follow orders, men

WEST BERLIN (LNS) -- "I was only following orders!" was once the sort of thing you'd say in sarcastically ridiculing the Nazi mentality. But today, in West Germany, that derivative excuse is sufficient testimony from a Nazi was criminal to merit his acquittal.

The Nuremberg trials 20 years ago, in dead earnest, established in law the principle that people are responsible for their acts -- whether or not they are carried out under orders.

But the fifth penal chamber of the Federal High Court of Justice ruled recently that a former SS man accused of the murder of six Jews, Hermann Heinrich (found guilty and sentenced to six years in prison and five years of deprivation of civil rights) was in fact not guilty of complicity in the killings -- because he had acted on order and 'without racial hate.'

To justify the annulment of the verdict, according to Le Monde of Paris, the High Court invoked Article 50 of the German penal code. The Article had been modified on October 1, 1968, by an amendment which held that a participant in a murder did not act with 'particularly vile motives,' he would not have to answer to a charge of murder.

The High Court claimed that 'particularly vile motives' means 'personal' motives such as individual racism.

once again...

BUENOS AIRES (LNS) -- The army has placed Rosario, Argentina's second largest city, under martial law as troops battle with students who had taken over about fifty blocks of the city. The students had successfully defended the area against the local police force with barricades and bonfires.

Three students have been killed and hundreds injured in the past week. When other students in Rosario demonstrated in protest, police fired into the crowd, shooting at least twelve students and other young people. After the shooting, the police were forced to lock themselves inside headquarters for protection.

The army, in declaring Rosario an emergency area, gave the troops authorization to shoot if their commands were not immediately obeyed. This order was also aimed at labor unions, which had joined the student protest the following day.

In a further effort to contain the rebellion the army said it would impose the death penalty if any troops or government authorities were killed during the demonstration planned by the students and workers in Rosario.

The death penalty was abolished in Argentina in 1916, but the country is now ruled by the army.

To the Editor:

I wish to defend the student action of keeping the Army recruiter off campus which was attacked in an editorial in the May 29 Observer.

On April first, the dean held an open hearing so that student opinion might be considered in the drawing up of college policy towards visitors (see 'The Army Comes to Bard', Observer, April 10). Of the twenty-five students who were sufficiently interested to come, not one advocated the policy which was later adopted by the college. With student opinion thus thwarted, we saw no alternative than to act.

The issues of whether or not the right of recruitment is identical to the right of free speech is still controversial. The dean at New Paltz, for one, is convinced that the two are incompatible, and that recruitment of any kind has no place on a college campus. Had Captain Randolph come to Bard to speak for educational, even for propaganda purposes, we would have had no objections to his visit, regardless of the ideas he presented. Had we disagreed, we would have satisfied ourselves with question ing him and debating his point of view. But, as the captain himself stated, he came solely to recruit -- and it is recruitment which we could not, in good conscience, allow.

Finally, we reject the solution of declaring the recruiter a peddler. As imaginative as this suggestion may be, serious objections are revealed with careful thought. Not only would this questionable label cut no ice, in Ludlow, it obscures the political issue at stake: the man did not come to peddle anything, he came only to find men to serve the military, which gives essential support to America's exploitation and oppression of people all over the world. We could not, therefore, cooperate with this oppression by tolerating the functioning of the military on our campus.

Sincerely, Marian Sverdlow
30 May 1969

heavy...

To the Editor:

I would like to publicly disclaim any part in the formulation of the title 'Diverted Zillage' which appeared over the article I wrote about the arrests in the deserted village in the Observer of May 22. I feel that this title introduced an element of levity totally out of keeping with the seriousness of the event described in the article. The original title was 'Police Harass Five Bard Students' and I think other this, or a slightly less formal variation, would have been more appropriate.

Michael Hodd
31 May 1969

what next?

PHOM PENH (LNS) -- Prince Norodom Sihanouk threatened to sue the United States government for $4 million in the World Court, unless Cambodia receives compensation for defoliation of trees.

Sihanouk said that during April, U.S. planes defoliated 37,000 acres of rubber trees in Kampot Cham province, next to South Vietnam. The spraying of the trees with chemical defoliant caused 'unprecedented catastrophe.'

antioch-columbia

For those who believe that education is more than a teacher telling the student what to do and what to think, a new college, Antioch-Columbia, is opening up in Columbia, Maryland, this fall. They have an unusual view of what college and learning should be. 'Try to put out of your mind any preconceptions that college education necessarily involves a campus with students doing such things as taking courses, earning credits, meeting pre-set requirements, getting grades, taking tests, doing assignments, or majoring in a subject defined by an academic department. We are setting out deliberately to test whether there are other -- and better -- ways of achieving the goals of higher education.'

As an Antioch College field study center, Antioch-Columbia provides a means to pursue an academic degree. But we are developing a program that defines a degree in new terms. We want to create means to help students discover what they want and need to learn and how they can best learn it. We believe that ideally those means are not "teaching" but a selective engagement with, reflection upon, and research into real problems and issues in the environment.
Most of Monday night's Senate meeting was taken up by discussion of the concert which Phil Dunkelbarger's Ad Hoc committee has been trying to get off the ground. Since, gentle reader, you will know as you read what transpired at Tuesday night's community meeting, I will abstain from going into the full details of that discussion that led to the meeting. Here are some points that Phil raised - Of the original plan to put profits into an escrow fund, Bill Walsh, former trustee of the college suggested that for tax purposes these funds instead go into a special Senate fund. Phil wants people to be able to sleep over in the concert area. After the benefit committee meets expenses, funds will go to the defense of current cases and toward future bail. Money to be used in court suits will go back to the fund should the suits be won. Slater will set up a food stand, and for every thousand dollars collected, four hundred eighty will go to this fund.

The meeting was opened for general discussion and the points made against the concert and the ad hoc committee fell generally in the category of unpracticality. People said there would be inadequate protection to the school, that a riot was sure to develop, that parking would be an insurmountable problem, and that Bard students would not cooperate in low-keyed crowd control. Each attack was met by Thom Mount and Mr. D. Provisions are being made for almost every eventual. There is a risk-drenched up young rowdies are more dangerous than doped up freaks, but the risk is what we as Bard students must be prepared to handle. Anyway, there was a meeting on Tuesday, so...

Jeff Raphaelson visited five schools as part of a dining commons contract investigation committee. He says that Slater food is better than anything he has seen and he recommends that Slater buy a broiler, that dining commons no longer be open for breakfast and that the coffee shop buy another grill to handle breakfast. This meal could be bought with a pre-paid for meal ticket.

Bob McIlvain proposed that Senate send a letter to the president with copies to the bookstore asking that it be open 9-5 weekdays, and 10-4 Saturdays with no holidays other than those recognized by the school. Also, that they give at least a ten percent discount and have an expanded magazine and paperback book section. Senate so moved, and adjourned.
In Berkeley police opened fire on the white movement for the first time. Last week the city was virtually under martial law, patrolled by the National Guard, with civil liberties in abeyance. The issue is a park, which seems a palpable cause indeed; but the issue is really the question of the use of property, the use of land, and, underneath, the survival of the largest, most intact community of white radicals and cultural revolutionaries in the U.S.

Thursday, May 15, Alameda County Sheriff's police, California Highway Patrolmen, and Berkeley police shot at least 50 (by some accounts over 100) people on and around Telegraph Avenue. Many were simply bystanders. One person had both eyes penetrated by buckshot. He is not expected to regain his vision. Another died last week of buckshot wounds. Alameda County Sheriff Madigan said shooting was necessary, in part because 'the radicals had developed an antidote for tear gas,' in part because officers were surrounded and bombarded by rocks, bricks and planks. But the use of shotguns, .30 caliber carbines and .38 revolvers was not provoked. Photographs as well as eye witnesses (one photo published in the San Francisco Chronicle showed a fleeing man being shot in the back) testify that most of the shooting was conscious and unprovoked. Berkeley -- its south campus (Telegraph Ave.) area in particular -- is America's revolutionary stronghold. The very weakness of that stronghold, its insularity, is its strength as well, for radicals and students as well as the burned-out and life-seeking have made the area their home.

Thus it was far from "provocative" for leading citizens --- and denizens --- of the Avenue to begin in April to build a park on a muddy block square lot, one block off the Avenue, four blocks south of the campus. There was an acute need for common space, breathing space for the avenue and its culture. The lot had been bought by the university in June, 1969, for $1.3 million, for alleged dormitory expansion. In fact, the existing dormitories are such miserable places to live that they are underpopulated. But the university gets federal subsidies and control by tearing down off-campus student housing. The city fathers urged the regents to purchase the land, but it was the university administration which pressured the city. For almost two years, the lot lay worse than fallow. The university budget was so tight that dormitories were at least ten years off in planning. Students used the land for parking their cars. The mud was thick.

The street people bought sod and laid it down on part of the lot. Over three or four weeks, hundreds, then literally thousands, including many students and many college-town matrons spent hours digging a fish pond, planting gardens and trees, putting up swings and see-saws, preparing food over a permanent bonfire, playing flutes.

On weekends there were thousands working. No exaggeration: Many said it was the most engrossing work they had ever done. Almost instantly the park --- the People's Park --- blossomed from an issue into the crystallization of the street community itself. The university began to rumble about private property. Park people got a bulldozer and liberated more turf for the park.

The university was ruthless. Chancellor Roger Heyns dabbled in public relations plays, but consistently refused to take People's Park seriously. The university zipped out a plan to make the land a soccer field. But according to the official campus architects, a soccer field was not part of the official plan for the park lot. The park was "university property" period. The university refused to heed the recommendations of its own advisory committee of housing and environment, which basically supported the fait accompli of the park.

On May 13, Heyns agreed not to saw down the park's single redwood. He laid out some bureaucratic guidelines instead: 1. the functions of the field must be related to university needs, particularly student needs for recreational space; 2. that the area must remain under the control of the university; 3. the field must not present police or other control problems; 4. it must not be used for the gathering of large crowds for meeting purposes. He affirmed that the university would fence the park. He added, "The northeast area (one quarter of the whole) can then be developed as an outdoor recreational area to include greenery and play equipment for the children of married students.' Having said as much, Heyns hustled off to Washington for a National Science Foundation meeting.

He left behind his heavy, executive vice chancellor Earl Chelit. Chelit's firm position: "One does not plan around the desires of 50 people.' On Tuesday, May 13, a mass meeting in the park had elected a negotiating committee, which said it was 'ready to talk anytime and anywhere (even Paris).'

Wednesday morning, 'no trespassing' signs were posted. They ended in park bonfires. Thursday at 4.30 am, 250 cops cleared the park of its 75 sentries, arresting three, and sealing off blocks around. The park was matted, reduced and elevated at once to that symbolism reserved for objects that no one is permitted to use anymore. By 6 am, workers were installing a chain fence, converting the park back into property. The fence was up by noon.

And at that noon, 6,009 people came to a campus rally. The president-elect of the UC student body, Danny Siegal, needed to say little more than a word and the crowd was off down Telegraph to the park. Police clubs held high, were waiting. In defense, some demonstrators held up a sign: a few rocks were thrown. Then tear gas, from the cops. The rest of the afternoon was open war.

Very few demonstrators were arrested, no more than 49, if that many. Alameda Sheriff's men literally shot first and asked questions afterwards -- including one on the campus small knots of people roof top onlookers, it didn't matter. Although the police claimed demonstrators fired, they have not produced a single shot-up cop. (One cop was stabbed in the chest; he was released from the hospital later the same afternoon.) The crowd demolished a City of Berkeley car and burned it after the two police in it had escaped. Reporters from the San Francisco Chronicle and Los Angeles Times were shot. The total number of injuries was impossible to ascertain.

No one is saying who ordered the shooting. Alameda Sheriff Madigan does not disown it. If low-ranking officers gave the direct order Madigan certainly had to approve the equipment. San Francisco Police Chief Thomas Cahill, on the other hand, publically excoriated the head of his Tac Squad for using shotguns. The conservative Berkeley Gazette asked in a front page editorial, 'Were things that Desperate?'

Thursday afternoon, Ronald Reagan ordered the National Guard into Berkeley under sweeping proclamation. He said the park people had prepared bamboo spikes in the park. The Guard has encamped on People's Park. All public assemblies are banned. A nightly curfew has been in force. Army helicopters are everywhere. Cops have arrested leafeters. All during the weekend, thousands of people walked through the city decrying the dedication to People's Park. Gas has been used to disperse most attempted rallies, though the subsequent marches moved fast, often faster than the motorbound guard.
I was talking with _______ the other day, and she told me that the noise coming from _______ 's room was keeping her awake at night and driving her nuts. She said she could have sworn it was _______ 's voice, but is that possible? I always see him down the road with _______ and she lives in Blithedood. Odd too, that I've seen _______ coming from Robbins House for four mornings in a row. You never can tell about _______ though. Ever since she and _______ broke up. Just the other day I stood in line behind her and _______ in the infirmary, and the way they talked about _______ you'd think he was the only _______ in town. Too bad for _______. By the way, did you ever notice that _______ and _______ never talk to each other when they're sitting together? I think they hate each other and Bard so much they're just holding on till they get out of here. I have a feeling she knows about _______. Everybody in the faculty has been talking about how mad _______ is because of _______ and _______, but I think that _______ was just jealous because of _______'s being a student and all, and anyway I don't think that could really be true. Not _______. Oh well, everybodys getting everything. Ever since _______ got athlete's feet, he hasn't gotten a thing. But ever since _______ got a suntan and a sports car, _______ has been out of the picture. I heard that _______ is ditching the mole and has designs on _______. But ever since _______ went to Mexico for a _______ _______ won't be coming back next semester. Maybe that's why _______ has been drunk down the road every night. denies everything, though, and anyway she said that _______ had really bed breath. Funny that I saw them together at _______'s party last Saturday night. I heard that his creeping score was really going up fast, and that his hanging around with _______ _______ was only a front. I guess ever since _______ and _______ went skinny dipping together, they've realized they were made for each other. Did you hear about the other people in on that? _______ won't say a word about it, but _______ told me that _______ couldn't get his clothes off fast enough. Probably frustrated because he's still hung up on _______. Too bad. They'd really make it if _______ wasn't such a Dum Dum. I heard that from _______ who made the mistake of _______ last school year, and now he can't get rid of her. How come he's always talking about how _______ he is. Nobody can figure out what's coming off with _______ and _______. I guess she couldn't resist a line with _______.But realized that _______ was the man for her. Who knows what's going on down there off campus in Amadale. Between what's going on at _______'s house and _______'s affair with _______. It looks like a bad case of Westport Roulette. Pretty careless of _______ but you have to take into consideration the group he lurks around with. Speaking of the Drama Department, have you noticed the change in _______ since _______ put the skids on ______? Personally, I think it's all _______'s fault. _______ says it's because she's a Leo and he's a Scorpion, but I think if he would have settled down with _______ he wouldn't have caused all this trouble.
The planned benefit concert for the establishment of a rotating bail fund has the potential for being either a complete success or a total disaster. The idea is great. The planning and execution are vital. If we are to have such an event at Bard, we must be absolutely certain that adequate security measures are planned. Every student must realize his responsibility in keeping the event under control. If we can work together to make this concert a success, we will gain not only an emergency bail fund, but also reestablish what has been often mentioned but seldom witnessed—community spirit (whatever that means).

The election for President of the Student Association will be held on Monday, June 9. Those eligible are the members of Student Senate: Ted Boli, Mark Gorbolew, Nick Hilton, Steve Levy, Bob Melnick, Larry Merrill, Wes Moore, Jeff Raphaelson and Jay Weil.

As of press time only Raphaelson and Weil have entered the race. Weil has previous senate experience, but his voting there shows an erratic and irrational pattern.

Jeff Raphaelson has served this semester on HPC and has demonstrated his concern for academic reform. He recently chaired a committee studying the food situation in dining commons and produced a report which should be a tremendous aid in remedying the food situation. Because of his genuine concern and real ability for bringing about much needed reforms, the Observer endorses Jeff Raphaelson for President of the Student Association.

This is the last issue of the Observer for the semester. Even during this one semester, the Observer has grown and changed. We’ve come a long way, but still have a long way to go in providing Bard with a responsive, reliable, and readable newspaper. With the interest and help of the community, it will continue to improve. Publication will resume in September... but let’s not think about that.

I found that Annandale road was completely devoid of children for the first time this spring, and subsequently I squeezed into the parking lot as frustrated as I was when I squeezed out of Robbins. Lacking anything better to do, I decided to wander up to the coffee shop and make eyes at the ladies. This was accomplished easily, and I walked back out into the evening benignly sipping a chocolate milk shake. There I was confronted with a remarkable cluster of students, all smiling, which was strange enough, and numbing something about the president of the college. Immediately I sensed that something was amiss, and I searched a familiar happy face, and doing my famous imitation of Sherrif Quilligan, I pumped her for information.

Initially I was both surprised and delighted to find out what was going on, and my mind was staggered at the thought of the remarkable concert that was going to take place in our very own college. My younger generation appetite aroused. I began to foam at the mouth when the president’s position was explained to me. Being swept along by the sheer mass of the crowd, at least a hundred and fifty strong. Indeed I was almost overwhelmed by the very size of the group, when I remembered that I was at Bard and knowing that the only thing students really got together on was going down the road. When we approached the north side of Wardens I found that the group was expected, and in a show of organization there was a microphone and amplifier waiting. Sittting on the grass I listened to the various proponents of the concert, and it really dawned on me just what it would mean in terms of raising the social position of the Bard student when he sorted out into the real world. Clapping madly, and signing everything that I could get my hands on I began to think just what would happen. I could see that the concert would be a massive coup on the whole musical world, that for years people would say, “Were You at Bard? At THE concert?” and when you let slip that not only were you there, but at the time you were a student at Bard, and it was your show. There would be a hushed reverent silence in the crowd around you, and someone would mumble “wow.” Then, finally, this beautiful creature that you’d been chasing all night would softly approach your side and begin to whisper sweet noth-
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CORRECTION:
The May 28th issue of the Observer stated that in 1967 the library bought 400 new reference records. The correct figure is 2000 new reference records.

30.

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