

Perrin...

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Liberal Arts. Raymond Birn, associate professor of history, expressed both positive and negative feelings about Perrin.

In a letter dated Dec. 21, 1970, Birn said, "During our discussions over the Honors College course, I had the feeling that Perrin's attitude towards his undergraduates was condescending. He preferred to lecture and tended to advocate the master-apprentice relationship with his students. But he was a thoroughly dedicated teacher, with a professional sense of history that must have been apparent to those in his class. He was very demanding, but held on to his students. As time passed I concluded that excellent control over his material must have warranted their respect."

"As I understood Perrin's limitations in subsequent years," Birn's letter continued, "I appreciated him more. I learned that his authoritative manner around colleagues was veneer covering intellectual and perhaps social insecurities."

Birn also referred in his letter to Perrin's research activities. "His (Perrin's) published research is somewhat difficult for the non-specialist to follow, in that Perrin approaches the problems of medieval legal terminology by attempting to recreate the dialectic of the lawyers themselves. To an extent this is well and good. It is instructive to see an historian follow the course of the arguments of medieval men. But as an end in itself I for one find such research to be shortsighted, and the greater part of Perrin's two articles reads like footnote elaborations," Birn said in his letter.

"I do not know whether Perrin has submitted other work to professional journals and presses," the Birn letter continued. "If he had, and if it passed successfully the rigorous editorial scrutiny of such publications, I would feel more confident about what he is doing. At present, unless Perrin extends the range and methodology of his research, I just cannot see what significant contribution he will make to research."

"Summing up," Birn's letter said, "I find that Perrin is a man of mixed qualities. Certainly he does not measure up intellectually to Robert Lang, for whom I wrote an earlier letter. Perrin, however, has grown considerably as a teacher since 1964, and at this moment must rank among the most effective in the History Department. As a colleague, he is exemplary—doing administrative jobs well. My main question concerns his research. He has demonstrated an ability for close analysis of texts. Can he go beyond what he has been doing? After a long season of doubt, I stated my belief that he could when I voted for a recommendation for tenure and promotion."

Department head evaluation

Stanley Pierson, head of the History Department, wrote an evaluation letter to Starlin on Oct. 28, 1970 in which he outlined the main points of discussion which arose when Perrin was reviewed by his department.

"The reservations expressed in the negative votes and indeed in the judgments of several faculty members who in the end cast affirmative votes, centered mainly on the issue of the quality and the promise of the candidate's scholarship," Pierson's letter said.

"Here, as in the case of Lang Oregon Daily Emerald

and several individuals advanced during the past several years," the letter continued, "the rate of scholarly publications has been slow and it is rather difficult to assess the potentiality for the future."

"Not all of the members of the tenured faculty were concerned about the question of Perrin's scholarship," it said, "a number feeling that his strengths in other areas more than compensated for his slow rate of publication."

"I think it is fair to say that they are convinced that Perrin's advancement will in fact strengthen the scholarly and professional commitments of the department," the Pierson letter said.

Pierson "had no serious reservations" that Perrin showed the necessary commitment to sustain teaching and scholarly growth. "He is extremely hard working; he is well trained," his letter added. "He will wear well."

Hovet's report of the Advisory Council seemed contradictory to Pierson's assessment of Perrin's teaching ability. Hovet's report said it was "lukewarm to favorable—it is adequate." Pierson's letter said the question of Perrin's teaching raised little disagreement among the tenured history faculty. "He is strong at all levels—graduate, upper-division, and lower-division," it said. "One of the members voting against him for tenure described him as a superb lecturer, as one who had mastered the art of teaching."

Stanly Pierson's evaluation of John Perrin indicated positive support in all areas.

William Hanna, associate history professor voted for Perrin's promotion during the history department meeting, but he did so "with considerable reluctance." Hanna said in an evaluation letter to Starlin dated Nov. 16, 1970, "His (Perrin's) research is a weakness that signifies a good deal about Perrin's mind and potential for growth." "I cannot envision much expansion of John's mind from this work or much substance it will add to his teaching," it added.

"Perrin will likely bang away at it (his research work) as he has been doing, with stubbornness and meagre results," Hanna's letter said.

"In short, if the department is to become stronger—both in the profession and in the University—it will probably not promote many from the Perrin, Maddex, Woodham, Lan, Falconeri group," it said referring to other history teachers requesting tenure. "This is painful, for it means filling these vacancies when money for hiring is scarce. Inertia and the unwillingness to accept the trouble and risk of the loss of one or more of our staff are the chief causes of our easy recommendations for promotion. Had I not been temporarily weary of the battles, I would have voted no on promotion for Perrin," the letter said.

The evaluation authored by Robert Smith, now head of the History Department, did not agree with Hanna's letter. Smith characterized Perrin as a "professional" with very high teaching standards who demanded a high level of student performance.

Summing up his evaluation letter, Smith said, "It seems to me that John Perrin meets the requisites for advancement to associate professor in the areas of teaching, service, and scholarship in the broadest sense. His weakness in the area of publication is relative and does not outweigh the many positive factors in the other categories. Nor is that weakness in

publication something that has much chance of continuing. There is too much professionalism in Perrin's make-up. He will publish because that is the professional thing to do."

Letters inconsistent

Like the evaluations written within the University, the letters from the outside evaluators show inconsistencies. A letter to Paul Holbo, associate dean of the College of Liberal Arts, dated Nov. 9, 1970 from Norman Cantor, distinguished professor of history at the State University of New York at Binghamton, was one of six outside evaluations weighed by the University in its decision.

"I regret that I am not familiar with the work of Mr. John Perrin," Cantor wrote. "Looking at his list of published work, I am not surprised by this unfamiliarity," the letter continued. "He has published only one article in a rather obscure journal. 'The article that will be published in the Gains Post Festschrift looks interesting, but as far as I know this book hasn't been published yet,'" the Cantor letter added.

Cantor either didn't read Perrin's published work (or his unpublished work in manuscript form) or he simply failed to comment on it in his evaluation letter.

Cantor summed up his evaluation by saying, "I might as well tell you my prejudice, so that you can discount my opinions if you wish. I regard Gains Post (Perrin's thesis professor at Wisconsin) and his students as a curse on medieval history. It took Post 40 years to produce a significant book; even then it isn't very good. Not surprising, his students that I have encountered are consistently mediocre."

The University apparently did not discount Cantor's evaluation. President Clark quoted Cantor in his Statement of Reasons for firing Perrin as an example of the negative evaluations. He cited Cantor's statement that Perrin's "published work is so slim in amount that he could not possibly have status in his field."

Several evaluators questioned the quality of the journal in which Perrin published his major research article. At the time Perrin was evaluated his only major article, "Legatus, the Lawyers and the Terminology of Power in Roman Law," had been published in *Studia Gratiana*, a European journal specializing in medieval history. Another major article, "AZO, Roman Law and Sovereign European States," had been accepted for *Post Scripta* but at the time was not in print. The "AZO" manuscript was presumably available to the evaluators, however. It has since been published.

Holbo requested an evaluation of *Studia Gratiana* from Howard Kaminsky of the University of Washington History Department. Kaminsky replied in a letter to Holbo, "I regard it as a sound and respectable scholarly journal, and believe that this would also be the opinion of most medieval historians."

William Bowsky, professor of history, University of California at Davis, said in a letter *Studia Gratiana* was too specialized for him; he had not read Perrin's article. He said he could not, therefore, evaluate Perrin.

"Much promise"

Another evaluator, Stephan Kuttner of the Institute of Medieval Canon Law in New Haven, Conn., cited a few technical difficulties in Perrin's article. He finished his evaluation, however, writing, "There is definitely much promise in the work. I suppose

that he will in time make significant contributions to Roman and Canon law in the Middle Ages." He expressed the hope in his letter of meeting personally with Perrin.

Work praised

John Moore, professor of history at Hofstra University in New York sent an evaluation to Stanley Pierson of the History Department on Sept. 16, 1970. In his letter, he said a brief conversation with Perrin in Kalamazoo, Mich, and personal correspondence had indicated to him that Perrin had "raised significant questions (in the field of medieval history) and has provided valuable material to be used in attacking those questions."

Beyond this, however, Moore said in his letter he had not read Perrin's "Legatus," article and couldn't evaluate it.

Burton Moyer assessed the most positive of the six letters from off-campus evaluators as "somewhat positive." The text of an evaluation letter from Benjamin Nelson, an expert on medieval history to Stanley Pierson on Aug. 4, 1970 indicated that Moyer's characterization of the letter wasn't entirely correct.

"I am, indeed, very pleased that the close readings of Mr. Perrin's two essays confirms the strong and favorable impression I got from my meeting with him at Kalamazoo," Nelson wrote. "In both essays Perrin goes beyond an expertise in Medieval Civil and Canon Law, which is itself rare in the United States. I am confident that in the years ahead Dr. Perrin will expand his own scope so as to make significant contact with issues of greater general interest," Nelson's letter continued.

"The present letter is intended to convey an assurance that Dr. Perrin has exemplary learning in a field of ever growing importance in the United States," Nelson wrote. "I have seen and listened to many papers by Wisconsin men over the years. I would put Perrin's work ahead of the others," it added.

After Perrin received notice that he had been denied tenure and promotion he met with President Clark and Alpert in an attempt to determine why the decision had not been in his favor. The discussions, according to Perrin, told him nothing. At that point, he requested a "closed-door" hearing where "each side could lay its cards on the table" without the case becoming a public affair.

Open hearing set

University administrators and the State Board were disagreeable to this proposition, so an open hearing was scheduled. The State Board appointed a hearings officer, Eugene attorney David Andrews to conduct the hearing. John Leahy, assistant attorney general, represented the State Board. David Frohnmayer, President Clark's legal counsel represented the University. Perrin asked Eugene attorney Ed Fadeley to present his case.

The role of the hearing officer, Andrews, was not to issue a judgment or a judicial decision. Rather, Andrews was to report his "findings of fact, conclusions and make any necessary recommendations" to the State Board.

The hearing commenced May 9 last Spring in the University Law School moot court room and lasted five days. During the course of the hearing several witnesses were called to testify for the State and for Perrin. Perrin's evaluation file, previously held confidential, was admitted as evidence during the second day of the hearing. However, it was not placed in the

public record until after the hearing examiner completed his report.

Clark testified

When President Clark took the witness stand on the fourth day, he questioned the validity of the evaluations offered by members of the History Department.

"If eminent historians who are friends of the professor are asked to evaluate him, I would question the validity of their opinions," Clark said. "Men are men—we can't help but be reduced in objectivity when we know the man."

"One is much more likely to get a candid, frank appraisal of a person if he is not acquainted with him," Clark added.

The crux of Perrin's case was to prove with substantial evidence that Clark's reasons for firing him were "wholly inappropriate as a basis for the decision or that they were wholly without basis in fact."

Several witnesses traveled to Eugene to testify in Perrin's behalf. They included Gains Post, Perrin's thesis professor and James Brundage, a medieval historian from the University of Wisconsin. Members of the University history faculty and former students testified that Perrin was an excellent teacher and an outstanding scholar.

During the third day of the hearing, Perrin took the witness stand. Ed Fadeley, his attorney asked him to explain the difficulties involved in his particular area of research—the study of Roman and medieval Canon law. Perrin said the scarcity of reference material on the West Coast makes research in his field difficult. "The most authoritative and original documents are available in London, Paris and Rome," Perrin told the court. He added that they are unavailable to him because he doesn't have the financial capabilities to carry out his research work in Europe.

Legal jousting ends

The tenure hearing recessed after five days of legal jousting and extensive testimony. It reconvened briefly Aug. 9 when the attorneys presented their final oral arguments. During the recess, attorneys from both sides submitted supplementary briefs answering a number of questions raised by the hearing officer.

Andrews stated in his report, released Oct. 9, that, "Scholarship is totally an evaluative and judgmental matter. It is apparent that it's not limited to published works, but other matters are involved. Most of the evaluators," the report said, "did not know of approximately 50 per cent of what he (Perrin) had written...because it was still in manuscript form." "...the promotional file was particularly weak for a complete and fair evaluation of his scholarship," the report said.

"The very difficulty in evaluating scholarship highlights the judgmental factors involved," Andrews' report said. Andrews met the central issue of the case when he wrote, "The President was not clearly wrong in his evaluation of the Petitioner's (Perrin's) scholarship. His evaluation was not wholly without basis in fact."

Thus, Perrin had not proved his case to the satisfaction of the hearing officer. Andrews, therefore, recommended that Clark's decision to deny tenure and promotion for Perrin should be upheld by the State Board.

Andrews reported that Perrin "...is a good, perhaps even strong teacher." "(Perrin) meets the criteria for teaching set forth in the indices used in the evaluation of faculty for tenure," he wrote.

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