

HIGHER EDUCATION IN THE MARYLAND CONSTITUTION¹

Dr. Wilson H. Elkins, President of the University of Maryland, strongly endorsed a constitutional provision that would give the University a measure of autonomy. His recommendation concluded a long interchange of correspondence with the chairman and members of the Constitutional Convention Commission, running over several months.

Dr. Elkins supported his position by calling attention to the fact that several other states acknowledge the virtue of constitutional recognition for their schools of higher education, including:

The University of Michigan
Michigan State University
The University of California
Oklahoma State University
The University of Minnesota
The University of Colorado
The University System of Georgia
The University of Idaho
The University of Utah.

He emphasized the importance of giving the Board of Regents power to manage their own affairs with reasonable exception from political considerations or the pressures brought on by politics, particularly as the University became more complex with its vast research program. He said: "This will become increasingly important as the University gets more involved with the Federal Government as I am sure it will during the next decade." He might have said "during the next year" because, in less than twelve months, the University received from the federal

government the largest grant for education it had ever received from any source—\$3.7 million from the National Science Foundation for improving several areas of its science curriculums.

Dr. Elkins' recommendation was supported by Charles P. McCormick, Chairman of the Board of Regents, who said in a letter to the Chairman of the Constitutional Convention Commission:

"I, personally, endorse the recommendation of Dr. Elkins for it would give to the University the status to which it is entitled and it would aid in defining the powers of the Board of Regents and give the decisions and actions of the Board greater stability and continuity and protect them from fluctuating political pressures.

"I have been advised that constitutional recognition has substantial precedent and that, in recent years, constitutional autonomy giving power of management to the Board of Regents, has been established in a number of state universities."

Not all students of government and politics agree with Dr. Elkins, however. Some feel that authority conferred by the constitution removes the university from close relationship with its sponsors, the people, through their elected representatives in the state legislature. This group opts for statutory as opposed to constitutional authority. Others feel that the university is not a creation of a bureaucracy and should not therefore be established by a state constitution. The latter viewpoint was expressed by the Chairman of the Constitutional Convention Commission as follows:

". . . It is our objective to make of the Constitution, to the extent we are

¹ This article was prepared for the Commission from its file materials by Clyde C. Hall; A.B., 1926, Dartmouth College; George Washington University (1932-34); member of the National Press Club, Washington, D.C.