



The Association of American University Presses

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REPORT OF THE PRESIDENT - Frank A. Woodlaw

Annual Meeting, June 1963

In the olden times in Texas, before the undertakers' lobby put through a law requiring you to be embalmed even if it is your intention to be cremated, there were tales, such as those prevalent in all lands and all ages, about people being buried alive. Sometimes there were narrow escapes. There was one authenticated case of a woman who had apparently died and was being funeralized. As the pallbearers were carrying the pine box which served as a coffin out of the church, they bumped it against a post, the lid flew open, and the corpse sat up, somewhat bewildered to find herself the center of so much attention. She returned home with her even more bewildered husband and lived for another ten years, whereupon she died again. That time, as the pallbearers were carrying the coffin out of the church, the husband rose up and called to them, "For God's sake, boys, watch out for that post."

Now, there are always dangers inherent in repeat performances, and I should have followed the example of my immediate predecessor and refrained from making a presidential address in the first year of my presidency, holding my fire for my final year as I prepare to totter off into the twilight and join Tom Wilson and Lambert Davis and the rest of the old boys in the limbo of Elder Statesmanship. But here I am on my feet before you again (I'll you how you know that your are an Elder Statesman--you begin to feel your corns more than you feel your oats). I don't know that I really have anything to say to you that I haven't already said and that you don't already know. However, it behooves me to say something about the state of our union, and I shall do so with special emphasis on international affairs and the Internal Revenue Service (don't worry, I'll keep it clean).

On the whole, if you can forget IRS (and who can?) it has been a good year, a constructive year, and the end of it sees us in better shape in nearly every respect than did the beginning. The credit for this achievement belongs to the standing and special committees which have put in so much hard and intelligent work; to our new Executive Secretary, who took up ably where his predecessor left off and carried on without missing a lick; and to our extremely capable and devoted staff, both in New York and in Chicago. As for my own role in what has been achieved, I can only say that Cotton Ed Smith said to be a heckler at a political meeting in South Carolina. Cotton Ed was running for re-election to the Senate on the platform that the price of cotton had risen during the preceding six years. "What did you have to do with the rise in the price of cotton?" the heckler demanded. "Boy," Cotton Ed replied, "I was thar when she riz."

I can tell you that it has been an almost unalloyed pleasure to serve as your president, although I can't pretend that it won't be a relief to press the torch into the eager hands of my young friend from Chicago come July 1. Throughout my tenure I haven't called on a single member of the Association for assistance without getting it. (As a matter of fact, I haven't asked anybody for his opinion without getting it--and sometimes I didn't have to ask. A wife once said to her husband, "When I want your opinion, I'll give it to you." I've tried that once or twice with members of the AAUP, but it never works.) You are a wonderful bunch of individuals, you know. There are some pesky critters among you, but if there are any rotten apples in the barrel I haven't located them. Walter Webb once said about one of his colleagues that he was the kind of man who makes you wish that birth control could be retroactive. I don't feel like that about any of my colleagues in AAUP.

It would be redundant and completely unnecessary for me to summarize the program of the Association during the past year. This will be done in a series of committee reports which will be placed in your hands and which will inform you in detail as to how such things as the Exhibits Program, the Educational Directory, Scholarly Books in America, and other instruments of our cause have been conducted during the past year and what is recommended for them in the future. I should like, however, to call your particular attention to the report of the Committee on Admissions and Maintenance of Standards which recommends that an intensive study be made during the next year of the purposes, programs, and aspirations of our Association, and that future policies in regard to admissions and maintenance of standards be viewed in the light of our meditation on these things. The 1964 meeting, Mr. Shugg, should be a lively one.

And now in this non-address (I have cleared the use of the term with the permissions department at Harvard), I want to touch briefly on two areas of our Association's activities during the past year which have loomed larger in our deliberations than anything else. I refer to our relations with the Internal Revenue Service and our relations with the rest of the world.

Most of us look upon taxation more or less as an act of God about which we can do little or nothing. In the case of IRS's designs on AAUP, I am reminded of a coroner's jury in the mountain section of Greenville County, South Carolina, that brought in a verdict to the effect that the corpse in question had met his death "by an act of God under very suspicious circumstances."

All of us are aware of the fact that the Federal government has been increasingly concerned with abuses of the tax exempt status by certain organizations, institutions, and foundations whose basic purpose has been to avoid the payment of legitimate taxes and whose immunity has been used as a cloak to disguise and protect activities not related to the primary purposes upon which their exemptions were based. The objective of this governmental crack-down is laudatory, but every gigantic bureaucracy is plagued by its very nature with a myopic lack

of discrimination in the application of principles which are per se basically sound.

On October 1, 1962, the Association of American University Presses received from the New York District Director of the Internal Revenue Service formal notice that it would recommend to Washington the revocation of our C-6 tax exemption (that of a trade association). The decision to recommend revocation was based not upon the profits (or lack of them) attendant upon our activities, but upon the judgment that the Association is predominantly engaged in activities for the improvement of the business conditions of its members as distinct from the industry generally, and that these activities constitute a business of a kind ordinarily carried on for profit.

Now, nothing could be easier than to operate this Association in such a way that there would never be any "profits," so the question about the payment of taxes (except of course for back taxes) is a moot one. However, the Executive Committee realized that important principles were involved which not only might seriously affect the Association's future activities, but which also might some day cast a cloud on the status of our members. We employed counsel (the firm of Weil, Gotshal & Manges) and they looked thoroughly into the matter, coming finally to the conclusion that not only was the revocation of our C-6 exemption unjustified, but that there was even legal basis for hoping that some day our C-6 status could be changed to C-3, the kind of exemption which all of our members enjoy as educational organizations. Our counsel filed a brief with the District Office of IRS which set forth our case with consummate logic and convinced the Executive Committee completely, but which unfortunately did not convince IRS. The New York office reaffirmed its decision.

If you should be so fortunate as to live in Texas, you would know Davey Crockett's motto, "Be sure you are right, then go ahead." (My son George at the age of twelve converted this motto to "Be sure it's a girl, then go ahead.") Anyhow, your Executive Committee was confronted with the decision either to accept the ruling of the District Office or to appeal the case to Washington. We were convinced that we were right, and so unanimously and without hesitation we decided to appeal. We felt that we owed it to the Association, to our members, and to all others of the Pure in Heart who are similarly situated to obtain a final determination of this matter on the highest possible level.

To paraphrase the legal brief submitted in our behalf, AAUP has never strayed from its original purpose; its activities are closely related to those of its members and are, therefore, covered by the exemptions of its members; its activities are not those ordinarily carried on for profit within the meaning of the regulations, and its activities do not merely serve the interests of its members.

All this may sound pretty doleful, but don't let it get you down. If at the end, the forces of righteousness do not prevail and we lose our tax exempt status, we can roll with the punch and keep on going with our services virtually unimpaired. We can segregate the Educational Directory, the Exhibits Program, and Scholarly Books in America in a

separate organization (shades of University Press Services), or we can form a separate foundation on an ethereal plane which will be dedicated to such purposes as receiving foundation grants to further the cause of enlightenment through scholarly publishing.

There are many straws in the wind which indicate that individually and collectively we are going to have to be increasingly concerned with protecting our legitimate tax exemptions. It seems to me that there has been a perfectly natural tendency on the part of many of us so to keep our books that the fiscal powers--that be of our parent institutions, our boards of trustees, our legislatures, won't wince when they look at them. I think we are going to have to be more concerned in the future with showing the picture clear and whole, and all of us know that this will reveal that the salient fact about university presses as a genre is that they are non-profit enterprises.

Many of us were disturbed--some more specifically than others--by the American Textbook Publishers Institute's recent "Policy Statement on the Relation of Commercial Book Publishing to Non-Profit Organizations." This statement said in effect that it is all right for university presses to publish textbooks as long as they don't make any money. I shan't attempt to analyze or to answer this statement except to point out the obvious fact that nearly all the textbooks published in this country are based, at one stage or another, on vast and expensive research financed wholly by the government or by tax exempt organizations and that the textbook publishers are therefore in fact the recipients of enormous and continuous informal subsidies without which they could not exist. For those of you who are concerned specifically with this problem I refer you to Carol Bowen's excellent article on university presses in the May 10 issue of Science. In this article, which constitutes one of the finest statements of our functions, goals, the opportunities that I have yet seen in print, Bowen argues that our greatest error of omission in serving the educational community is our "near-total neglect of textbook publishing." He defends this point of view with persuasive logic. As a matter of fact, he very nearly convinced me. I commend his article to you all.

I am going to conclude this rambling non-address with a brief discussion of our activities on the international front. Before doing so, I want to touch on one quite closely related point. Before the end of the current year, the Register of Copyrights plans to prepare for presentation to Congress a series of proposals for a long-overdue revision of our Copyright Statutes. One of his recommendations will call for the abolition of the so-called "manufacturing clause" which withholds copyright protection from certain books written in whole or in part by American authors because they are manufactured abroad. The American Book Publishers Council has gone on record as supporting the abolition of the manufacturing clause provided that a study is first made (with participation of the Book Manufacturers Institute) of the possible economic effects of this action and also provided that this study indicates that scuttling the clause won't have a harmful effect on book manufacturing in the United States. I submit that the economic effect on book manufacturing is completely beside the point; that the manufacturing clause is based on an indefensible principle; that it is a negation of everything the

United States professes to stand for in the realm of international copyright protection and the elimination of artificial barriers to trade, and that what ABPC has really said is that American publishers are willing to sacrifice the rights of their authors if necessary to protect the economic interests of the book manufacturers. AAUP is already on record as favoring the abolition of this indefensible statute; I hope that tomorrow we will reaffirm our stand in no uncertain terms.

I am not going to try to summarize everything which has been done in the field of international cooperation during the past year since Chester Kerr will cover these matters in his report. At times, it has seemed that progress toward our goals has been discouragingly slow. But we do have a Latin American translation program in action which is already making its impact strongly felt; we are this fall sending informational missions to Africa and to Asia to determine what if anything we can do to bring about more effective communication between scholars in those areas and the scholars of the Americas; and we have worked out with an agency of the Federal government the details of a seed-corn operation under which a considerable number of scholarly books from this nation will be made available in so-called under-developed countries; we hope that this program will point the way to even bigger things.

We have been disappointed thus far in obtaining support for our larger Latin American program, but we have by no means abandoned it. Last fall a group of us presented this program informally to representatives of the foundation which had encouraged us to develop it, only to learn that changes in personnel and policies had eliminated the possibility of substantial support from that quarter. We were eager and expectant when we arrived for our appointment, and extremely dejected when we left. In the elevator going down from this meeting, I told Chester and August and Dana the story about the Company of the Edgefield Rifles which was blown high into the air by an explosion in the Battle of the Crater during the War for Southern Independence. About 200 feet up, they passed their Captain coming down. He brandished his sword, and cried, "Rally, boys, as soon as you hit the ground."

We are bound frequently to encounter frustration and discouragement in the development of our international programs. The way is long and difficult, and the guideposts are by no means clear. I am reminded in this connection of a tale told by J. Mason Brewer in The Word on the Brazos about a Negro man who was trying to find the Mount Sinai Baptist Church near Hearne (that's in Texas, folks) and stopped and asked directions of another Negro who was lounging in front of a store. "Well, Ah Tells you," the man responded. "Go rat down dat road dere for two or three miles and turn to de right, and you'ss see a pos'-oak tree wid de bottom limb broke off; teck de lef-'han' road till you comes to a cane-patch; go down de head row and cross de branch; den turn back to de right an' you'll see a house wid a piece of pasteboard in de window; turn norf at dat house and you'll strike a windin' road; follow hit to de end and you'll come to a red house wid a spotted yelluh dog in de yaa'd, an' ast de man what lives dere whar de Mount Sinai Baptis' Chu'ch be, and he can tell you zackly whar de chu'ch be."

Last year at Palo Alto I expressed to you the conviction that AAUP

occupies a strategic position in the matter of opening up the channels of communication among the scholars of the world, and that the obligation to take advantage of this position is one from which we cannot turn aside no matter how tortuous and uncertain the road which lies ahead. I feel that even more strongly now than I did then.

Last summer immediately after the meeting at Palo Alto, some of us had the privilege of going on to Hawaii to attend the Trans-Pacific Conference on Scholarly Publishing. For five days we sat around the table with representatives of various Asian nations and discussed ways in which the processes of education in their nations, and in our own, might be strengthened through the agency of just such programs as our International Committee has been studying. We were surprised and immensely pleased that in the course of the Conference there were suggested so many really practical avenues of approach to the problem of what Dana Pratt has called "multi-directional traffic in scholarship." These are the avenues which will be explored, much more thoroughly than was possible at the brief Hawaiian Conference, by the teams which we send to Africa and Asia on informational missions this fall.

I can't refrain from telling you at this point about a letter which Brooks Kerr, Chester's ten-year-old son, wrote home to his mother from Honolulu. "This is an interesting meeting that Daddy is going to," he wrote. "It's just like the United Nations. There are people here from Korea and India and Pakistan and Malaya and Indoesia and Mexico and Texas and Harvard."

I know that some of our members are not particularly enthusiastic about our international programs and feel that the Association would do well to stick to its own knitting without worrying about the problems of the rest of the world. I think they are wrong.

Five years ago I was in El Paso, Texas. At that time the naked mountains just to the north of Ciudad Juarez, and just across the Rio Grande from El Paso, were completely devoid of human habitation. One would have said that they were incapable of supporting any form of life except perhaps rattlesnakes and tarantulas. Last month I returned to El Paso. Sprawling across those same naked mountains was a vast new city of some 20,000 jacales--rude windowless huts built of mud and tin and pasteboard and straw and God knows what else, in which more than 100,000 people live--if you can call it living--without lights, water, fuel, medical care, schools--seemingly without any means of subsistence whatsoever. Who are these people? The Mexicans, with their wonderful instinct for the poetic descriptive phrase, call them the paracaidistas, the parachutists, the people who materialize from nowhere, apparently dropping from the sky. They cling there to their sun-baked rocks and look across the Rio Grande at the Norteamericanos tooling along the expressways in their Cadillacs on the way to the supermarket to buy TV dinners to stock their freezers with.

Why are the paracaidistas there? What madness has beset them that they should establish themselves on such appallingly inhospitable terrain? There is only one answer: across the river lies the United States, and in the United States --they think--lies hope.

As I looked across the river at these incredible people I thought that they symbolized countless millions of paracaidistas throughout the world, people the misery of whose existence doesn't permit any rational sort of hope and yet who vaguely, almost instinctively, feel that some kind of promise for a better life lies in the United States. They don't know any more about us or understand us any better than we know and understand them, which is unfortunately not at all. They may envy us and dislike us and even hate us. But they look toward us.

Now I am not suggesting that we should feed and clothe and house and educate and provide medical care for all of the world's paracaidistas. Even if we could feed them and reduce their infant mortality (thereby increasing their numbers) and raise their life expectancy (thereby prolonging the years of their misery), and if we could shoot a rocket to the moon every Thursday for their amusement, it wouldn't solve any of their basic problems. No, I am not suggesting that we do these things. I am, however, suggesting that we cannot ignore these people. The world has shrunk with such appalling rapidity in our time that it is no longer possible to believe that such frightful inequalities can be allowed to continue within the family of man without threatening the very existence of everything which we love and cherish and believe in and hope to preserve for our children's children.

The position of the United States in the world today is one of terrifying responsibility. We didn't ask for it, but we can't turn aside from it either. All of us whose work enables us to make even the smallest contribution toward strengthening the processes of education throughout the world must feel this responsibility with particular keenness. For education is the only thing which can save the paracaidistas of the world--and the only thing which can save us--education, and ever-increasing understanding brought about by the free flow of ideas and of knowledge among the peoples of the world. This flow of ideas must be multi-directional. It must also be free from the taint of cultural paternalism.

I don't have to tell you what this has to do with the Association of American University Presses. Our opportunity is greater than most. Our responsibility is inescapable.