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## Hackney, Sheldon: Humanities Chairman Nomination Hearing (1993): News Article 65

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# Penn sets hearing today in 'water buffalo' case

By Nancy E. Roman  
THE WASHINGTON TIMES

For the University of Pennsylvania student who faces expulsion for calling some boisterous black women outside his dorm window "water buffalo," the system seems to be collapsing on him.

Eden Jacobowitz, accused of racial harassment for calling the women that name and asking them to go away, just learned Wednesday night from his adviser that he has a full hearing today.

His witnesses have already dispersed for summer vacation. So the school will present its dozen witnesses and Mr. Jacobowitz will have none, said Alan Charles Kors, the student's adviser.

"In 25 years at a university, this is the worst instance of bad faith and

lack of due process I have ever encountered," said Mr. Kors, a history professor at Penn.

Previously, school officials referred press inquiries to public relations officers, who declined comment. Yesterday, calls were transferred to spokeswoman Barbara Beck, who said she had not heard of the story.

"There is no statement to make," she said.

Mr. Jacobowitz's initial hearing was set for April 26, before school ended and at a time when students and faculty to testify on his behalf would still be in town.

Amid bad press and allegations that Penn President Sheldon Hackney was playing down the incident for political reasons, the hearing was "indefinitely postponed." Mr. Hackney has been nominated to

head the National Endowment for the Humanities.

Last week, school officials contacted Mr. Kors and said a hearing would be scheduled for May 14.

Mr. Kors balked, saying any hearing would now be one-sided, with school officials still available to testify against Mr. Jacobowitz while his student and faculty witnesses

Mr. Kors said he was told by Judicial Administrator John Brobeck that today's hearing would not be a full hearing with witnesses and that he would only have to ask for a dismissal of all charges.

"Do I have your word?" Mr. Kors said he asked.

"Yes, you have my word," came the response.

Mr. Brobeck called Mr. Kors at 10:30 p.m. Wednesday to tell him the

deal was off. His superiors had told him that today's 8 a.m. session would be a full hearing with witnesses.

"This is the worst judicial system," Mr. Jacobowitz said yesterday. "And I'm paying \$22,000 for this," he said, referring to the annual tuition and room and board.

"Violations of due process should get cases dismissed automatically. This is more like Nazi Germany or Red China. I can't even describe how I feel about this."

The episode began in January, when Mr. Jacobowitz was writing an English paper and his roommate was sleeping.

A group of black sorority women clamored outside his window, disturbing many of the dorm residents. Mr. Jacobowitz said he yelled at them, calling them "water buffalo" and telling them to go to the zoo if

they wanted to party.

When campus police investigated the incident, Mr. Jacobowitz acknowledged making the comments and the police took no action.

But the university's judiciary inquiry officer, Robin Read, examined police reports and concluded Mr. Jacobowitz intended a racial slur because water buffalo are "large black animals that live in Africa."

Actually, water buffalo are native to Asia, not Africa.

What's more, the term "zoo" had racial overtones, she said, without elaborating, in her report to the inquiry board. She suggested that though Mr. Jacobowitz had not spoken racial slurs, he might have been "thinking" them.

Mr. Kors helped to assemble a team of faculty and students willing to testify on behalf of Mr. Jacobo-

witz.

Witnesses were to include Elijah Anderson, a sociologist who said he knows of no instance in which "water buffalo" has been used as a racial slur, and Professor Dan Ben-Amos, an expert in black folklore who suggested that Mr. Jacobowitz — an Israeli-born Jew fluent in Hebrew — chose the term because of the common Hebrew word "bahemen," which means water oxen.

Mr. Jacobowitz said since the incident was publicized last month, Mr. Hackney, the university president, has received about 300 letters a day, some of which are copied to him.

"Every single one of them is supportive. I've heard from alumni who are furious. I've heard from people who want to help," he said.