleges and universities had divested \$5,230,748,133.

118 The progress of divestment and related anti-apartheid policies
119 appears to have slowed since the mid-1980's although a significant
120 number of colleges and universities have opted to divest wholly or
121 partially since the 1985 high water mark. IRRC believes that
122 recent events in South Africa have slowed the mid-1980's crescendo
123 of divestments.

124 Divestment clearly has been adopted as a policy at a minority of
125 U.S. colleges and universities. The over 1,000 community colleges
126 appear to have been unaffected by the issue. Southern universities
127 and those across the Mississippi (except in Iowa, Minnesota,
128 Washington, Oregon and a few southwestern locations) have not
129 divested. Northeastern and upper midwestern colleges and
130 universities have evidenced the greatest propensity to divest. In
131 addition to a regional variation in divestment attitudes, it also
132 should be noted that the divestment and related anti-apartheid
133 policies adopted are highly variable, ranging from total divestment
134 and a corollary injunction against receiving gifts or grants from
135 corporations which do business in South Africa to partial or phased
136 divestment.

137 In some instances, colleges and universities were constrained to
138 adopt divestment policies to conform to state laws barring
139 investment and other business or financial dealings with South
140 Africa. Public universities and liberal arts colleges with
141 relatively small endowments were found by the IRRC survey to
142 demonstrate the highest proclivity to divest. However, it is
143 equally clear that bellwether institutions which traditionally have
144 exhibited leadership in U.S. higher education, such as Harvard
145 University, have also demonstrated a high proclivity to divest.

146 A number of institutions responding to the IRRC survey had, in
147 effect, divested but did not wish to be considered as having
148 divested. U.S. colleges and universities clearly feared that
149 divestment policies would adversely affect corporate and alumni
150 giving. It was also feared that divestment would be economically
151 costly. However, the IRRC survey found little evidence of a
152 corporate backlash against colleges and universities which had
153 divested. And alumni appear to be largely indifferent to the
154 divestment issue, although some alumni of the University of Chicago
155 have started a campaign to contribute to a fund withheld from the
156 University of Chicago as a way of pressuring that institution to
157 divest. So many U.S. colleges and universities have successfully
158 divested, including a number with a high percentage of their total
159 endowments invested in companies doing business in South Africa,

160 that the economic arguments made against divestment back in the
161 late 1970's appear less credible today than they once did.

162 In the late 1970's, adherence to the Sullivan Principles
163 represented an alternative to divestment at many colleges and
164 universities. Indeed, the Sullivan Principles option undoubtedly
165 slowed the pace of divestment. A number of institutions committed
166 to divest if the internal situation within South Africa had not
167 evolved within the time limits set by the Reverend Sullivan. Since
168 the expiration of that time period and the Reverend Sullivan's
169 conclusion that his approach had not worked, it is unclear how
170 colleges and universities which once relied on adherence to the
171 Sullivan Principles as the keystone of their anti-apartheid
172 policies have reacted.

173 Representative leaders of the majority population in South Africa
174 and U.S. Department of State officials concur that divestment has
175 adversely affected South Africa and has brought pressure to bear
176 on the government to initiate political reforms. Hence, while
177 adherence to the Sullivan Principles no longer makes sense as an
178 anti-apartheid policy option in that the Reverend Sullivan himself
179 has recognized their futility, there is ample reason to believe
180 that the divestment policies of a minority of U.S. colleges and
181 universities have been more than symbolic acts. Divestment remains
182 an option for U.S. colleges and universities which thus far have

eschewed it, in that recent events in South Africa have not yet eventuated in the adoption of a genuinely democratic constitution. The question today is whether those U.S. colleges and universities which have not divested will heed calls for divestment from representative South African leaders and the international community at a time when the South African government had taken a number of steps aimed at improving its international image, ending its diplomatic isolation and, most recently, abolishing apartheid.

3. THE DIVESTMENT MOVEMENT AT THE UNIVERSITY OF DELAWARE

The University of Delaware was not immune to the international movement against apartheid. By the late 1970's, the embryo of an anti-apartheid movement had developed on campus. There were marches, protests, and, in 1985, a Faculty Senate vote in support of divestment.

Citing its adherence to the Sullivan Principles, the Board of Trustees and the administration maintained its opposition to divestment. Indeed, the University maintained that divestment would adversely affect the non-white majority population and that such symbolic gestures were of little genuine import anyway. The administration also announced a program to bring qualified South African students to the University of Delaware as an alternative to divestment.

205 The University's stand against divestment was buttressed by a
206 questionable analysis of the South African situation. The bold
207 assertion that divestment would hurt the majority population was
208 less than compelling in view of the suffering and deprivations
209 endured for decades by the non-white majority. Pro-divestment
210 forces took particular umbrage at this assertion when authoritative
211 research, such as the Second Carnegie Inquiry into Poverty and
212 Development in South Africa subsequently published as Uprooting
213 Poverty: The South African Challenge, co-authored by Francis
214 Wilson and Mamphela Ramphele, was drawing a diametrically opposite
215 conclusion. The University defended its policy with an analysis
216 identifiable with the oft quoted viewpoints of Chief Buthelezi of
217 the Inkatha movement. From the perspective of the pro-divestment
218 forces, the pain of the Trustees not accepting the Faculty Senate
219 recommendation was compounded by the public defense made of the
220 policy. It was partisan, arguably misinformed and, for many who
221 care about the intellectual and moral leadership role of a
222 university, a major source of concern. It seemed as if certain
223 Trustees were dictating policy for the University and many wondered
224 about the appropriateness of this state of affairs.

225 Pro-divestment activities, including periodic marches and protests,
226 therefore continued. Student and faculty support for divestment
227 waxed and waned as a function of events in South Africa, but at

228 least a significant minority of students and faculty continued to
229 press for divestment in the face of inflexible adherence to the
230 Sullivan Principles, even long after those principles were
231 renounced as inadequate and ineffective by the Reverend Sullivan
232 himself. Undeterred by the awkwardness of continuing to embrace
233 the Sullivan Principles, the University persisted in portraying its
234 refusal to divest as based upon well-informed analysis of the
235 situation and in accord with the long-term interests of the non-
236 white majority. Indeed, to the considerable consternation of some,
237 its anti-divestment stand was equated with taking the moral high
238 ground.

239 All of this was fuel on the fire. In the second half of the
240 1980's, minority students and faculty played a growing role in the
241 anti-apartheid movement. The University's stand on divestment
242 increasingly appeared to be insensitive to minority concerns and
243 to render a university with a less than distinguished record in
244 minority recruitment less congenial. University policy on
245 divestment appeared to many to be difficult to reconcile with a new
246 University focus on diversity and multiculturalism. Despite the
247 professed and undoubtedly sincere condemnation of apartheid by the
248 University, there remained a gulf of skepticism that could only be
249 bridged by a clear and unequivocal condemnation of apartheid
250 through divestment. By the late 1980's, support for divestment for

251 many within and outside the University had become a defining
252 feature of a genuinely multicultural university.

253

4. SANCTIONS AND THEIR EFFECTS

254 The Comprehensive Anti-apartheid Act of 1986 is by far the most
255 significant symbol of disapproval by the United States of the
256 policy of apartheid (on file in Morris Library and the University
257 Faculty Senate Office). It represents a significant departure from
258 past practices that made South Africa count on the United States
259 and western Europe for economic and diplomatic support. The 1986
260 Act was passed over the objections of President Reagan who, until
261 the last minute, still looked at P. W. Botha's government as "a
262 reformist administration" intent on dismantling racial
263 discrimination. The debates that led to the 1986 Act clearly
264 demonstrated that the Reagan Administration's policy of
265 "constructive engagement" had been a failure--it had failed to
266 induce the South African government to vigorously pursue a policy
267 of dismantling apartheid in its various forms.

268 The 1986 Act¹, among other things, proscribed the import to the
269 United States of South African goods, e.g., krugerrands, uranium,
270 coal, iron and agricultural products. There was also a ban on the

271 ¹U.S. Code Congressional and Administrative News 1986, No. 1
272 (Public Law 99-631).

273 export of some advanced technology to South Africa, especially in
274 computers and nuclear technology. Arms trade, oil and petroleum
275 goods were also banned.² In finance, the Act banned United States
276 investments in South Africa and restricted South Africa's access
277 to international loans.

278 In 1986 the opponents of the bill against apartheid, including
279 Chester Crocker of the Reagan Administration, argued that sanctions
280 would prove to be counter-productive. They also argued that
281 sanctions would hurt Africans in South Africa more than whites.
282 In Europe, Margaret Thatcher's familiar phrase continued to be that
283 "sanctions don't work." Four years after the bill was passed, it
284 is important to review its effects on South African society.

285 In the first instance, this Act was and is significant because it
286 symbolically denied South African government a ready source of
287 diplomatic support in the United States and Europe, which in the
288 past had made it react with disdain to all appeals to dismantle
289 apartheid. It showed South Africa that there was no longer an
290 automatic support and defense of its policies on the international
291 scene. Perhaps more crucial was that this Act not only condemned
292 apartheid, but also implemented sanctions as a measure to induce

293 ²Thomas J. Redden, Jr., "The U.S. Comprehensive Anti-
294 Apartheid Act of 1986: Anti-Apartheid or Anti-African National
295 Congress," African Affairs (Vol. 87, no. 349, October 1988) p.
296 596.

297 change in South Africa. In the past condemnations had lacked "the
298 teeth" to bite into South Africa's economics and politics.

299 Sanctions imposed by the United States and similar ones adopted by
300 the European Communities have caused the white rulers to seriously
301 reevaluate their country's policies. They have been forced to face
302 the reality of the eventual demise of apartheid in its various
303 forms. What signals have come from South Africa since 1986 to
304 demonstrate the efficacy of the 1986 Act?

305 Clearly, the most important event in this regard was the release
306 from detention of Nelson Mandela, in February 1990. His release
307 was preceded by the staggered release of other veteran nationalists
308 including Mbeki and Sisulu. Mandela's release was accompanied by
309 the government's proclamation lifting the ban on most political
310 parties including the African National Congress, the Pan Africanist
311 Congress, the South African Communist Party, etc. These parties
312 can now legally function openly in South Africa.

313 Since the release of Mandela from detention last year, the
314 government of South Africa under de Klerk has engaged in sporadic
315 exploratory discussions with the African National Congress
316 leadership in what has been termed "discussions about discussions."
317 Although not far reaching, these gestures in themselves demonstrate

318 that the minority government has realized that politics as usual
319 is no longer tenable.

320 It is, however, on this question of politics and political rights
321 that much work has yet to be done. A significant concern of this
322 Committee has been the question of politics and economic structure
323 of South Africa as it affects the Africans--the majority
324 population. Without this concern, it is self evident that this
325 Committee would not exist.

326 This Committee is aware that there have been attempts in Europe and
327 the United States to repeal the sanctions levelled against South
328 Africa as "a reward to de Klerk's government" for some of the
329 actions taken since last year. Nonetheless, we are equally aware
330 that apartheid is still in place and that, in spite of recent
331 pronouncements from South Africa, the basic question of political
332 rights for Africans has not been addressed. Why then should
333 economic sanctions, which include divestment, be maintained?

334 In the first instance, a very strong case can be made that, without
335 economic sanctions, the South African government will not feel
336 impelled to engage in serious negotiations with the African
337 leadership to end apartheid. This, after all, is the principal
338 lesson of the past five years. In other African countries where
339 majority populations have been involved in struggles for

340 liberation, they have forced colonial forces to the negotiating
341 table because of their military success on the field. This has
342 certainly been true in Mozambique and Zimbabwe. In South Africa,
343 none of the liberation movements has a comparable leverage. Only
344 the African National Congress had a significant armed wing,
345 "Umkhonto we Sizwe." It, however, suspended armed struggle last
346 year and so, in essence, does not have an internal or external
347 military option to force de Klerk's government to negotiate
348 seriously. Sanctions and their effect on both whites and blacks
349 are the only serious weapon that the African National Congress and
350 other liberation movements have at the moment.

351 Economic sanctions continue to serve another important political
352 function: to communicate to the Africans in South Africa that the
353 international community has not abandoned them in their quest for
354 freedom and dignity. Sanctions serve as a rallying point of
355 solidarity with Africans at a very difficult period in their
356 country's history.

357 The Committee also notes with interest that the African leaders in
358 South Africa still see a need for sanctions. On February 2, 1991,
359 one day after de Klerk announced that he would repeal some of the
360 basic laws of apartheid, Nelson Mandela called on the international
361 community to maintain economic sanctions against South Africa.
362 Mandela reminded the world that Africans still had no vote and that

363 "the state organs are still dominated by whites."³ Besides, the
364 past practices of apartheid have "left so many blacks burdened with
365 poverty and illiteracy that they will be hard put to use any new
366 opportunities."⁴ The process of change to which economic sanctions
367 have made a significant contribution is likely to be halted or
368 stagnated, with all the unwelcome consequences, if the government
369 of South Africa perceives that the international community has
370 started to relax in its demands on the dissolution of apartheid.
371 Indeed, if this were to happen, the overwhelming majority of
372 Africans in the country may opt for non-peaceful strategies which
373 would render the peace process tragically irrelevant.

374 The Committee feels that continued economic sanctions will hasten
375 the end of apartheid. In urging this action, we note that only
376 this outcome can lead to an immediate redress of the immense
377 economic problems now facing many South Africans, especially the
378 African majority. Problems of poverty, illiteracy, poor or no
379 housing, landlessness, and unemployment are critical, and yet they
380 cannot be solved within the context of apartheid. This problem of
381 poverty and hopelessness is especially true of the youth, millions
382 of young men and women who now have no employment and are not in

383 ³The New York Times, (February 3, 1991) p. 3.

384 ⁴The New York Times, (February 10, 1991), Section 4, p. 4.

385 school. They comprise what Time magazine has called "the lost
386 generation"⁵ (see Appendix C).

387 The spirit and intent of the 1986 Act was to "apply economic
388 pressure to the apartheid structure as a means of wresting
389 political change from its government."⁶ It is the Committee's view
390 that as long as universal franchise is absent, it is premature to
391 say that significant and irreversible political change has occurred
392 in South Africa.

393 **5. CLARITY ON THE DIVESTMENT ISSUE**

394 We have previously discussed how apartheid became an issue on which
395 American universities, and in particular the University of
396 Delaware, have been asked to take a position. The divestment
397 movement (and events in South Africa!) has forced universities to
398 take a stronger stand than merely condemning apartheid. The
399 University of Delaware's response has basically been to offer a
400 small number of scholarships to South African students, all of whom
401 must receive exit and re-entry permits from the South African
402 government. The University has publicly refused to divest. The
403 majority of other universities in the region have either divested
404 (Drexel University, Lincoln University, University of Maryland,

405 ⁵Time, (February 18, 1991), p. 48.

406 ⁶Thomas J. Redden, Jr., op. cit. p. 596.

407 Rutgers University, Temple University) or partially divested (Bryn
408 Mawr College, Haverford College, Johns Hopkins University,
409 University of Pennsylvania, Swathmore College). The Board of
410 Trustees of the University of Delaware has rejected divestment for
411 a number of reasons, not all of which are clear to this Committee
412 (see Appendix D). In order for the faculty of the University to
413 come to an informed decision on what its own views are, it appears
414 to this Committee that the following questions need to be
415 addressed:

416 1. Has divestment ever been, particularly at present, an effective
417 policy in bringing about change in South Africa?

418 2. Instead of divesting from South Africa should we not instead be
419 investing in helping to educate black South Africans?

420 3. Doesn't divestment hurt the very people we are trying to help,
421 i.e., black South Africans?

422 4. What effect does not divesting have on either the image of the
423 University or on the goal of establishing a racially diverse
424 campus?

425 While other questions can obviously be asked, clarity on these four
426 points, in conjunction with the rest of this report, should enable

427 the faculty to make an informed choice on an issue that is of long-
428 standing concern to the University.

429 We begin with the concept of divestment as a policy towards
430 apartheid. The main goal of divestment is usually defined vaguely
431 as to end transnational companies' support for apartheid. As such,
432 it is part of the international sanctions movement against South
433 Africa, the effectiveness of which we have previously discussed.
434 It is important to recall that sanctions are a practical diplomatic
435 tool, intended to apply political pressure, and not a sop to a
436 guilty conscience. In particular, sanctions, and divestment more
437 specifically, should be seen as "persuasive" rather than
438 "punitive"--a means of bringing pressure to bear and so persuading
439 the white minority of the necessity of entering into genuine
440 negotiations. As far as divestment itself is concerned, the
441 Commonwealth Committee of Foreign Ministers on Southern Africa⁷
442 view it as an important component of the sanctions movement: "The
443 withdrawal of private companies [from South Africa] has been one
444 of the most significant non-government sanctions, probably second
445 only to the ban on the rolling over of loans by banks." Even
446 though many companies that were previously foreign-owned and obeyed
447 codes of conduct have been sold to local managers who no longer
448 follow the codes and have reduced their social investment, the
449 Commonwealth Committee found that trade unions, in general, have

450 ⁷South Africa: The Sanctions Report, Penguin Books, 1989.

451 supported corporate withdrawal as a way of putting pressure on the
452 apartheid state. The foreign ministers of the Commonwealth
453 concluded their report with the following statement:

454 "For the white minority, negotiating fundamental change
455 and giving up a monopoly on power will be a long,
456 difficult and worrying process. It is a road that will be
457 taken only when it is the only one available. Sanctions
458 are essential to demonstrate that the option of reforming
459 apartheid is too expensive and is internationally
460 unacceptable. Sanctions are necessary to push Pretoria
461 down the demanding path of genuine negotiation."

462 An argument commonly used against divestment is that instead of
463 "washing our hands" of South Africa we should, as an educational
464 institution, try to help black South Africans get a better
465 education. Indeed, a version of this viewpoint is the major thrust
466 of the 1988 Board of Trustees' resolution at the University of
467 Delaware (see Appendix B). The Committee sees no contradiction in
468 both divesting and aiding black education in South Africa, although
469 one may question whether six tuition scholarships and one
470 fellowship is a significant commitment by the University towards
471 ending apartheid. However, a serious problem associated with
472 efforts from abroad towards improving black education in South
473 Africa is that the de Klerk government has refused to create a
474 desegregated school system and indeed has stated that such a
475 possibility is non-negotiable.⁸ Meanwhile, last year more than 200
476 white schools closed because there were not enough white pupils,

477 ⁸The News Journal, February 18, 1990.

478 while in black schools the teacher-student ratio is now 1:90; five
479 times more is spent on each white child than on each black child.⁹
480 Government proposals by which parents of children in all-white
481 schools may admit students of other races are so compromised as to
482 do nothing to begin to address the problem.¹⁰ Aside from calling
483 into question the South African government's commitment to the
484 ultimate establishment of a democratic state, such a policy towards
485 black education makes outside efforts rather ineffectual, to say
486 the least. Until there is a genuine movement towards educational
487 reform by the South African government, aid in the form of
488 scholarships or fellowships will be perceived by many as simply
489 tokenism, particularly since the South African government itself
490 has a role in the selection process. It is the view of this
491 Committee that even if such efforts are pursued this in no way
492 relieves the administration and faculty of the need to address the
493 specific issue of divestment in a forthright manner.

494 Perhaps the major argument against divestment is that by
495 withdrawing our moral pressure on companies doing business in South
496 Africa we are hurting the very people we are trying to help, i.e.,
497 black South Africans. This is an argument that has been used
498 repeatedly by both the South African government and the Board of

499 ⁹The News Journal, op. cit.

500 ¹⁰The Christian Science Monitor, August 3-9, 1990;
501 international edition.

502 Trustees at the University of Delaware. However, it is in fact the
503 leaders of black South Africans who are the very people who are
504 asking for sanctions. In particular, the African National
505 Congress, the Pan Africanist Congress and the United Democratic
506 Front have all come out clearly and consistently for sanctions and
507 divestment. Bishop Tutu, the 1985 Nobel Peace Prize Winner and
508 Anglican Archbishop of Cape Town, has been particularly firm in
509 dealing with the argument that sanctions would mostly hurt blacks:

510 "I hope that most who use this argument would just drop it
511 quietly and stop being so hypocritical. It is amazing how
512 everybody has become so solicitous for blacks and become
513 such wonderful altruists. It is remarkable that in South
514 Africa the most vehement in their concern for blacks have
515 been whites."

516 Of course, sanctions and divestment will hurt black South Africans
517 and black leaders know this. However, using 1986 figures, if all
518 directly owned American companies were to withdraw overnight (and
519 were not taken over by local managers), white unemployment would
520 rise from 5 percent to 8 percent whereas black unemployment would
521 rise from 25 percent to 26 percent, i.e., due to an extremely high
522 rate of black unemployment and the fact that American companies
523 only employ 1 percent of the black workforce, the effect of
524 sanctions falls more heavily on the white workforce than on the
525 black. It is for this reason that expression of concern for the
526 effect of sanctions on black workers falls on deaf ears for those

involved in the struggle for a democratic South Africa. Finally, the codes of conduct that have been increasingly adopted by U.S. companies (and endorsed by the Board of Trustees at the University of Delaware) as a way of staving off divestment have been widely rejected on two grounds. Firstly, they have failed even in their own terms to make significant changes and, secondly, they do nothing to end apartheid.¹¹ Because of this, in 1987 the Reverend Leon Sullivan ended his support for the United States code named after him and called for companies to withdraw from South Africa.

There is one major black South African leader who has come out against sanctions and divestment and hence is widely quoted by those opposed to sanctions both inside and outside South Africa. This is Chief Mangosuthu Gatsha Buthelezi, Chief Minister of the KwaZulu homeland and President of Inkatha, his own political party cum militia. Since he is so often used as a voice of authority by opponents of divestment, perhaps it is worthwhile to quote at length from a recent book on the current struggle in South Africa:¹²

"Buthelezi's role is an unusual one. As Chief Minister of KwaZulu, the country's most populous homeland, he...has urged the movement to compromise on its demand for one person/one vote. Years ago, the government jumped him

¹¹D. Beaty and O. Harari, "South Africa: White Managers, Black Voices," Harvard Business Review, July-August, 1987.

¹²Adam Hochschild, The Mirror at Midnight: A South African Journey, Viking Penguin Books, 1990, pp. 84-85.

552 over an older brother to make him chief of the Buthelezi
553 subtribe, and ever since then it has installed him in
554 successive positions on the way up the ladder to his
555 present one. Pretoria subsidizes \$80 million worth of
556 KwaZulu's budget, and staffs key posts in its
557 administration. For much of the 1980's, dozens of other
558 black political organizations were banned from even having
559 a meeting in someone's kitchen, but Pretoria has always
560 happily allowed Buthelezi to address stadiums full of
561 Inkatha faithful...Inkatha has borrowed the African
562 National Congress colors of black, green, and gold. And
563 when making speeches, Buthelezi denounces apartheid as
564 vigorously as anyone. But none of this bothers shrewder
565 heads in Pretoria--for if he did not do these things, they
566 know, he would lose what limited credibility he has as an
567 African leader, both at home and overseas. 'For white
568 South Africa,' wrote the late Steve Biko, 'it is extremely
569 important to have a man like Buthelezi speaking and
570 sounding the way he is doing.'

571 An important issue the faculty must address when considering the
572 issue of divestment is how divestment, or lack thereof, affects the
573 efforts of the University to establish a more racially diverse
574 campus. We report below on the opinions of black students, faculty
575 and staff interviewed by this Committee. A survey taken by the
576 University of Delaware African American Coalition in 1990 resoundly
577 reaffirmed the Coalition's position in favor of divestment.
578 Finally, the editorial in the The News Journal on December 12, 1990
579 (see Appendix E) is presumably reflective of how the University of
580 Delaware's position on divestment is viewed by a significant
581 portion of the citizens of the State. All of this evidence
582 strongly indicates that the issue of divestment is intimately
583 linked to the establishment of a racially harmonious environment
584 on campus. It is the view of the Committee that such an
585 environment can only be obtained if the University of Delaware is

586 seen to be enthusiastically on the side of black freedom rather
587 than white privilege and this impresses a moral stance on the
588 University's policy towards divestment. Perhaps, with faculty
589 leadership, the Board of Trustees at the University of Delaware can
590 follow the example of Allegheny College where in May, 1990, the
591 Board of Trustees reversed a 1988 vote against divestment saying
592 that a continuation of a non-divestment policy constituted a
593 "serious impediment" to the development of a harmonious multi-
594 racial environment at the college. However, regardless of what the
595 Board of Trustees of this University does, it is both appropriate
596 and timely for the faculty to step forward and be collectively
597 heard on this issue. The Committee hopes that this report will be
598 helpful towards this end.

599 **6. CAMPUS VIEWS ON THE ISSUE OF DIVESTMENT**

600 The Ad Hoc Committee on Divestment was established by the
601 University Faculty Senate and charged as follows:

602 "The Ad Hoc Committee on Divestment shall review the
603 policies of this University toward Apartheid, hold
604 hearings where the University community may make its
605 several views known, and report to the Senate appropriate
606 recommendations for action of the University Senate."

607 In order to carry out this charge, the Committee sought the views
608 from all appropriate segments of the University community,

609 including the Board of Trustees, University administration,
610 faculty, professional staff and students. Invitations to meet with
611 the Committee were extended to the Chairperson of the Board of
612 Trustees, University President, Acting Provost, former Provost and
613 University Treasurer. The Committee also extended invitations to
614 members of the previous Senate Ad Hoc Committee on University
615 Investments in South Africa, which made a recommendation to the
616 Senate in 1985, and a number of campus groups which the Committee
617 identified as possibly having a particular interest in the question
618 of University policy toward apartheid and divestment.

619 Finally, the Committee scheduled an open hearing for the entire
620 University community which encouraged all interested parties to
621 present and discuss their views on this matter. It also encouraged
622 individuals who could not attend or who did not wish to express
623 their views in a public forum to communicate their views in writing
624 directly to the Committee. The open hearing was held on December
625 5, 1990.

626 In the remainder of this section of the report, we attempt to
627 summarize the main points of the various individuals and groups
628 with whom we met as well as the discussion which took place at the
629 open hearing. The transcript of the open hearing as well as all
630 the written statements received from the University administration

631 and campus organizations are included in the appendices on file in
632 Morris Library and the University Faculty Senate Office.

633 Results of Discussions with the University Administration

634 On September 28, 1990, the Committee invited Mr. Andrew
635 Kirkpatrick, Chairperson of the Board of Trustees, to meet with the
636 Committee at his convenience to discuss the University policy
637 toward apartheid and divestment. Chairperson Kirkpatrick, in his
638 letter of October 23, 1990, informed the Committee that he
639 requested President Roselle, who also is a member of the Board of
640 Trustees, to represent the Board at a meeting with the Committee.

641 The Committee requested meetings with President Roselle, Acting
642 Provost Richard Murray, and Treasurer Robert Harrison. President
643 Roselle agreed to meet with the Committee together with the Acting
644 Provost and Treasurer. This meeting was held on November 16, 1990.

645 At this meeting, President Roselle reiterated the University policy
646 adopted by the Board of Trustees which commits the University to
647 limit its stock investments to corporations in compliance with the
648 so-called Sullivan Principles and to adopt programs whose aim is
649 to improve educational opportunities for black South Africans. He
650 expressed his abhorrence to the policy of apartheid and indicated
651 his belief that the University policy was a balanced and effective

652 means for the University to express its commitment to the abolition
653 of apartheid. He recognized that the University needs to do more
654 in terms of educational programs and that more faculty input is
655 necessary for this effort. A discussion with Acting Provost Murray
656 ensued concerning the present programmatic efforts of the
657 University. At present, these efforts consist of providing six
658 tuition scholarships and one fellowship for black South African
659 students. As is often the case at such meetings, time constraints
660 made it impossible to cover the entire agenda. Thus, at the
661 conclusion of the 1 1/2 hour meeting, President Roselle was asked
662 whether he would respond to written questions put to him by the
663 Committee. President Roselle agreed and, by a letter on November
664 30, 1990 (see Appendix D), the Committee submitted seven questions
665 which it deemed important for developing its understanding of the
666 Board of Trustees' policy. These questions concern the rationale
667 and evidential basis for the Board's policy, its investment
668 practices in regard to corporations with operations in South Africa
669 and the decision making structure for the University programmatic
670 educational policy in regard to South Africa. The President's
671 response (see Appendix D) indicated that it is not likely that the
672 Board of Trustees has a single position on these matters. Thus,
673 President Roselle was not able to significantly help the Committee
674 better understand the past or present basis of the Board's policy
675 position.

676 The Committee's questions regarding the University's investment
677 practices were referred by President Roselle to Treasurer Harrison
678 and through his office a good deal of data on the University stock
679 investments in corporations with operations in South Africa since
680 1978 were supplied. This data indicates that, in 1978, 53.6
681 percent of the market value of the stock portfolio was in
682 corporations with operations in South Africa. By 1985, 40.2
683 percent of the market value of the portfolio was in corporations
684 with operations in South Africa and, by the end of 1990, this
685 percentage had dropped to 20.2 percent. While the portfolio in
686 1978 included 27 corporations with South African operations, the
687 1990 portfolio contains seven such corporations, five of which date
688 back to the 1978 portfolio. More than one-half of the others were
689 sold and the remainder are still held but have quit operations in
690 South Africa. Treasurer Harrison indicated that there has been no
691 deliberate policy to divest but the trend is of interest
692 nevertheless. It is clear to this Committee that at least partial
693 divestment, intentional or not, has been occurring since 1978
694 without undue hardship and it appears likely that full divestment
695 could be accomplished without adverse economic consequences.

696 Finally, the Committee's discussion with former Provost L. Leon
697 Campbell was most helpful in clarifying much of the past University
698 history on this issue and the relationship between the Board of
699 Trustees and the University administration.

700 Results of Discussions with Campus Organizations

701 The Committee met with representatives of the Committee to Promote
702 Racial and Cultural Diversity, Center for Black Culture, Black
703 Student Union, Campus Coalition for Human Rights, African-American
704 Coalition, College Democrats, and representatives of the former
705 Faculty Senate Ad Hoc Committee on University Investments in South
706 Africa. Other invited groups or individuals chose not, or were
707 unable, to meet with the Committee. While the Committee met with
708 each group separately, the views expressed shared a great deal of
709 unanimity on the issues discussed. A number of these groups or
710 individuals submitted written statements on their position. For
711 purposes of this report, the major points raised in these
712 discussions will be summarized.

713 There was unanimous agreement that divestment was an important
714 moral and symbolic act in opposition to apartheid and, as such, the
715 failure of the University to take this moral and symbolic step has
716 significant negative effects on the perception of the University
717 as unfriendly and insensitive (to say the least) toward minority
718 members at a time when the University has set racial and cultural
719 diversity as a goal. The University position on divestment,
720 according to the views expressed to us, calls into serious question

721 the University's commitment to this goal as well as its moral
722 commitment to the freedom and equality of black South Africans.

723 Beyond the symbolic moral implications of divestment, it was the
724 unanimous view of these groups that divestment as part of the
725 sanctions movement has important economic and political
726 implications. There was little doubt in the minds of those with
727 whom we spoke that sanctions have played a major role in whatever
728 movement there has been in South Africa for negotiations and repeal
729 of many of the apartheid laws. There also was little doubt
730 expressed on the importance of maintaining sanctions and the
731 contribution that the University could and ought to make in this
732 regard by approving a policy of total divestment.

733 Finally, it also was a unanimously expressed view that the failure
734 of the University to divest has serious negative consequences for
735 recruiting and retaining African-American students and faculty.
736 The view was expressed that, while it is rare that a student or
737 faculty member will make his/her decision to come to Delaware
738 solely or primarily on the basis of the University's divestment
739 policy, it is nevertheless one of the major factors in creating an
740 overall impression of the institutionalized racial climate of the
741 University. This point of view was expressed repeatedly in no
742 uncertain terms.

743 Results of the Open Hearing

744 The open hearing attracted approximately 40 members of the
745 University community and included faculty, professionals and
746 students. The students, by and large, represented various student
747 groups, some of whom had communicated with the Committee
748 previously. Several of these individuals and groups submitted
749 written statements for the record and those are included in the
750 transcript of the hearing.

751 The views expressed at the hearing were strongly in support of
752 divestment for most of the same reasons discussed previously. In
753 addition, however, an opposing view was expressed by the
754 representative of the College Republicans who argued that important
755 steps are being taken by the South African government to dismantle
756 apartheid and that further sanctions could impede the progress now
757 being made. A second view opposed to University divestment was
758 submitted in writing to the Committee arguing that the "...raising
759 of educational standards for blacks and further advancement into
760 the economic nexus of South Africa is the road for political weight
761 and political participation." Further, "divestment of American
762 firms in South Africa, which have been the leaders in seeking equal
763 opportunities and equal wages for blacks, accomplishes nothing more
764 than an indignant moral statement without weighing the consequences
765 upon the poor."

766 An additional view was expressed that total University divestment,
767 particularly the stock of DuPont, could have enormous economic
768 impact on the University because of the close connection between
769 important supporters of the University and the DuPont Company.

770 There also was a discussion of the faculty participation in CREF
771 which invests in the stock of corporations with operations in South
772 Africa. This issue, which also arose in our meetings with campus
773 groups and former Provost Campbell, revolved around the questions
774 of whether there were actions which the University community or
775 individuals could take in opposition to apartheid independent of
776 the actions of the Board of Trustees and whether it is hypocritical
777 of faculty to urge divestment when they themselves are not divested
778 by virtue of their participation in CREF. While there appeared to
779 be support for the notion of independent action in lieu of the
780 Board of Trustees' change in policy, it is a strongly held view
781 that such independent action could not and should not be a
782 substitute for a decision to divest as an institutional policy.

783 Conclusions from the Committee's Hearings

784 While the issue of divestment does not seem to be at the forefront
785 of faculty or student concerns as it may have been a few years ago,
786 it is nevertheless a very important issue to a large segment of the

University community and divestment has widespread support among both faculty and students as far as the Committee could determine. The issue is clearly of great importance to the minority community on- and off-campus and appears to have serious implications for the perception of the University in regard to racial and ethnic sensitivities and concerns. Further, it was clear from the Committee's interactions with the University community that the failure to divest is viewed by a large segment of the community as a failure of intellectual and moral leadership on the part of the University. This is further evidenced by recent editorials in both The Review and The News Journal (see Appendix D).

7. RESOLUTION

Based on our considered deliberations and our extensive consultations and, after having fully considered the significant political changes that have taken place in South Africa, we hereby recommend to the University Faculty Senate the adoption of the following resolution:

WHEREAS, the University of Delaware continues to deplore the policy of apartheid still practiced in South Africa, and

807 WHEREAS, the University of Delaware has the moral and
808 intellectual responsibility to provide leadership
809 in opposition to this abhorrent policy, and

810 WHEREAS, divestment has proven to be an effective weapon
811 against apartheid in South Africa, and

812 WHEREAS, a fundamental and irreversible rupture with
813 apartheid policy has not yet occurred, and taking
814 note of the continuing calls for sanctions by
815 organizations representative of the majority of
816 South Africa's people, and

817 WHEREAS, considering that the suspension of armed struggle
818 in South Africa makes economic pressure against
819 apartheid all the more significant at this historic
820 juncture, be it

821 RESOLVED, that the University Faculty Senate of the University
822 of Delaware recommend that the officers and trustees
823 of the University divest the University of stocks,
824 bonds and other holdings in all corporations that
825 have operations in South Africa.

APPENDIX A

UNIVERSITY HOLDINGS OF COMPANIES WITH OPERATIONS IN SOUTH AFRICA

Univ. of Del. Market Value Sep. 30, 1990	1989 Principles Rating	1988 South African Sales	Percent of Total	1988 South African Assets	Percent of Total	Number of Employees		
						African	White	Other Total
Abbott Laboratories	IIA	\$< 12.3 million	< 0.25%	\$< 12.3 million	< 0.25%	54	94	9 157
Bristol-Myers Squibb	I	NA	NA	NA	NA	218	229	127 574
Caterpillar Inc.	I	135.0	1.30%	15.0	0.20%	49	25	6 80
Deere & Co.	I	44.0	0.82%	29.0	0.55%	273	130	11 414
DuPont (E. I.) & Co.	I	61.0	0.20%	0.7	< 0.01%	6	23	3 32
International Paper	IIA	25.0	NA	17.6	NA	1,658	143	165 1,956
Kellogg Co.	I	25.8 **	0.702**	19.9 **	0.702**	211	83	10 394
Minnesota Mining & Mfg.	I	< 106.0	< 1.00%	< 89.0	< 1.00%	322	440	91 853

\$ 29.7 million

< Less than

NA Not Available

* Held only in Evans Fund

** 1987 Data

Page 29 - Docket
Board of Trustees
May 31, 1979

31. p 41 WHEREAS, the University of Delaware entered into agreements with Solar Energy Systems, Inc., whereby the Institute of Energy Conversion would conduct research on solar energy for terrestrial use for Solar Energy Systems, Inc., and

WHEREAS, Solar Energy Systems, Inc. agreed, among other matters, to repay to the University funds expended by the University for such research, and

WHEREAS, the Executive Committee at a special meeting on December 8, 1973, resolved that such repayments were to be placed in a Designated Loan Fund for use as authorized by the Trustees,

NOW, THEREFORE, BE IT RESOLVED, that such funds repaid by Solar Energy Systems, Inc. are to be used for the purchase of capital equipment of the Institute of Energy Conversion in accordance with existing Trustee Budget and Financial Policies and Procedures.

32. min. WHEREAS, the Committee on Finance has adopted a position on University investments with respect to the impact of those investments on the policy of apartheid in South Africa; and

WHEREAS, the Committee on Finance has found that the existing investments are consistent with the principles of The Reverend Leon Sullivan with respect to human rights in South Africa and with a policy of providing a return on investments which is in the best interest of the University; and

WHEREAS, the Committee on Finance at its meeting on April 24, 1979 did hear from the representatives on the Committee Against Investment in South Africa and considered their written and oral presentation and following that meeting did reaffirm their existing position,

NOW, THEREFORE, BE IT RESOLVED, that the Executive Committee be and hereby does support the Committee on Finance with respect to University investments and its position in this area as expressed in the paper entitled, "University of Delaware Committee on Finance Report on Position with Respect to University Holdings of Companies with Operations in South Africa," dated May 1, 1979.

UNIVERSITY OF DELAWARE

COMMITTEE ON FINANCE

REPORT ON POSITION WITH RESPECT TO UNIVERSITY
HOLDINGS OF COMPANIES WITH OPERATIONS IN SOUTH AFRICA

The Committee on Finance of the Board of Trustees of the University of Delaware has considered the issues involved in the roles of U.S. corporations with operations in South Africa and U.S. banks that make loans to South Africa. It has done this in the context of examining the roles of such corporations and banks in which the University owns stocks. The following paragraphs reflect the facts and rationale utilized by the Committee to determine its position on the matter.

First of all, about 350 American companies have operations in South Africa. They employ 90,000 people in their work force, 60,000 of whom are blacks. The book value of all these companies amounts to about \$1.6 billion, representing 16% of the total foreign investment in that country and 4% of the total investment in the South African economy.

From the beginning of our deliberations we recognized that the issue was two-fold: (1) social, cultural and economic conditions that exist and the impact that American investment has on these factors, and (2) political -- the country has been, and today is, completely controlled by the present South African Government. Foreign corporations have no real influence on this Government and its political policies -- nor should they.

When one looks at the options the University of Delaware has in dealing with its investments in companies doing business in South Africa, they appear to be as follows:

1. Do nothing.

It was felt that such a course would not be responsive to the basic issue of South African apartheid.

2. Sell our holdings in companies who are now or intend to be invested in South Africa.

To prudent members of the Committee on Finance, this alternative did not appear financially or legally sound or constructive as it would not assure positive results, but would risk losses in the University's portfolio through such arbitrary sales.

3. Ascertain that companies operating in South Africa in which the University has holdings have positive programs to improve the condition of their black employees and Black society in general.

This course seemed to have the most merit and could be handled best by getting assurances from the companies that they would or had already adopted the "Sullivan Principles" (which over a hundred companies have embraced to date) or their equivalent.

The University owns stocks of 25 companies that have operations in South Africa or that make loans to South Africa. Eighteen of these have formally adopted the "Sullivan Principles." The remaining seven companies have provided the University information on their policies. These policies are considered to be equivalent to the "Sullivan Principles."

<u>Adopted Sullivan Principles</u>		<u>Adopted Policies Equivalent to the Sullivan Principles</u>
American Home Products	General Electric	Chesebrough-Pond's
Bristol-Myers	General Motors	Coca-Cola
Caterpillar Tractor	IBM	Continental Illinois Corp.
Chase Manhattan	Merck & Co.	Dun & Bradstreet
Citicorp	Minnesota Mining	
Deere & Co.	Norton Simon	Ingersoll-Rand
Eastman Kodak	Revlon	Kimberly clark
Exxon	Squibb	Pepsico.
Ford Motor Co.	Warner-Lambert	

Information has been gathered from many sources on the issues described above. The information shows a growing acceptance of The Rev. Sullivan's principles -- not only by American corporations, but by African leaders. Examples of results from certain studies follows:

Mr. Vernon E. Jordan, Jr., President of the National Urban League, has studied the problem, including visits to South Africa, where he has had numerous discussions with African leaders. In several of his reports he has stated: "The black South Africans I talked to don't want to see (those) jobs leave the country; they are needed by black people who have few economic opportunities, and I was told that if the Americans pull out they will be replaced by European and Japanese firms less amenable to social responsibility."

In still another report, Mr. Jordan states: "The black South Africans I met were unequivocal in their opinion that American corporations should not withdraw from South Africa. They told me they need the jobs those corporations bring, but they also told me those corporations should make better use of their economic clout to pierce the walls of apartheid."

Mr. Jordan said he not only supports the Sullivan Principles and the potential role American corporations can play in continuing to be a positive force for social improvement but he personally is strongly opposed to withdrawal.

Harry Oppenheimer, chairman of South Africa's \$7 billion Anglo American Corporation group, has been an outspoken critic of that Government's ethnic policies. He believes the way to defeat race discrimination in his country lies in more, not less, investment in the South African economy by the U.S. and other nations.

He points out that more than 40% of South Africa's population is less than 14 years of age, a percentage higher than India and Brazil, and, of course, much higher than the U.S. To absorb new entrants into the labor market, South Africa will have to create about 1,400 jobs every working day from 1980 to 2000. To come any-

where near accomodating these job needs, the gross domestic product must grow at a rate in excess of 5.1% per year. That growth today is under 3%.

Mr. Oppenheimer also states that to call for higher wage rates and the end of racial discrimination in industry, while at the same time seeking to deny South Africa the capital inflow which is necessary in order to offer these conditions to the majority of the people, involves "muddled thinking, if not intellectual dishonesty."

Many colleges and universities have given special attention to the position their investment committees and Boards of Trustees should take on this matter. For example, Columbia, Princeton and Swarthmore have followed the same indepth analysis as has the Committee on Finance of the University of Delaware. They and a number of others have adopted the same position as the Committee on Finance of the University of Delaware -- that support of the Sullivan Principles is the best on balance of all the options available.

Revised 5/1/79

BOARD OF TRUSTEES' RESOLUTION

19. Pages 5-7
of the
Minutes

May 19, 1988

WHEREAS, it is important to the University of Delaware to respond to the repugnance of apartheid and the needs of blacks in South Africa, and

WHEREAS, the total withdrawal of businesses conducted by international companies in South Africa and the imposition of sanctions on South Africa by all countries may contribute to worsening of the conditions of South African blacks, and

WHEREAS, the University owns common stock of American companies which abide by the statement of principles and it is felt that these signatory companies have a positive impact on the civil rights and economic and living conditions of some blacks in South Africa, and

WHEREAS, there is considerable need for improvement of the educational opportunities of black South Africans,

NOW, THEREFORE, BE IT RESOLVED, that the University will:

1. Continue to support the statement of principles by encouraging companies with operations in South Africa to maintain a high rating in implementing social responsibility projects, including activities to help eliminate laws and customs that impede the attainment of political, economic and social justice by blacks.
2. Adopt programs of its own to improve primary, secondary, university, vocational and technical education to help integrate blacks into the South African economy on the basis of equality, including:
 - a. granting of scholarships by the University through the U.S. - South African Education Program.
 - b. encouraging students to raise funds for scholarships.
 - c. encouraging churches, foundations and all firms that conduct business with South Africa to provide assistance for education of South African blacks.
 - d. developing faculty/student exchange programs involving South African educational institutions.
 - e. taking leadership as a member of the consortium of 47 universities to encourage direct representation to the South African government to promote adoption of a unitary educational system and the end of apartheid.

- f. supporting educational aid programs of the U.S. government and encouraging other governments, especially Japan, the United Kingdom, the Federal Republic of Germany and Canada to expand funding for the development of professional and technical skills of blacks in South Africa.
- 3. Take action as appropriate to help insure equality of opportunity at U.S. colleges and universities and thereby demonstrate to South Africans that integrated educational institutions work in a just, fair and efficient manner in achieving their fundamental mission of teaching, public service and research.

The Lost Generation

Apartheid's sad legacy: millions of black youths unequipped for the future



By SCOTT MACLEOD JOHANNESBURG

He says to call him "Che Guevara." He lives in Zola, one of the ghetto districts that make up the vast black township of Soweto, outside Johannesburg. At 22 he is a hardened veteran of the struggle against apartheid. He has killed "enemies of the people" and is prepared to kill again.

Seven years ago he became a supporter of the then outlawed African National Congress. With other teenagers he started stoning police vehicles. When leaders of the liberation movement sought to make the townships ungovernable, he became one of the enforcers. If he caught a family paying rent to municipal authorities in defiance of the rent boycott, he would serve them with an eviction notice. "If they refused to go," he says, "we'd speak to them in the language of the struggle. We'd kill them and burn their house down."

There are millions of young men, some like Che, in South Africa, a country's lost

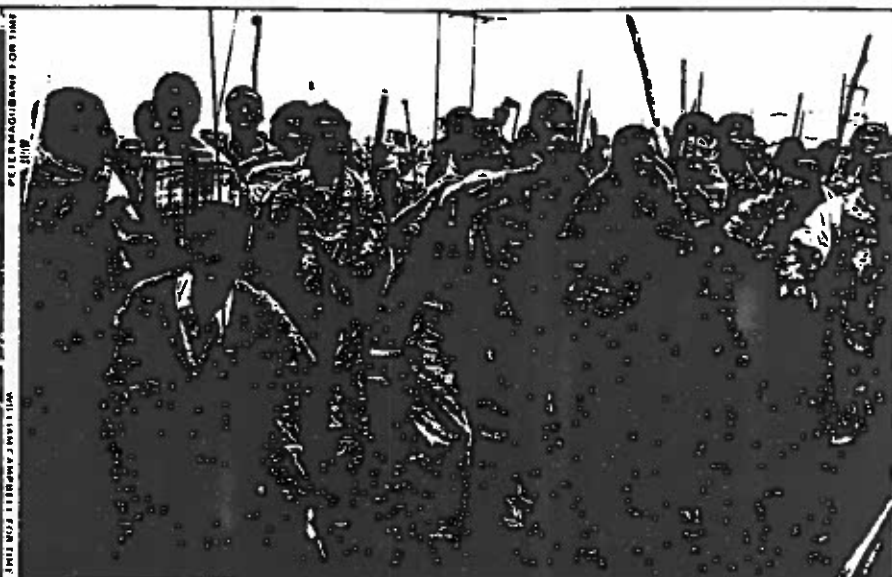
generation. Nelson Mandela hailed black youth as the "Young Lions," who took over as the shock troops of the revolution while he and other aging black leaders were locked away in prison. The "comrades," as they called themselves, battled the state's security forces for control of the townships, rooted out informers and sellouts, and spearheaded worker stay-aways and consumer boycotts. It was their militancy and surging growth, as much as anything else, that finally convinced the white government in Pretoria that apartheid's days were numbered.

Freedom has come for Mandela, and it may be nearing for all blacks who long to rule in their own land. But the youth are emerging as apartheid's saddest and potentially most dangerous legacy: as many as 5 million young people, from their early 30s down to perhaps 10, mostly school dropouts who are unable to get jobs and unprepared to make constructive contributions to society. They are the deprived, activists, layabouts or thieves. They live in bleak urban townships, where the standard four-room house shelters an average of 10 people.

They are often murderous supporters of rival groups like the A.N.C., the Pan Africanist Congress and the Inkatha Freedom Party. What unites them is lives that have known little besides political conflict. When the day of liberation comes, what will they do?

They have learned all too well how to imitate the violence of a state that has often used live ammunition on defenseless protesters and fired tear gas to disperse groups of small children. They have lived in a world, says the Rev. Frank Chikane, head of the South African Council of Churches, "of military operations and night raids, of roadblocks and body searches, where friends and parents get carried away in the middle of the night."

The fiery images of death have become part of their normal experience. Many of them, in the words of *Drum* magazine editor Barney Cohen, are capable of killing at the drop of a match. They have developed a youth culture of alienation and intolerance that may be more destructive, in its sheer scale, than anything seen in Beirut, Belfast or the Gaza Strip.



The antagonists: a Zulu youth, left, stands behind police razor wire isolating his dormitory in Soweto. Xhosa fighters, above, form defensive ranks after a Zulu attack in Tokoza.

Apartheid, by robbing black community and family life of all authority and cohesion, is to blame. But so, to some extent, is the type of fight that blacks chose to wage against white oppression. For years parents have been standing back while their children moved to the front trenches of the freedom struggle.

The youth rebellion began on June 16, 1976, when the schoolchildren of Soweto, seething over the inferior instruction known as Bantu education, rose up in protest against the state's edict that their lessons must be learned in Afrikaans, the language of the ruling whites. The initial battles left more than 400 dead, but the uprising was never completely quelled. In 1984 the comrades of the still simmering townships rebelled again, setting off a series of violent protests that killed more than 2,000 over the next two years and prompted the government to impose a state of emergency. The turmoil presented Pretoria with grave political problems, including the imposition of stronger international sanctions, which President

F.W. de Klerk is still trying to solve.

But the endless conflict also helped transform black children. As the youth population mushroomed, so did its power to do violence. Now there are 28.5 million blacks in the country, half of them under the age of 14, many of them with no notion of how to live in a peaceful world. Black parents are frustrated at their inability to get their children to return to school. "Liberation now; education later" became the slogan of the 1980s, but it only promises to make the 1990s that much harder.

Spending its days in the streets, the lost generation alarms many black community leaders as much as it does white government officials. Perhaps half the urban youth eschew political activism, preferring to loaf, play soccer, drink beer and shoot dice. Thousands upon thousands of others are tough political activists. They seem to roam the townships like so many deputy sheriffs, setting down the law of the street and enforcing it with harsh punishment.

Although the practice has died down recently, teenage judges presided over so-called people's courts that almost casually handed out death sentences to suspected traitors. A youth invention that has not disappeared is "necklacing," the method of mob execution in which a gasoline-doused rubber tire is thrown around a suspected traitor's body and set ablaze.

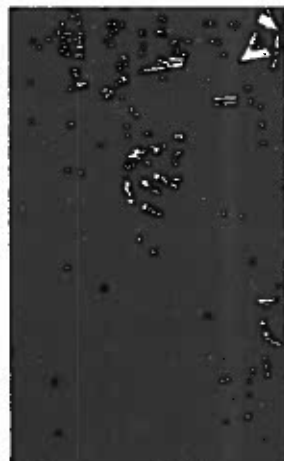
"Chris," 26, has no interest in working and little time for politics. He is too busy stealing. He started with cars, moved on to breaking into houses in the affluent white suburbs and eventually to armed robbery.

He claims that he would never kill for money. But he admits that he has killed out of revenge. After burying a friend who had been murdered, he and a gang of comrades armed with pangas went after the youth they suspected of the killing. "We chopped him up," Chris says. "His head was over here. His hands were over there."

Black crime is soaring. Poverty has removed the stigma from stealing, and young people are no longer afraid of the police. Blacks have invented a name for the new youthful criminals: they are the *comsotsis*, gangsters masquerading as political activists. In Soweto, which has 3 million residents, an epidemic of car thefts and armed holdups has left many people cowering in their homes after sunset. The township ranks among the murder capitals of the world: in 1989 Soweto reported 1,383 killings, compared with 1,900 in New York City and 434 in Washington.

Gangs conduct classes for young boys in the fine arts of car theft and burglary. They use Soviet-made AK-47 assault rifles to carry out bank robberies and payroll heists. Much of the crime is vicious. A bunch of street toughs recently murdered an elderly New Zealand tourist and stole his wristwatch after he made a wrong turn and wound up in Soweto after dark. "This is because black people are suffering," a black burglar told a white Johannesburg man as he robbed his house and raped a woman friend.

The most worrisome trend is the readiness of young rival activists to kill each other. In the province of Natal alone, more than 4,000 people have died



On guard at a squatter camp



The morning after a battle with the Zulus: two young survivors huddle outside what remains of their house in Tokoza.

since clashes erupted in 1986 between followers of the A.N.C. and the Zulu-based Inkatha movement, headed by Chief Mangosuthu Buthelezi. Instead of inspiring a new era of peace, Mandela's return has seen the fighting spread to Soweto and other townships encircling Johannesburg. In 1990 nearly 3,500 were killed in black communal violence, the worst year's toll in modern South African history.

Prince, 34, steered clear of politics to take advantage of economic opportunities opening up for blacks. He became a bank teller—until his world collapsed in 1983 when the bank was robbed by a group of his friends and police accused him of being the inside man.

After serving four years in prison, Prince is trying to build a future for his family. But he is filled with resentment when he sees the stark contrasts between black Alexandra township and the nearby white suburb of Sandton. "Even if you are blindfolded, you know you are in Alex by the smell," he says. "But get in your car, and in five minutes—look at the mansions, smell the flowers, see the BMWs and the overflowing grocery trolleys in the supermarkets. It can make you cry."

The dormant A.N.C. Youth League is being revived to bring the comrades under the movement's umbrella. The league's slogan—Fight! Produce! Learn!—echoes the mixed signals that A.N.C. leaders are sending to the youth. Mandela has been urging them to go back to school, but the A.N.C. still employs young students in boycotts that keep them in the streets.

Worse, the mass-action campaign includes attacks on black municipal councilors and black policemen—part of apartheid's

crumbling system—that encourage the perpetuation of black-against-black violence. In 1990 there were more than 400 recorded attacks on black councilors and policemen, resulting in at least 25 deaths. How will the young react when black politicians and police are representing a black government?

These militant strategies may keep youths motivated for the cause, but they do little to prepare them for a painful reality ahead. The "new South Africa," as Mandela and De Klerk both like to call it, may in many ways be as bad or worse than the old.

Blacks will have the vote and a right to equal opportunity. The new political system will presumably be a democracy. The black middle class of entrepreneurs, lawyers and other professionals that has sprung up under apartheid will grow. There is a reasonable chance for racial harmony, since even the most militant blacks accept the right of whites to be fellow South Africans.

But the huge economic disparities between whites and blacks will continue for years. A majority of South Africa's blacks are desperately poor: at least 7 million live in destitute squatter camps. They will see few dramatic improvements anytime soon. Black unemployment, as high as 41% in some areas, is unlikely to fall quickly. "The future looks extremely bleak," says John Kane-Berman, head of the Johannesburg-based South African Institute of Race Relations. "There is every possibility that the average person will be materially worse off than he is now."

Such a future would be a profound shock to the lost generation. The comrades seem to take it for granted that they have earned the right to the easy life-style en-

joyed by whites. They assume that once the A.N.C. controls the government, the benefits will start flowing to blacks.

But blacks lack the education and skills needed to expand the economy significantly in the short term. "There is absolutely no way that those expectations will be met," says Kehla Shubane, 32, a researcher at the University of Witwatersrand. Under optimal conditions, it could take South Africa between five and 10 years to begin making tangible progress. If adopted, the A.N.C.'s socialist-oriented economic proposals—popular with the lost generation—would only postpone material improvement.

Because the black leadership is afraid to alienate them, the restless youth may exert a baleful influence over the negotiations for South Africa's future political and economic system. "The youth support us because we speak their language—housing, education, jobs," says Jackie Selebi, a member of the A.N.C.'s national executive committee. "As soon as we stop demanding that, we will run into trouble."

This is exactly the kind of talk that makes whites insist on some kind of veto power under a new system. The existence of so many uneducated and unemployed blacks, says government negotiator Stoffel van der Merwe, "makes it more important to have a constitution in which the power of the majority is very definitely subject to checks and balances."

One way or another, the next generation of blacks can expect to win control of their lives. That will be a great day in South Africa. But no new political system—at least in the near future—will be able to fulfill the hopes of the generation that has already been lost. —With reporting by Peter Hawthorne/Cape Town



UNIVERSITY FACULTY SENATE
219 MCDOWELL HALL
NEWARK, DELAWARE 19716

(302) 451-2921
(302) 451-2922

November 30, 1990

Dear President Roselle:

Writing on behalf of the Ad Hoc Committee on Divestment, I want to thank you once again for agreeing to meet with the Committee on November 16. You may recall agreeing to receive written questions as a follow-up to the November 16 meeting. The following questions emerged from the Committee's review of the November 16 meeting and are intended to help clarify our collective understanding of various dimensions of University of Delaware policy against Apartheid.

1. What is the basis of longstanding University of Delaware opposition to divestment? Is the rationale economic, political, moral or some combination of these factors? In particular, does the University still maintain that divestment will adversely affect the majority population in RSA?
2. What evidence informs University policy?
3. What evidence would be necessary (or compelling) to change University policy on divestment?
4. It appeared to the Committee that the University has not bought stock in firms doing business in RSA. Is our impression valid? Is this deliberate policy? Have stocks of firms doing business in RSA been sold over the past decade as part of a policy decision?
5. It was unclear whether the Board of Trustees' position on divestment was based on a determination consistent with their fiduciary responsibilities or whether their policy was of a political nature distinct from financial considerations. Is the Board of Trustees' stand based uniquely on a determination taken solely within the ambit of their fiduciary responsibilities?
6. Is the Board of Trustees opposed to economic sanctions in principle? Do they not support Congressionally-mandated economic sanctions against RSA? Or, are they selective, supporting U.S. policy but opposing divestment?
7. The Committee was unclear how what you termed "programmatic" policy against Apartheid at the University of Delaware was devised. Could the administrative and decision-making structure of programmatic policy be clarified for the Committee?

David P. Roselle

- 2 -

November 30, 1990

Answers to these questions, which I hope are not excessive, would greatly aid the Committee. Any further help that you can provide will be greatly appreciated.

For the Committee,

David L. Colton

David L. Colton
Chairperson
Ad Hoc Committee on Divestment

DLC/wc



University of Delaware

OFFICE OF THE PRESIDENT
NEWARK, DELAWARE 19716

(302) 451-2111

December 6, 1990

David L. Colton
Mathematical Sciences
Campus

Dear David:

Your letter of November 30 is at hand. The nature of several of your questions is that there is quite likely not a single response for all members of the Board of Trustees. Thus, rather than to attempt to set forth all possible responses, I believe it the better course of action to assume that the resolution adopted by the Trustees sets forth well their collective view of the situation.

The question you asked to which I am able to respond is number 7. Specifically, the members of the Board of Trustees have recorded their desire that the University of Delaware conduct educational programs that are helpful to Black South Africans. The exact nature of such programs is for the University faculty and administration to decide. As Provost Murray detailed in the meeting, we have worked with the Episcopal Church, the Institute for International Education and other organizations to increase the number of such interactions. Any further ideas are most welcome and should be forwarded to Provost Murray.

I have referred your item 4 to Bob Harrison for response. I do not have easy access to the exact dates of the purchases of investments.

As we discussed earlier, I am agreeable to carrying forward your request for written commentary related to whatever document you decide represents the views of the Ad Hoc Committee on Divestment. I do not know whether persons will be moved to make comments, but I am convinced that such a process offers a better possibility of gaining a more full understanding than, for example, does your suggestion that I respond to the seven questions in your letter of November 30.

Do let me know if I might be able to be of assistance to the work of the Ad Hoc Committee.

Sincerely,

A handwritten signature in cursive script that reads "Dave".

David P. Roselle
President

DPR/mjm

A 8 Wilmington, Del.

Dec 12, 1990

The News Journal

A Gannett newspaper

Sal DeVivo President and Publisher

Henry M. Freeman
EditorJohn H. Taylor Jr.
Editorial Page EditorJohn N. Walston
Managing EditorNorman A. Lockman
Associate Editor of Editorial Page**STOP POLISHING THE CHAINS**

UD divestment needed for clear signal on racism

The University of Delaware is in a fight for the hearts and minds of its students. The issue is not merely that of freedom of speech for the rotting minds who are trying to spread bigotry on campus, it is also whether the university can enter the fray with credibility.

To that end, university officials and trustees would be wise to jettison the lame belief that divesting South African holdings would make things worse for black people in that nation.

A great many institutions bigger than the University of Delaware have divested such holdings and, from the standpoint of changing the policies and law of South Africa, black South Africans are far better off.

Many black South Africans, including Bishop Desmond Tutu, believe that the divestment movement in the United States accelerated the changes now occurring there.

In any case, divestment is a political act. It states the principles of the institution; draws a clear moral line against apartheid.

Continued failure to draw such a line, state such principles, constitutes a fundamental flaw in all of its other arguments in favor of human rights.

No institution in that position, no matter how worthy its intentions and how many scholarships it extends, can credibly combat racism on its own turf without appearing to be hypocritical.

Bishop Tutu would say to the trustees, as he has to many others who espouse the same position, "We don't want you to polish our chains; we want you to help us break them."

The University of Delaware is still among the chain polishers and the bigots know it.

Time to divest

Last week, the need for the university to divest from South Africa became more urgent than ever before.

F.W. de Klerk, president of South Africa, has proposed reforms that would further break down the walls of apartheid.

The European Community has decided to lift economic sanctions against South Africa in light of de Klerk's announcements.

But this will only allow South Africa's apartheid to fester under the guise of surface changes.

De Klerk has not enacted the reforms, economic pressure has.

Blacks still cannot vote. Apartheid oppresses non-whites, and until every vestige of the system is destroyed, sanctions cannot be lifted. New ones must be imposed.

And that means the university must divest.

The decision is moral. Investing money in an oppressive system is wrong.

The decision is political. Publicly endorsing the system encourages it to grow.

Last year, reforms in the Soviet Union and Eastern Europe changed the face of international politics. Soviet president Mikhail Gorbachev was awarded the Nobel Peace Prize for heading reforms that allowed unprecedented freedoms.

Today, that same man praised for perestroika and his commitment to human rights faces charges that he ordered an army crackdown on Lithuania.

At least 15 defenseless people died

The lesson is simple.

Reform is a slow and arduous process that in the hands of any leader faces challenges from societies that reject change.

The Faculty Senate Ad Hoc Committee on Divestment must confront the evils of apartheid and do something to combat them rather than sticking its head in the sand.

Divestment is the only answer.

Resolution from Professor David Smith, Life and Health Sciences, referred to the Library Committee

WHEREAS, the holdings of the University Library are the tangible expression of accumulated knowledge, and

WHEREAS, these holdings, especially the periodicals, are an irreplaceable primary resource for faculty conduct of scholarly research, and

WHEREAS, an interruption in the subscriptions to periodicals would significantly and permanently decrease the quality of scholarly research by the faculty, be it therefore,

RESOLVED, that the University Faculty Senate assert its position that maintaining the holdings of the library, including the maintenance of subscriptions to periodicals, is of the highest academic importance, and be it further

RESOLVED, that the University Faculty Senate implore the administrations of the library and the University to alter the proposed library budget so that the imminent large scale cancellations of subscriptions are not necessary.

