

A
GRIEVANCE STATEMENT
BY
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A STATEMENT OF THE GRIEVANCE AGAINST TEXAS A&M UNIVERSITY

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GENERAL BACKGROUND

J. O'M. Bockris (b. 1923) was appointed a Professor of Chemistry at Texas A&M University in 1978. Originating from the faculty of the Imperial College Science and Technology (1945-1953), Bockris had had a long career at the University of Pennsylvania (1953-1972), and also one at the Flinders University of South Australia (1972-1978). When he joined TAMU, Bockris had published 406 papers and several books.

During the next 18 years, Bockris published a further 270 papers and several more books. He founded the first and only NSF Center on the campus. From 1979 to 1992, his support (including that from institutional and corporate sources) was between first and third in the Chemistry Department.

However, Bockris' career at Texas A&M was marred by three outbursts in the local press (each of which followed what he, himself, thinks of as among the best work he did at Texas A&M). The first, in 1982, was a consequence of his discovery that submonolayers of certain metals on semiconductor surfaces increase the efficiency of the photoproduction of hydrogen from water by more than ten times (4 publications). Without forewarning to Bockris, the University invited more than 100 reporters from all parts of the USA and presented Bockris to them, suddenly. Two days of hysteria followed. This University act led to a very negative reaction among chemistry faculty who presumed the entire incredible affair had been arranged by Bockris.

In 1989, a discovery was made by a graduate student working with Bockris. This student, Nigel Packham found how to make tritium, a vital component in nuclear weaponry, without the use of an atomic reactor (3 publications). This result would be "impossible" within the reigning paradigm. The Ph.D. Committee of this student was extended by two eminent scientists from outside the university who replicated the tritium synthesis.¹

In spite of the successful passing of his Ph.D. oral, as signed off by his examiners, the University, now represented by the Department Head, M. Hall, refused to accept a thesis describing the synthesis of tritium. Thus, more than half of the student's work had to be removed from his thesis (although the papers already published were allowed in appendices). This was the first case in which the University acted to suppress new knowledge.

An attack on the tritium synthesis was then carried out by a journalist called Gary Taubes who wrote an article in Science magazine which went near to accusing Bockris of fraud. John Fackler, - at that time the Dean of the College of Science, had known of the coming attack in Science magazine but did not warn Bockris. Kevin Wolf, of the Cyclotron Institute at TAMU, is quoted in an inset in the article denigrating the Bockris work.²

The major event is the 20 months of investigations by the University Administration of Bockris, in connection with researches in which it was attempted to extend the tritium work to elements of high atomic weight ("Chemically Stimulated Nuclear Change in Solids").

¹By the end of 1994, about 120 papers and reports contained confirmation.

²An investigation of the possibility of suing the publication for libel was made with 6 organizations, in particular with the office dealing with Fraud at NSF. The advice was that (the press can only successfully be sued if malice can be proved. Taubes' motivations were seen as primarily commercial.)

The Grievance lies in these various incidents, all of which, but in particular the press campaigns set to denigrate Bockris, - and to which reply was not allowed, - laid great damage to him. Bockris had authored original and unusual work (since proven), at the time regarded as controversial. The grievance insists that the University (acting seemingly under the stimulation of certain faculty members), acted in a way which resulted in the limitation of Bockris' right to carry out scholarly inquiry freely.³

EVENTS LEADING TO THE PROLONGED INVESTIGATIONS UPON BOCKRIS, 1993-1995

Bockris wanted to find out if cold transmutation⁴ reactions could be possible with elements of atomic weight above tritium. He sought funds to make such investigations. In March 1992, Mr. William Telander offered a gift to Texas A&M which could be used for any purpose the University wished; but which (the donor requested) should preferably be used in

³Prof. John Mack, Head of the Psychiatry Department at Harvard University, published (McMillan) in 1994 a book entitled ABDUCTION. It related his researches on hypnotizing those who claim that they have been abducted by extraterrestrials into space vehicles. His work overturns the usual rejection of such accounts. According to Mack, the people whose experiences he relates showed every sign of sanity. His book insists upon a reality to UFO's, abduction and related concepts.

Harvard did hold a three week inquiry on Prof. Mack's work but (according to a newspaper account) his Dean encouraged him to continue, noting the need for special stress upon scientific probity in work so much against the conventional paradigm.

⁴Until 1989, when tritium was first produced in the cold at Texas A&M, it was not thought possible to add a neutron to a nucleus in the cold. Bockris' thought that it might be doable, generally arose not only from an extrapolation of his tritium synthesis work but because he had been sent publications by R. Monti of an Italian government institute which showed that cold nuclear reaction (outside those caused by muons) had been reported in the 1950's and 60's in Italy, France and Japan.

Bockris' researches. Telander asked if testing of some ideas suggested to him by a Joseph Champion could be included in the program. Michael Hall, Department Head, was appraised of this. It was agreed that no announcement of any success should be made, until two verifications of independent laboratories outside Texas A&M had been obtained.

Testing Champion's ideas on advanced transmutation took place from April '92 to August '92. Up to 300 ppm noble metals from mixtures containing lead chloride and mercurous chloride was obtained. The work was done by post doctorals (Bhardwaj, Lin), and Champion was forbidden entry to the labs. However, Bockris asked Champion to leave College Station for the rest of the work. Associated (anomalous) radioactivity was again observed and took the attention of the scientists. When the thermal transmutation technique was again tried, it was not successful. Finally, February '93, the transmutation results (but not the radioactivity) results were withdrawn ("unrepeatable").

The Telander gift was further used for cold fusion and studies of the transmutation of carbon to iron. However, the investors who had given the risk capital to broker Telander for less speculative investments, now complained to the Californian SEC who asked the university to cease using the money.

BELATED PRESS CAMPAIGN

After March 1993, Bockris' various researches (9 grants) went forward normally. His team numbered 16 people.

A reporter, Joseph Weiss of the Dallas Morning News, asked for an interview in November 1993.⁵ Bockris gave the interview. Dean Kemp, uninvited, sat in on the interview. When the resulting article was published, the facts Bockris had given Weiss were given a strong tilt. Instead of a new pathway in nuclear reactions, - following the established tritium work, Weiss portrayed a foolish professor collaborating unknowingly in a fraud. No hint was given that the unrepeatability held within them indication of remarkable technological promise.

Weiss' article caused a furor at Texas A&M. A number of persons believed the report, and concluded that something morally wrong had been done. No inquiry was made as to whether the work had resulted in publications in refereed journals (eventually three), or what had been the final result.

The local press took up a very strong press barrage in December 1993 - January 1994. Many examples of sensationalistic headlines exist (see evidence package). All implied that something fraudulent had occurred. The continuity of the work on the elements of higher atomic weight with the EPRI supported research on anomalous tritium production in the cold was ignored. No administrator called Bockris to ask about the truth of the press reports now running worldwide. An article in Newsweek came near to implying that Bockris had entered into an agreement with Broker Telander to make synthetic noble metals. That such syntheses might be as possible as those of artificial diamonds was not mentioned.

⁵Weiss stated his attention had been drawn to "Alchemy at Texas A&M" by Dawn Wakefield. Ms. Wakefield had worked with John Fackler as a fund raiser and had been fired by the Development Foundation. Curiously she complained to the Dallas Morning News 9 months after the work on chemically stimulated reactions with metals had been curtailed by the SEC.

Newsweek published a statement by Nancy Sawtelle, - described as "the spokeswoman representing the University" that "Bockris' work embarrasses the University."

In December 1992 Prof. F. A. Cotton organized a request, signed, to their shame, by 22 Distinguished Professors, many of whom seem to have believed the press accounts. It asked for Bockris' demotion as a Distinguished Professor. None called Bockris first to ask if there was any truth in what was alleged. Only three refused to sign.

THE FIRST INQUIRY

Dean Kemp, who had been the highest official to sign off on the acceptance of Mr. Telander's gift, accused Bockris of "Misconduct in Research." It was alleged that Bockris had supported Mr. Telander's claims to have a process for the manufacture of synthetic noble metals.

The Committee of four (including two distinguished professors) reported it had examined ~ 1000 documents. Its conclusion was unequivocal: total exoneration.

After this report was published, John Fackler (a close colleague of F. A. Cotton) gave an interview to the Eagle and stated his dissatisfaction with the Inquiry. In a letter of 1995 to Bockris (in reference to the latter's complaint to the AAUP) Fackler states that it was he who had "raised questions. Perhaps someone listened."

THE SECOND INQUIRY OF TEN MONTHS

In spite of the total exoneration given in January 1994, a Second Inquiry was set up in August of the same year. The twelve Committee members included the Provost, the Dean of Faculty, the Vice President in Charge of Research and other persons of high administrative experience.

As to the purpose of this Committee, it was stated to be to implement the findings of the earlier one, and to decide whether personnel changes should be made as a result of the earlier Committees' findings.

There was incongruity in the second purpose of this committee at the beginning. The committee investigating Dean Kemp's charges had given total exoneration and the audit committee had found only trivial matters of complaint. Why should any personnel changes be considered?

According to the Eagle (quoting the Committee Chairman, Dr. R. Kennedy), it was Bockris who was again under investigation. The Electrochemical Society had awarded Bockris its Lindford Medal but had been prohibited from presenting it "by professors of Texas A&M" who had called the Society, warning it that a new investigation of Bockris was under way. Over the next 10 months, Society representatives called Dr. Kennedy repeatedly but received the information from him that Bockris was still "under investigation."

Mr. Gaines West, a lawyer retained by Bockris, asked the Associate General Counsel for Texas A&M under what authority, and under what designation among the university functions, the Committee operated. He received no answer for several months and then a vague and threatening answer stating that the university would reveal charges against Bockris at the proper time and place.

The Committee delivered a report on December 5, 1994. However, as will be seen, this was not the end of the Committee's activities.

ABOUT AUDITS

A thorough audit was made of Telander's gift.

Then, around September 1994, another audit was proposed and an initial meeting held. This time it concerned what the Auditor, Charles Clarke, - called "A Huge Pile of Correspondence". This was material which, it was admitted, had been stolen from Bockris' office by someone in the Chemistry Department. Mr. Clarke refused to divulge the import of the stolen correspondence. He said that an anonymous caller had been telephoning his office for more than a year with accusations against Bockris.

Then, there appeared in January 1995 the State Audit. This contained a collection of stories corresponding to the defamatory newspaper headlines of 1993-1994. It contained no mention of the Total Exoneration or the internal audits which had found no faults. It made no reference to any interview the writer could have had with Bockris. It was clearly an attempt to attack Bockris, - and the origin of the detailed information must have surely been the University.

A CHILLING MESSAGE FROM THE PROVOST

On December 5, 1994, Bockris attempted yet again to obtain some indication of the now 5 month old reinvestigation of his affairs by the prestigious 12 man Committee to determine "personnel changes." Dr. Kennedy told Bockris that he had received a message from the Provost, and that he had been instructed to pass it on to him.

The message was the following:

"TELL BOCKRIS HE WILL NOT BE THE ONLY ONE."

On being asked if he could interpret this amazing message, Kennedy (Chairman of the Second Investigating Committee) said that he could not say but agreed that it sounded ominous.

THE MEETING WITH PRESIDENT BOWEN, JANUARY 4, 1995

Bockris wanted to retire in June 1995 and go onto ½ time status for two years. This application was supported by all the senior administrators except President Bowen. For this reason, Bockris asked for an interview and obtained it on January 4, 1995.

At this meeting, President Bowen appeared to be in an excited state. It was clear that he had read the contents of the State Audit and believed its contents and implications. He told Bockris that in respect to his activities, "Kennedy has told me he can't find anything. But I've told him to dig and dig until he finds something."

It seemed that President Bowen was unaware of the Total Exoneration given earlier.

BOCKRIS' LETTER TO THE AAUP

After these many attacks, threats and the long running committee to investigate whether personnel changes should be made, Bockris wrote to the AAUP. He asked it whether the university's treatment of him, as a result of his publishing research results incompatible with the physics taught in books, was an acceptable practice, or whether it constituted, in effect, a restriction on his academic freedom.

THE PROVOST'S LETTER OF MAY 25, 1995

Eventually, Charles Lee wrote Bockris a letter, saying that the Committee to investigate if any personnel changes were necessary had concluded no action taken by Bockris was outside those laid down by the Policy and Procedures Manual. His letter appeared to be in contrast with the ominous message of December and with the threats issued by President Bowen and Mrs. G. Stubbs.

THE INCIDENT OF JUNE 19, 1995

The aim of Mr. Telander's gift had been to provide funds whereby unconventional inorganic reactions (including those suggested by Joseph Champion and those resulting from Bockris' tritium studies) could be investigated. This was in April 1992 and the results had been ambiguous. However, perhaps triggered by the grapevine news of these results (added to which were similar transmutations found by Kevin Wolf), people from all over the world started writing to report that they had results which implied cold transmutation reactions among elements of higher atomic weight (These would be even more anomalous than the tritium synthesis.)

For this reason, Bockris arranged a private meeting of persons who made such claims. The Department Head, Emile Schweikert, agreed the meeting could take place "under Gordon Conference Conditions," i.e., no prior publicity, attendance by invitation only but Chemistry faculty at TAMU invited, no photographs or pictures projected, no mandatory report of proceedings.

Thirty-six people from 6 countries attended the meeting at their own expense and it proceeded without the press for about 3 hours. Prof. J. Natowitz, a member of the Chemistry faculty and a towering figure in nuclear chemistry, attended most of the meeting.

Around mid-day, according to the witnessshipp of Dr. Thomas Ward, sent by DOE to the meeting, Prof. F. A. Cotton arrived outside the lecture theater with several colleagues. Dr. Ward states that Cotton castigated those at the meeting as "Gooks." Ward took offense and complained in a letter to President Bowen.

Shortly after this, a reporter arrived and asked questions of the delegates. The next day, the Eagle had a front page report referring to "the Black eye A&M had earlier received about Cold Fusion." It quoted Professor Cotton as saying that it was an outrage that such a scientific meeting should be held. He called the meeting "a Hoax."

The interference by Prof. Cotton with the development of new knowledge at Texas A&M on June 19, resulting in sensational headlines had the same tone and misinformation as those put into the press in 1993 and 1994. Who planted all the defamatory descriptions at that time? Was Prof. Cotton disciplined for his action of June 19? There he is, caught red handed, interfering with the academic process, giving unwarranted statements to the press, - in fact, giving A&M a black eye.

How did President Bowen react to Dr. Ward's complaint? How did Dean Ewing react to Bockris' letter describing the incident? Did they have a meeting with Cotton and tell him that such actions are unacceptable in a university?

Was something done so that FREE INVESTIGATIONS OF NEW PHENOMENA can take place in the Texas A&M Chemistry Department without the scientists concerned being defamed because their ideas differ from those of the majority?

ANCILLARY MATERIAL

It is difficult to describe the extraordinary and widespread effects of the long investigations by the University, lasting from December 1993 to May 1995. The suspicions voiced by Dean Kemp, and repeated in the audit, upon which judgment was given on January 2, 1994, still cling. A number of happenings are unexplained. Theft of Bockris' 1993 tax files has occurred from a building in the woods about his house. Recently (September 1995) two more files have been removed from this building. During 1994, there were signs that this locked building (which contains many of Bockris' work files) was repeatedly entered. Bockris' office telephone has been used to place bets on horses; and for calls to sex-talk agencies. His telephone logs have been sequestered by the press and individual calls investigated. His office at Texas A&M has been frequently entered, though locked and numerous files and correspondence stolen.

The Freedom of Information Act (to which there are many defenses for academics⁶) was allowed to apply for Ty Clavinger, a journalist hoping to obtain fees for an article denigrating Bockris in the Texas Monthly. Mr. Clavinger spent 1½ days examining Bockris' correspondence in his office.

⁶Mrs. G. Stubbs withdrew a request to the Attorney General which would have barred the searching of Bockris' room.

These are sad things to relate when one remembers their origin: the reporting of facts which do not fit the present paradigm in Chemistry.

SOME NEGATIVE CONSEQUENCES

The first of these, of course, is Bockris' reputation as a scientist. Distinguished Professors at Texas A&M are world figures in their fields and this is reflected by the flow of invitations to international meetings. It is clear that Ms. Sawtelle's statement has had a negative effect, as have the numerous newspaper reports, worldwide.

Correspondingly, withdrawals from the Consortium of Oil Companies supporting Bockris' work has been directly related to the university's attacks. His grant income has shrunk from ~ 500 K in 1992 to ~ 200 K now.

Invitations to be a Distinguished Guest Lecturer at other universities have been withdrawn; and the award of the Lindford Medal has been postponed.

Anyone who has read this document will hardly be surprised to know that the stress and tension of these 20 months has aged Mrs. Bockris significantly.

SUMMARY OF GRIEVANCE

In a general way the grievance is that, from 1982 to the present, research contributions seen by Bockris as having particular significance, have been followed by actions, several carried out "by the university", which had negative consequences for the author. Some of these attacks have had the effect of suppressing new knowledge. They are strongly counter to academic freedom of thought, and too the invention and expression of new ideas. There is no trace of any

untoward act on Bockris' part which would justify any of the stresses the university has put upon him. In terms of publications and monetary input, he had been (for some 14 years) among the first few leaders in research in the Department.

Some examples of specific acts follow.

(1) The highly suspicious, unprecedented, secret calling of 100 reporters to the campus to whom Bockris was suddenly presented without foreknowledge.

(2) Suppression of the Cold Fusion work of Nigel Packham, forbidden in his thesis.

(3) No warning given that a scandalous attack article (known to the Dean of that time, John Fackler) was being prepared to be published in Science magazine.

(4) Kevin Wolf, of the Cyclotron Institute, had carried out the most convincing work to date on the existence of Cold Transmutation in 1992. The results were not publicly presented for three years. All the ridiculous defamations of Bockris could have been silenced if this work had been revealed when it was done, for Wolf is recognized among the leading nuclear chemists.

(5) Dean Kemp's accusation against such an experienced investigator as Bockris should have been seen as improbable in the extreme but also insulting and damaging. It should not have been dignified by an Inquiry.

(6) When the defaming press reports began, - picturing Bockris as a deluded medieval alchemist, - Bockris was told by his Department Head that he might make no reply; but the University also made no reply (no press conference. No damage control). An explanation of the true nature of the investigations, their promise and scope, and their link to earlier (EPRI support) programs would have made a continuation of the defamation impossible. Like Harvard

in the much more remarkable case of Professor Mack, Texas A&M could have taken the opportunity to bring out its devotion to Academic Freedom.

(7) Ms. Nancy Sawtelle, the University spokeswoman, said that Bockris' work embarrassed the university (though its confirmation - suppressed - was available within the Cyclotron Institute of the University).

(8) Although Bockris was forbidden to give any statement to the press, Fackler did, - expressing dissatisfaction with the exoneration.

(9) The Double Jeopardy second inquiry lasted for 10 months, until the Provost's letter of May 25, and was accompanied by threats voiced against Bockris by Provost Lee and Associate General Counsel, Stubbs.

(10) The University successively told inquirers from the Electrochemical Society that Bockris was "again" under investigation. It thus delayed a prestigious medal award to Bockris by one year.

(11) A threatening letter from Ms. G. Stubbs referred to unrevealed evidence the university holds against Bockris. It remains unrevealed.

(12) Stolen documents from Bockris' office and home are made the subject of a third University audit.

(13) The state audit repeats the accusations of 93 and 94. From where would the false information come except from the university? No mention of exoneration. No prior checking for truth with Bockris. No attempt to ask Bockris' colleagues (many employed in College Station) as to matters of truth.

(14) Provost Lee sends a chilling message to Bockris: "Tell Bockris he will not be the only one."

(15) President Bowen tells Bockris that although after 6 months, Dr. Kennedy tells him "we can find nothing," he, Bowen, urges Kennedy to dig and dig until he finds something. This alone is an incident worthy of detailed investigation.

(16) On June 19, Cotton disrupts a meeting on Cold Transmutation at which Wolf's suppressed confirmation of cold transmutation is finally revealed by his EPRI manager. A report appears in the Eagle in which Cotton is reported as saying the meeting is a hoax.

What is the university's response to this example of the suppression of Academic Freedom? None has been reported.