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Agenda Committee
Faculty Council

NOTICE TO MEMBERS OF THE FACULTY

University Policy with Respect to Student Demonstrations

At an informal meeting on Tuesday, October 31, the Faculty Council decided to invite the Faculty at large to its next meeting which will take place on Tuesday, November 7, at 3:30 p.m. in Alumni Hall in the Union Building.

This action was taken because the Faculty Council recognizes that there is wide-spread concern among the Faculty about the events in the School of Business on Monday, October 30.

Accompanying this note are the agenda for the November 7 meeting, a list of the members of the Faculty Council and a statement from Dean Shaffer.

Members of the Faculty are urged to attend this meeting. Those who are unable to attend but who wish to contribute to the discussion are asked to give their views to a member of the Council.

AGENDA

FACULTY COUNCIL MEETING

3:30 P.M. NOVEMBER 7, 1967

ALUMNI HALL-UNION BUILDING

1. Approval of the Minutes for October 17, 1967
2. President's Business
3. Consideration of the University Policy with Respect to Student Demonstrations
4. Section Committee Report on Student Non-academic Affairs, (See Faculty Council Document No. 45, 1966-67) (Professor Vitaliano).

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CONFIDENTIAL

Minutes of the Faculty Council

November 7, 1967

Alumni Hall

(Not yet approved by the Faculty Council)

Alternates Present: Dean William B. Christ for Dean Wilfred C. Bain
Professor E.W. Martin for Dean George Pinnell
Professor W. David Maxwell for Professor Robert C. Turner

Visitors Present: The Faculty at large (estimated number of Faculty present, 800)

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CONFIDENTIAL

Minutes of the Faculty Council

November 7, 1967

Notice of Faculty Council Meeting

Tuesday February 6, 1968

Ballantine 008

3:30 p.m.

1. **Approval of the Minutes of November 7, 1967**
2. **Memorial Resolution for Edgar R. Cumings (Professor Thornbury)**
3. **President's Business**
4. **Section Committee Report on Libraries, as amended (Professor Byrnes)**
5. **Section Committee Report on Teaching, Faculty Council Document No. 6, 1967-68 (Professor Wolff)**

AGENDA

1. Approval of the Minutes of October 17, 1967
2. President's Business
3. Consideration of the University Policy with Respect to Student Demonstrations
4. Section Committee Report on Student Non-academic Affairs

President Stahr called the November 7, 1967 meeting to order at 3:36 p.m. He immediately called upon Professor Auer, Parliamentarian of the Faculty Council, who, at the request of the Agenda Committee, had prepared two resolutions proposing the rules by which this special meeting of the Council might be conducted.

A RESOLUTION SUBMITTED TO THE FACULTY COUNCIL
(First Resolution)

To its meeting of November 7, 1967, the Faculty Council has invited the Faculty at large. Since no such meeting has ever been held, there are no precedents to govern it. Therefore the following rules relating to speaking by visitors are recommended:

1. A visitor to the Faculty Council meeting shall indicate his desire to speak by handing to one of the designated marshals a slip of paper bearing (1) his name, (2) his department, and (3) a statement indicated whether he wishes to speak for the motion, speak against the motion ask a question, or make a germane comment. The marshals shall deliver speaker slips to the Agenda Committee.
2. The Agenda Committee shall verify the Faculty status of each visitor desiring to speak, and shall determine the order of speaking, trying so far as is possible to alternate among those holding different views on the question under discussion. Speakers shall be recognized by the President.
3. Visitors who are given the floor shall be limited to three minutes, the Parliamentarian serving as timekeeper. No visitor shall speak for a second time on the same question as long as another wants to speak for the first time, or unless a member of the Faculty Council asks him a question.

Professor Auer moved the adoption of this resolution. Professor Shiner seconded the motion. The President called for the question, and the motion passed unanimously.

A RESOLUTION SUBMITTED TO THE FACULTY COUNCIL
(Second Resolution)

In view of the special nature of the November 7, 1967 meeting:

1. The normal adjournment hour of 5:00 p.m. shall be postponed to 5:30 p.m.
2. The rules relating to speaking by visitors, and specifically the three minute limitation, shall be observed by members of the Faculty Council. (This limitation does not apply to the President or to the Secretary of the Faculty Council.)

Professor Auer moved the adoption of this resolution. Professor Vitaliano seconded the motion. The President called for the question, and the motion passed unanimously.

Noting that the first resolution referred to "marshals" (designated by the Agenda Committee) Professor Auer asked the marshals present on the floor to raise their hands so that they might be easily identified by the visitors. The marshals, all either immediate past members of the Council or alternates to the Council, were as follows:

Schuyler Otteson	Quentin M. Hope	John B. Daughtery
Edwin Cady	Samuel Frumer	William G. Panshar
Dan Miller	Hans Thorelli	Howard T. Anderson
Mendel Sherman		
Robert W. Richey		

APPROVAL OF THE MINUTES OF OCTOBER 17, 1967

The Minutes of the October 17, 1967 meeting of the Faculty were unanimously approved. (Faculty members should note that no minutes were recorded for the informal Faculty Council meeting on October 31, 1967)

PRESIDENT'S BUSINESS

In keeping with the special nature and significance of the meeting, and in anticipation of agenda item number 3, President Stahr presented to the Council and to the Faculty the following remarks.

Remarks of Elvis J. Stahr, President
Indiana University Faculty Council Meeting
Alumni Hall, Indiana Memorial Union Building
Bloomington, Indiana
November 7, 1967 - 3:30 p.m.

I'd like to background the next agenda item by some preliminary comments on two or three questions, and I appreciate very much the opportunity to do this in the presence of so many of our colleagues. For only when faculty and administration find themselves on common ground can the University really expect to cope with such problems as I shall discuss.

Events on this campus and on many others in the past year or two strongly suggest that we take a look at our policies and rules regarding student on-campus demonstrations. I have stated a number of times over the years my commitment to two policies I believe to be basic: the safeguard of orderly dissent, and protection from forcible disruption. These policies go far back in our history, and on this campus a number of clear rules have been published in pursuance of them, copies of which were sent to you in preparation for this meeting.

Now let me state some of the things troubling me deeply today. This will take a little time, but I know from letters I have recently received from quite a few of our faculty that neither the topic nor my views upon it are regarded as of trivial importance. I shall strive not to be tedious.

Two indispensable requisites of a university are a commitment to freedom of inquiry, freedom of expression and freedom to differ--and an acceptance by all members of the University of the responsibilities and restraints that must accompany them if those freedoms are to be real for everyone. Ten days ago that sentence might have sounded merely trite. Today its validity is yet again being tested.

In my inaugural address five years ago I tried to make this point when I said:

" . . . The University's role must be to maintain its even-tempered but relentless search for truth. We shall not stifle, but shall promote, restless seeking and inquiring and debating, so long as it is honest. But we shall insist that there be an atmosphere of basic objectivity. We shall encourage intellectual excitement, but shall firmly suppress both physical violence and efforts to provoke it. We shall be intolerant only of intolerance--and deceit."

The years between have been long and eventful in many ways--even tho it's hard for me to realize it has really been over five years that we have been together. My views on a variety of lesser matters are by no means identical with what they may have been five years ago, but despite all that has happened here and elsewhere in more recent years, I find they haven't changed on the above statement, and I hope your views are also still in accord. With these precepts as guidelines, this University has been open and accessible, to all shades of opinion and many forms of dialogue and discussion. Surely an end to these principles would herald the decline of a great institution. Today I hope we can reaffirm these principles.

Acceptance of standards of performance and behavior consistent with these principles by all of the University community is a requisite to tolerance of differences of opinion.

Our own history dramatically underscores our adherence to these fundamental principles and commonly accepted standards. Some of you will remember the furor that attended the establishment of the Institute for Sex Research in the early post-war period during Chancellor Wells' administration, when powerful forces demanded that we abandon our support of Professor Kinsey. The reaffirmation of our commitment at that time marked the attainment of a higher reach in this University's march toward distinction. In still more recent years the University, despite heavy pressure from many sources, has resisted other attempts to suppress orderly freedom of inquiry and expression. In the instance of the visit to our campus of Allen Ginsberg in March, 1966,

certain of these pressures took the form of demands that reprisals be exacted against those responsible for his appearance. We refused--and stated why.

On the occasion of Herbert Aptheker's scheduled speech, serious efforts were made to press the University into denying permission for him to speak on the campus. We stood firm, and stated why. In each of the three instances I've cited and on many other occasions, the University community stood as one in resisting those who would have weakened the University by compromising its fundamental principles.

I am distressed to report that some recent events have once again created a threat to our academic enterprise. The happenings a week ago Monday afternoon in the School of Business Building and again a week ago today in the University Auditorium jeopardize the traditions which serve our cause so well.

I understand each member of the faculty has had the opportunity to read the account of the episode in the School of Business Building which was included with the materials appended to the notice of this meeting. The account does not purport to be complete as to detail (for one thing, the investigation was not complete, and for another it would seem improper to try a court case out of court). The account does summarize what transpired when attempts were made by a large group of students to bring to a halt the interviews of a faculty-invited representative of a corporation with a small number of students who had expressed interest in seeking information regarding employment opportunities with that corporation. These attempts included intimidation and the use of force. Regardless of disputes on detail, there is enough uncontroverted evidence to lead to the conclusion that the events of that day are cause for the most serious concern. No institution committed as this one is to orderly processes wishes to resort to the employment of force. But when intimidation is attempted and force is initiated, in deliberate

violation of explicitly stated rules which are calmly repeated on the spot,
she is left with few alternatives.

Our concern over the events of Monday was deepened the following morning by occurrences at the Convocation Series appearance of The Secretary of State. I hope every member of the University family is now fully aware of what occurred that morning, but perhaps I should mention that in addition to the taunting, disorderly, and abusive behavior of a few, there were several attempts to crash the packed Auditorium at unauthorized entrances, before and during the convocation. Only the most careful work by security personnel prevented disruption and demonstration on the speaker's platform and possible chaos in the audience and bodily harm to many.

Then, Tuesday afternoon, a roving band of students turned up at Bryan Hall and demanded to see me to present demands. Wednesday morning I met with representatives of that group and had a most interesting conversation. I shall come back to these events in a moment, but first let me say this.

I'm frankly dismayed at the wave of arrogant anti-intellectualism which appears to be lashing at campuses across the nation and which has now characterized some happenings here. For one thing, any resort to outright intimidation and force can only tempt other students to react in kind. Ironically, protection of the rights of a minority is made all the harder if the minority itself appears able to attack the rights of others with impunity. And I might add that repeated flouting of civilized standards of behavior can bring on a general breakdown of such behavior. Thus equally shocking is the resort to crass and crude insult, strident invective and persistent interruption, in the very environment, the University environment, where reasoned response and critical analysis are taught as the path to enlightenment.

In short, I am deeply disappointed by the contempt for rights which some

have recently demonstrated in attempting to assert some presumed right to deny the rights of others, in one case the right of students to explore career opportunities, in the other not only the right of one to speak, but the right of many to listen. It seems to me specious for anyone to argue that preventing others from exercising their rights is itself an exercise of rights.

The defiance of values this University holds precious poses clear danger to our campus community, especially if such events as I've mentioned should be repeated. The degree of success such defiance may be thought to have had last week can have a major effect on the probability of recurrence. And there is another aspect of the phenomenon that troubles me. These disturbances are not unique to our institution. On other campuses throughout the country, similar events have been transpiring, several quite recently. One would surmise even from superficial similarity that the tactics employed are often common, not indigenous. But there is more direct evidence that the resemblance in tactics is indeed not just coincidental. Several items of evidence are readily available. One is a keynote speech delivered at a convention of a multi-campus group called "Students for a Democratic Society" in Clear Lake, Iowa, in August of 1966, published in the Winter, 1967, issue of The Educational Record. I recommend you read it. I read it over a year ago. Its tone and content, nearly two years after Berkeley, along with news and other information from a number of major campuses last year led me to devote a considerable portion of my State of the University Address to our faculty last December to the topic of the objectives and implications of some programs of some student movements. I'd be glad to have you read that address again. Then, only two weeks ago the American Council on Education published in one of its newsletters, Higher Education and National Affairs, a statement by the

President of the National Student Association reporting a nationwide campaign to exclude Dow Chemical Company people from campuses and a forthcoming meeting solely on the tactics to be employed. There is of course much else in the literature of the past two years regarding "student power," student revolt, student unrest, student activism, the "New Left" and so on. My point today is certainly not to brief a case for or against outside influence as such, corporate or other recruiting as such, or the political or moral views of anybody as such, but rather to share with you again some of the bases for my profound concern for our common responsibility to the University, to all who truly seek to teach and learn here, and to the basic beliefs I stated at the outset. In short, it is not open dissent or disagreement I fear, but disruption, whether calculated or provoked. I fear the possibility that in the minds of a good many the lines are being drawn to challenge principles and processes which we must preserve and protect if we are to sustain our common enterprise. The signs are around. Yet, I am altogether confident there are far more of us who reject than who would advocate intimidation, defiance and disruption as replacements for reason, persuasion and order.

The events of Monday afternoon and Tuesday morning were followed, as I mentioned, by that of Tuesday afternoon when a group of students numbering, I am told, approximately 150 assembled at the east entrance of Bryan Hall. They soon peacefully entered and lined some of the staircases and corridors without obstructing the passage. A goodly number of them gathered outside my outer office and demanded to see me in order to present certain demands to the University. I was in a meeting at the time and was committed to a Faculty Council meeting later in the afternoon. The Dean of Students was called, came over, and talked with some of the leaders. There was considerable rudeness toward him but no effort to force the door. The Dean was admitted to

the meeting where I was and asked if three student representatives could have an appointment with me soon, and I said, "Of course--as soon as I have time not committed to someone else." As you may know, I did meet with the three representatives the next morning, Wednesday. At that meeting, to which I also invited Vice President John Snyder, Dean Shaffer and Assistant Dean Herbert Smith, four demands were formally presented--on behalf of no organization, the students stated, but on behalf of the group that had assembled the previous day. The demands and my preliminary responses to them were also included in the materials sent you by the Secretary of the Faculty Council. But upon reflection, I think the two most significant features of what the students said may have been something else: that there is a "national resistance movement," that there is not complete agreement on tactics within the organizations associated with its objectives, but that it is the conviction of the students who were at my office that they and their followers have exhausted orderly processes, going through channels, speeches, rallies and peaceful picketing and demonstrations, and that they must therefore proceed to consider "other measures." I asked if this meant the use of future forcible measures, and was assured that the group had not yet decided upon measures. As you may have seen, quotations from a subsequent meeting the representatives had with their group were contained in a story Thursday evening in a Bloomington newspaper, and state that one of the "other measures" considered by some of them is a faculty strike beginning tonight "to stop the processes of the University," if charges against the students arrested at the Business School are not dropped. I of course had already said to them that the University cannot drop the charges; only the prosecutor, with the consent of the court, can do that, but that I would support their being dropped if investigation showed them to be unfounded. Naturally

I hope the quotations of students were not accurate, and I'd be happy indeed to be advised that the impressions of their motives and intentions created by the story were incorrect. But again, this is not the central issue. The central issue is whether our basic policies regarding dissent and disruption are sound, whether our rules and policies are fair, and whether other effective alternatives are open in the carrying out of those policies and rules.

Let me add a point on policies and then one on enforcement. Within the past fortnight the Council of the American Association of University Professors at its national meeting considered and adopted (I am told as its only resolution at that meeting) a resolution, part of which I want to read to you because it expresses beliefs which I share and which I think you share, and expresses them better than I could.

R E S O L U T I O N

"The American Association of University Professors and the academic community have long stressed the fundamental principle . . . that 'The common good depends upon the free search for truth and its free exposition.' Universities and colleges are dependent for their very life on the maintenance of this principle within their walls The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community Students should 'be free to support causes by any orderly means which does not disrupt the regular and essential operation of the institution.'

"In view of some recent events the Council deems it important to state its conviction that action by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the institutions in the course of demonstrations, or to obstruct and restrain other members of the academic community and campus visitors by physical force is

destructive of the pursuit of learning itself and a free society. All components of the academic community are under a strong obligation to protect its processes from these tactics."

Now, a few words on fulfilling that obligation to protect the University's processes, which I believe all of us share. Differences in the responses to the different events of last week may illustrate something important. Particularly, let me underscore the distinction between the Monday melee in the School of Business and the Tuesday event in the Auditorium. At the School of Business, University representatives on the spot carefully reminded the demonstrating students of the University's rules governing demonstrations and stated, not as a dare but as a plea, that the first consequence of the threatened effort to break into the

Placement Office by force would be arrest. Force was then initiated, quite deliberately (even a vote was taken!), against University personnel.

On the occasion of the Convocation, however, although large numbers of security people were immediately available, counter-force was never requested or employed inside the Auditorium, although certain rules were being broken, for no force was initiated--except by the now famous little (and, I am told, normally very sweet) gray haired lady whose own limit of endurance was unable to cope with the incredible rudeness of a nearby heckler. Everyone in the University knows that the interference with the speech of Dean Rusk was neither spontaneous nor the result of something he said; it was premeditated and carefully planned and organized; there were even handbills printed in advance to instruct in how to carry it out. Yet, force was not used in any way whatsoever to quell the raucous or to eject them from the premises, though they constantly interrupted, insulted, and apparently attempted to intimidate by those methods, the speaker and the

presiding officer. The speaker finally broke off his speech, turned to me and said in effect that it might help to invite questions rather than continue the talk. I reminded those who were shouting--and their shouts included such epithets as "Fascist," "murderer," "liar," "killer"--of the University's commitment to free speech and that whether or not they themselves wished to listen, most of those present did and had a right to. Though this reminder was a good deal less than fully successful, at no time was it intended to deploy security personnel actively as long as physical violence did not break out. In the end, the Secretary departed, with police protection and without physical molestation, but the name of Indiana University appeared in every newspaper and TV screen in America and perhaps elsewhere in a light quite different from the ambitions for her reputation which the faculty and I have shared.

So, where do we go from here? And, what do we do next time, if there should be next times? I hope you will give us the best of your thinking as you reflect on these two events. I have been discussing these matters with various of you and other colleagues, and already we have concluded that one change, which was suggested by a Faculty Council member last week, should be made: that our uniformed Safety personnel cease carrying firearms during daylight hours when discharging routine duties on foot other than transporting substantial sums of cash to and from University offices. The possession of firearms during the daylight hours will be restricted to University Safety vehicles, solely for any emergency situation that would make their display absolutely essential. We not only dislike the image of firearms on a campus but we are now genuinely concerned that in a tense situation fraught with the possibility of riot, the presence of firearms from the beginning might precipitate action totally unintended by anyone. I hope you will

understand that the historic reasons for bearing firearms by Safety personnel have not been directed, as I am told some people have assumed, at members of the campus community but are associated with the fact that this is an open community, without walls, and criminal acts have been perpetrated many times on this campus, almost always by outsiders, including in the past year or two robbery and attempted robbery, the molesting of women, the beating of a visiting professor, and other criminal acts and attempts which required the quick availability of firearms. I also intend to increase our efforts to support properly and improve our Safety Division to insure not only proper equipment but manpower better trained for the sometimes almost unique situations of a campus.

Next, I should like to restate our policy with regard to the involvement of security personnel from the city, the county or the State over and beyond those of the University complement. The Director of our Safety Division has now and will continue to have the authority to request on his own initiative outside assistance when violence has already broken out on campus and when he feels that he has insufficient personnel available to handle it. In circumstances where in his judgment there is a clear and present danger that violence is imminent, he is to request from me, or from my designate should I be absent from the campus, permission to secure outside assistance, if he believes outside assistance is essential to meet the situation. I should like to emphasize that we have no intention of diminishing in any way our determination to insure the physical safety of persons on the campus whether they be members of the University family or their guests, or simply strangers. As a matter of fact, as a result of requests for adequate protection and allegations of the inadequacy of it, presented to me, to the Dean of Faculties, and to the Chancellor by three different members of the New Left last Wednesday and

Friday, Mr. Franklin and I discussed this personally on Friday with the three top employees in the Safety Division and found ourselves in crystal clear consensus: (1) that all persons on the campus are equally and fully entitled to and will have the best protection from force and physical intimidation which the Safety Division can possibly provide; and (2) that counterforce will be employed only in response to force and never in response to mere verbal abuse, no matter how crude or provocative.

It is a matter of great personal sadness to me that recent days have witnessed mutual recrimination on the part of some members of the academic community. Happily, this is not characteristic of the majority of us, and certainly most faculty members and administrators intend that good faith, honest discussion, and rational action shall not be replaced with something terribly different. It has become clear in the last few days that the majority of our student body on the Bloomington campus and probably our other campuses has felt a sense of outrage at what a minority has done to them--to their own reputations and their pride in the institution, and to the principles they believe in. Their leaders are calling on them not to emulate the kind of conduct which outraged them, and I am optimistic that they will succeed. There is considerable public outrage also, however. We who believe in good faith, honest discussion, rational action, are indeed, as a local paper said of me last week, "caught in the middle." For as Chancellor Wells told one of the leaders of the New Left who went to see him Friday, "when you start down that road, the road of arrogant insistence that only you are right, that you must be given whatever you demand, and that all who disagree with you or your tactic must be overridden, and that you have been endowed with some sort of 'sacred' mission to be carried out no matter what the means, you open a door, you open the likelihood of disturbance, disruption and outraged

counter-response which no intellectual institution can afford. If it does not keep that door barred, you should be the least surprised of all at what pours through."

I want to say at this point that no one here could be more sorry than I that personal injuries occurred to some students, and also to some staff members and city policemen, in the course of the melee which broke out during the making of arrests at the Placement Office. This regret has reinforced my concern. Even now I am worried about the appearance of Professor Zinn in the Auditorium in a few weeks. Until the events of last week and following days, I would not have supposed this academic community would provide cause for this kind of worry. But I believe that in any event it is a matter of urgency that we firmly and clearly restore and maintain an open, peaceful and free campus.

In my State of the University address eleven months ago, I expressed earnestly my hope (and you'll forgive me for the repetition) that the faculty would involve itself more and oftener with matters of legitimate student concern having to do with any part of the work of the University and that I would endeavor to keep close to faculty thinking on such issues. Perhaps neither of us has fully succeeded, but, at any rate, in the interim we have made between us many changes to generate greater student involvement in University affairs of common concern and to reflect results of combined thinking. They include representation on many more University committees, implementation of the pass-fail option, creation of a sort of bicameral student-faculty procedure to consider issues involving changes in rules regarding student conduct and discipline, establishment of a student-faculty committee to probe deeply into common interests, experimentation with a non-registration procedure for student organizations, and other steps, and I would welcome still more measures

calculated to bring the best judgments of the whole University family appropriately to bear on matters of mutual interest. These changes have been made not in weakness under pressure but because they made sense after full discussion. I have been genuinely encouraged by the keen interest which has characterized faculty response to many such matters.

My report this afternoon, somber as it may seem, long as it has been, and much as it has been, even so, foreshortened, is designed to do my part toward carrying forward my expressed conviction that all of us must be involved in matters as important to our common concern as the proper places of dissent and disruption.

Many of you have already conveyed your reactions to me, and I'm grateful to have them. Every member of the administration, which after all is mostly a bunch of professors who have been tagged for special duties, I believe heartily welcomes responses from all of you whether they be your support, your criticism, or, best of all, your suggestions for change in or adherence to present policies and procedures. I do earnestly pray that the regrettable events of last week will not be repeated in any form on any campus of this University. I know you share that hope.

Many of us have been preoccupied these past eight days with immediate matters, but we must not lose our perspective. Thursday afternoon in the Auditorium, in the annual State of the University Address, I plan to include other matters involved in our combined endeavor to build an ever greater University in which each may contribute to the ends we cherish.

Now, I suggest we proceed to the next Agenda item. I recognize the Chairman of the Agenda Committee.

Following his remarks, the President recognized the Chairman of the Agenda Committee, who said that the Agenda Committee had prepared a motion, to be read by Professor Saltzman, a member of the Committee.

CONSIDERATION OF THE UNIVERSITY POLICY WITH RESPECT TO STUDENT DEMONSTRATIONS

In introducing the motion, Professor Saltzman said that at its meeting on October 31, 1967, the Faculty Council did not propose a specific motion to be considered at the November 7, meeting. Therefore, in order that discussion might focus on the appropriate issues, namely, the rules and regulations affecting student life, and the application of those rules, the Agenda Committee had prepared a motion. He continued by noting that the Agenda Committee had no intent to pre-judge the issues, and that the motion was for the specific purpose of facilitating discussion. He then moved that:

THE FACULTY COUNCIL HEREBY RESOLVE:

1. THAT THE CRITERIA GOVERNING THE PERSONAL CONDUCT OF STUDENTS AS STATED ON PAGES 1 AND 2 OF REGULATIONS AFFECTING STUDENT LIFE ARE ADEQUATE:
2. THAT THE RULES GOVERNING PICKETING AND OTHER FORMS OF DEMONSTRATION AS STATED ON PAGES 12 AND 13 OF REGULATIONS AFFECTING STUDENT LIFE ARE ADEQUATE:
3. THAT THE ADMINISTERING OF THESE CRITERIA AND REGULATIONS HAS BEEN ADEQUATE.

(This motion was automatically seconded by virtue of its presentation by the Agenda Committee.)

Following the reading of the motion, the Chairman of the Agenda Committee read the specific criteria and regulations referred to in the motion from Regulations Affecting Student Life. (These criteria were sent to the Faculty in the announcement inviting them to the November 7, meeting of the Faculty Council.)

(During the interval occupied by the reading of the criteria and regulations, each faculty member who wished to speak from the floor presented to a marshal a slip of paper bearing (1) his name, (2) his department, and (3) a statement indicating whether he wished to speak for the motion, speak against the motion, ask a question, or make a germane comment. These slips were then delivered to Professors

Saltzman and Wolff of the Agenda Committee so that the persons wishing to speak could be verified to be Faculty members by checking their names in the Faculty Register. The slips were then passed to the President.

Following the reading of the criteria and regulations, the Chairman of the Agenda Committee returned the floor to the President. The President then recognized each speaker in order.

(Following the meeting, a literal transcription of each speaker's remarks were sent to him for editing. The remarks of speakers who failed to return edited copy to the Secretary by December 30, 1967 appear largely as they were transcribed.)

President Stahr: I now recognize Professor Raymond G. Murray of the Department of Anatomy and Physiology.

Professor Murray: The following statement represents the consensus of the Executive Board of the AAUP, although the text of my remarks has not been formally approved by the Executive Board nor been communicated to the general membership.

I want first strongly to endorse the position taken recently by the National Committee of the AAUP, to which the President referred. We recognize that the incidents on this campus were grave, highly complex and potentially divisive. We believe it is now necessary to take every precaution to prevent the resulting differences of opinion among students, faculty and administrative officers from hardening into a damaging intransigence.

The point most significantly at issue, in the wake of the recent demonstrations, is the disciplining of the student demonstrators. This point needs to be viewed in the context of the arrests themselves. While the University was clearly within its legal rights in relying upon off-campus police to disperse the demonstrators, we believe that final confrontation would have been better delayed, in the hope of avoiding it altogether. The Executive Committee hopes that one constructive reevaluation which may now ensue is an examination of methods of handling student demonstrations. A great deal may depend, in the future, upon the tone and the degree of authority of the officials who will be dealing directly with demonstrators, and upon their ability to avoid violent confrontations. While in the last analysis that may

not always be possible, it can hardly be denied that in most such instances, patience is more desirable than speed. The University's handling of the Dow demonstrators was legal, but few of us believe it was ideal; and we hope that in the future more sophisticated techniques will be developed to circumvent those confrontations from which only a small number of extremists can hope to benefit.

As regards the disciplining of the Dow demonstrators, we wish to remind both faculty and administrative officers that this incident is the unique example of such a demonstration on this campus. In no other instance has a comparatively large group of politically-oriented students forcefully entered a university room from which they had been officially proscribed. Since it was a unique experience, we doubt that many of the demonstrators were fully aware of the gravity of their action.

To establish a climate in which future incidents of this kind may be avoided, we urge the Administration to deal clemently with the arrested students. While it may not now be legally possible to avert court action, intra-university sanctions are entirely within University control. Faculty and administrative officials alike, we think, must recognize that we are all, in some sense, responsible for not having developed sufficiently sensitive and pragmatic procedures for handling such incidents, and must put our minds to the task of creating both the environment and the procedures which will go as far as possible to preclude such confrontations in the future.

In attempting to accomplish these ends, it is highly desirable to have the good will and assistance of the students, some of the best of whom were caught up, in one way or another, in the Dow demonstrations. We urge the University authorities, as an act of good will, to refrain from assessing any intra-university penalties on the arrested students. It will no doubt be necessary to indicate that such an act of clemency is itself unusual, and not to be considered a precedent for future action; but it could serve as the first step toward bringing the university community together again to work out our common problems.

President Stahr: Next, to speak against the Agenda Committee's motion, I recognize Professor Fritz K. Ringer of the Department of History.

Professor Ringer: I have a statement to present on behalf of forty-two faculty members of this University, whose names are signed to the statement, and here is the statement.

We urge that the University's rules of conduct be applied calmly, evenly and fairly by our administrative and police officers. We are distressed by evidence of politically biased over-reactions and of discriminatory applications of existing regulations. We further urge that University authorities avoid the use of off-campus police to enforce its regulations until all practicable alternatives have truly been tried. This is particularly necessary now that police forces in Bloomington, as elsewhere in the nation, have apparently been given license to be as brutal as they like in their treatment of political dissenters. When city or state police do have to be called in extreme cases they should be explicitly asked to refrain from unnecessary violence. Thereafter, representatives of the University administration and faculty should observe and, where possible, direct the behavior of off-campus police, doing everything in their power to insure the welfare and safety of our students.

We attach some descriptions of incidents other than that of October 30th, in which city and campus police officers have been blatantly biased in their application of University regulations and of civil law in general. Attached to our statement are nine statements of evidence. Some deal only with discourteous, unfair and sometimes brutal treatment of I.U. faculty members by Bloomington police. Faculty ought to be apprised of risks involved in calling city police to our campus. Other depositions describe incidents in which our own campus police were guilty of very one-sided interpretations of our regulations. They have treated even faculty members who do not share their views with rudeness and arrogance. What's more, they have actually refused to protect peaceful demonstrators against physical abuse from members of counter-demonstrating groups, even when urged by faculty to do so.

Several of the depositions deal with incidents in front of Bryan Hall on October 31, when an orderly assembly of anti-war students was harassed by other students, who among other things, threw water-filled balloons. Safety Division personnel refused to stop that. In this and other incidents our own personnel has not hesitated to express contempt for the rights of dissenters.

I can't describe all the other incidents. Some of them involved trespassing by pro-war students with clearly violent intentions. Because the Faculty Council should be fully aware of all details, I respectfully request that our statement and our evidence be made available to members of the Council at a future meeting and that they be made a permanent part of the Council's records.

Allow me, before sitting down, to add two purely personal observations of my own:

1. It has been suggested that some of our students mean to go beyond the expression of their political views to attack and to hinder the academic procedures of the University, perhaps even the rights and prerogatives of the faculty. Reacting to this suspicion (which, by the way, might not be well-founded - the evidence should be looked into), thoughtful members of the faculty would urge us to distinguish between the students' right to express political dissent, and their right to hamper the academic life of the university. They would recommend that we tolerate political dissent; but that we nonetheless absolutely enforce the academic regulations which are necessary to keep our university running. I think this a reasonable position. But I think it reasonable only once we are assured

a) that our regulations do indeed give all permissible rights to political dissenters, and

b) that our regulations are applied with true impartiality. (All rules are vague. It is therefore the spirit of their application which matters.)

Only when this is guaranteed can we agree to support the proposed distinction. I believe that things got out of hand at Berkeley because the faculty there was asked to support regulations and procedures which were not as enlightened as they should have been from the beginning.

2. The statement I have read to you is not only pertinent to our discussion of the Dow incident. Early in December, Mr. Zinn is coming to the campus to speak against the war in Vietnam. It is essential that our Safety Division act with greater fairness on that occasion, if serious harm is to be avoided. Thank you.

President Stahr: I now recognize Professor Ralph F. Fuchs of the School of Law who wishes to make pertinent comments.

Professor Fuchs: Mr. President, I did not realize when I thought of speaking here that there would be a specific resolution before the Faculty Council on which we were asked to comment. I believe the Faculty Council should adopt a resolution along the lines of the one proposed by the Agenda Committee, even though there may be imperfections in the existing regulations. It seems to me some re-examination of these regulations may be called for. But, more important, it seems to me that on behalf of this faculty the Faculty Council should in the strongest terms endorse the principles and policies which, for me, President Stahr has stated so beautifully, including the answers he made to the group of students that interviewed him last Wednesday.

There is another aspect of this total situation which I think important, and that is that when we as a faculty, and when the institution as a corporate body, has delegated to administrative officials duties which call for quick decision in matters of great sensitivity, those officials are entitled to the support of the academic community, including the faculty. I do not think there is any principle which precludes both civil sanctions and institutional action against those who have infringed the regulations of the institution. As it seems to me, and as the AAUP Chapter has wisely pointed out, the University should, certainly, act with great restraint in using its authority, lest good will be lost and difficult situations be made worse. As respects the recent incidents it seems to me there is genuine ground for disquietude about the conduct of the Bloomington police in particular, although, of course, we should not attempt to judge of that in the absence of substantial evidence. I think these grounds for disquietude warrant the Faculty Council's consideration of an inquiry into that incident by a committee of the Council or of the Faculty, for a report back to the Council.

President Stahr: I recognize Donald W. Lauer of the Department of Psychology, who wishes to propose a mechanism for dealing with future demonstrations.

Professor Lauer: I have no comment to make with respect to adequacy of existing rules for conduct of demonstrations. I comment rather on a mechanism for enforcing these rules which have been agreed upon. I suggest: first that the rules of conduct be reviewed and if necessary revised by the joint committee of administration, faculty and students. Second, the rules having been agreed upon, that a student-faculty committee of designated neutral observers be selected by students and faculty together. Third, that the students then be prevailed upon to notify the above committee of an impending demonstration and that at such a demonstration pairs consisting of one faculty member and one student be on duty,

prepared to observe in a neutral manner and to document their observations by means of motion pictures, if necessary. Finally, that these student-faculty pairs of neutral observers be empowered to recommend the calling of appropriate police.

President Stahr: I now recognize Professor John M. Cooper of the School of Health, Physical Education and Recreation, who wishes to speak in favor of the motion.

Professor Cooper: Mr. President, ladies and gentlemen, I do not have a carefully prepared speech. I wrote a few ideas down as I was listening to the remarks made by the various faculty members. I would wish to endorse the resolution you have heard. I've had the opportunity to observe this campus for only one year, yet I've seen some actions of student bodies in other parts of the country, and the students' challenges last year here at Indiana seemed pretty healthy. I sat through several of their meetings and listened to them discuss with President Stahr and other administrative officials their points of view. It seems to me though, this year, that that healthy point of view has undergone a "change" and there is some feeling of what is now written in front of Ballantine Hall, that is, a "hate" attitude. The Administration and faculty have to reach a point whereby they must stand up for what they believe is right and for law and order or else academic chaos results. Recognition of the concern of war and peace should always be a concern of the academic family and it is evidenced here on our campus. However this is beside the point in this discussion. At the present time the student dissenters are not tolerant of ideas other than their own. Instead of recognizing that there is more than one point of view they think that everyone must agree with them or else violence should take place. I think this form of protest will continue unless present rules are enforced. Certainly allowing students to act in such a manner will hamper university activities. I also wish to make one other statement. I would like sometime during our meeting today to have the chairman call for an opinion of the total faculty here as to their endorsement or lack of endorsement of this resolution. Thank you.

President Stahr: I now recognize Professor Kenneth R. Johnston of the Department of English, who wishes to speak against the motion.

Professor Johnston: I would like to read a petition which was composed by me and a small group of faculty members and has been signed by over a hundred members of the regular faculty. The petition in its original form was circulated in a language inappropriate to a meeting a gathering as august as this one and the petition that I will read has been modified in keeping

with the spirit of this meeting. It begins with a statement of concern and proceeds as follows:

We affirm and defend the university's right to protect its normal operations from disruption and to provide space and services to representatives of industry. Nevertheless we 1) seriously question the decision of the university officers to call in civil police authorities; 2) request that the university investigate student charges of excessive and unprovoked violence by these police in enforcing their arrest order, and consider what action might be taken against the police should these charges be substantiated; and 3) urge that the university, having decided to call in civil authorities, refrain from academic disciplinary action against the arrested students. I would like to submit this petition as a Faculty Council document. It has, as I said, been signed by 115 members of the faculty and signed with reservations in part by another 6 members. Thank you.

President Stahr: I next recognize Professor Irving M. Zeitlin of the Department of Sociology, who proposes to make germane comments.

Professor Zeitlin: My remarks have been partially anticipated by those of Professor Murray, however, I do have something to add. I would like to support President Stahr's remarks, yet add that we do need an inquiry at this time, since no matter how much one may detest the tactics of certain students, it does not justify arrogance and brutality on the part of the police. Now, of course this is the alleged use of brutality and I think that in support of the remarks of the other gentlemen who went before me, we ought to make a real effort at this time to look into this question. Also, I think that it would be an act of good will, a humane act, to drop the charges against the students and to prevent their suspension. As young as some of us are, we tend to look upon the students as kids, and as such, I have a strong suspicion that not all of them were fully aware of the consequences of their acts. Therefore I think it is important that we think ten times before we punish and discipline them.

President Stahr: I recognize Professor Edward Edwards, who wishes to speak for the motion.

Professor Edwards: Mr. President I may be prejudiced since I was present at the demonstration. I would like to express my views by reading from my reply to Professor Johnston's petition.

First, there seems to be no reason why faculty members need to resort to petitions either to present their views or to have them considered. Second, the manner in which the petition is drawn, and even though only a few members of the faculty sign, gives comfort to a small group of students who without any question whatsoever knowingly violated University rules which other students, the faculty, and the public at large have every right to expect the University administration to enforce. Third, when you ask me to question the decision of the University's officers to call in civil police you are really asking me to violate the principles we teach in business. If we are to have effective administration, and even you apparently believe we need that, then we must clothe the administrators with the power of decision. We should have the right to suggest that administrators be relieved of their duties if over some period of time too many of their decisions are wrong. We should not weaken their authority to make decisions by subjecting each decision to review by us. Fourth, when you wish to require that the University investigate students' charges of excessive and unprovoked violence by these police, it becomes apparent that you were neither present at the time nor sufficiently concerned to learn the facts for yourself. Fifth, when you ask me to demand that the University cease and desist from academic disciplinary action, you forget that with faculty approval the university has established an orderly procedure for appeal from disciplinary action. The Student Conduct Committee composed of six faculty members and six students is far superior to the Faculty Council and the general faculty to consider the appropriateness of any disciplinary action and I'm surprised that you would want to usurp its authority. As a gratuitous comment, I suggest that you might bring about a clearer decision on these matters by proposing that students and anyone else be permitted to demonstrate at any time, in any university classroom, laboratory, office or other facility; that no officials of the university interfere in any way with such demonstration even though it is interfering with the University's program and the rights and freedoms of other students; and that police not be called in unless, after referendum and majority vote of the general faculty, a decision has been reached that either personal injury or damage to public property has occurred or is likely to occur.

President Stahr: I now recognize Professor William Simon of the Department of Sociology, who wishes to speak against the imposition of academic sanctions upon student demonstrators.

Professor Simon: Thank you Mr. Chairman. Following the preceding speaker and his view of our relationship to the University, I'm not sure if I'm addressing a colloquium of co-professionals or an annual stockholders' meeting trying to assess what the balance sheet looks like. But, we aren't just a corporation.

Let me make one very specific, very pragmatic point as a sociologist. We wouldn't be here today if the Dow situation hadn't become violent and bloody. It's that simple, I think. As outrageous as the behavior of the students might have been, had it not gotten out of hand, had it not led to blood and violence, we wouldn't be here today--a high price to achieve community, a regrettably high price. I know police enforcement and I know colleagues who do. I know of riots on death row in penitentiaries handled by competent, professionally-trained law enforcement agents where prisoners were subdued without violence and, above all, for those of us who remember Max Weber's words, without the display of personal passion. The police agents we brought to the campus through out administrative officers, both ours and the city's, betrayed us and allowed a monstrous situation to develop. This ought to be in your mind when you make the decision about the application of law and the need for exception. There are also general principles.

I totally agree with President Stahr that the essential functions of the university have to be maintained, but not everything that happens on the university campus need be essential to its function. The confusion of the Rusk - Dow events makes things very difficult. Let me speak to the Rusk matter for just a second because the Dow situation is more important because it involves student destinies. I don't think the Rusk appearance was essential to the functions of the university. The New York Times some three weeks in advance of Rusk's appearance talked about a State Department campaign to show that the Vietnam policy of the administration could be sold to the American electorate. Rusk did not come to lecture. He did not come to educate. He came to commit a political act for which we were not even immediate reference. The total population linked to him through the mass media really were. Insofar as he came to use our campus, I think the administration is to be criticized for allowing him to use our campus for his political ends and then to attempt to defend what was a mistake in judgment in the first place, by now saying that this was a normal, ordinary academic event. Had Rusk come and said "No microphones fellows, no mass media, I really want to talk with you," as an honorable community I think all the protections should have been accorded. Insofar as he came to commit a political act, we weren't there to learn; I think we were there as members of, not only this

community, but also of society and the world. We were there to judge and to make our judgment known.

There are other issues involved. The world is terribly complex. Ours is a society that agonized for over half a century on the right of people to collectively bargain as against the right of people to earn a living. Things are never neat and clean. They only become neat and clean when your image of the world is excessively narrow.

Here I think we are engaged in a particular kind of double standard. We have crimes committed or violations committed on this campus countless times that are terribly alien to the academic spirit--cheating, all kinds of wanton behavior and the practice by the fraternities and sororities of the vilest forms of discrimination--which we treat with tenderness, gentleness, and seemingly unending generosity. On the other hand, we are here confronted with violations that follow from intellectual and moral conviction and the administration's treatment is far from tender or generous. Strange indeed.

President Stahr: May I point out here that any member of the faculty is free to extend his remarks, or to make remarks which he may not have an opportunity to make, or may not wish to make here, through contacting the members of the Council, or writing letters to the Council or to me or to anyone he wishes, as a great many of you have done. It has been suggested to me up here that I might point out that an attending speaker may have been satisfied by the statements of a previous speaker, as adequately representing the point of view he wishes to express, so there is no requirement that you speak simply because you sent your name up earlier. On the other hand, the reason for the three minute rule, I'm told by the Agenda Committee, is to permit as many as is reasonable to have an opportunity to speak.

I recognize Professor Richard Johannesen of the Department of Speech and Theatre, who has a question concerning use of force by city police during arrest of students at Business School.

Professor Johannesen: Several of the previous speakers have alluded to supposed, unnecessary force by police in arresting the students. These were general allusions and I myself am unclear as to the facts of the situation. I think it has to do with application of existing rules. Some of the faculty may have read already twelve signed depositions by students who were present at the arrest. Many of them testifying to a particular types of use of force by the police, such as

clubbing students on the head; clubbing students and aiming at the testicles of the male students; garroting one student with a billy club. If you have not had these depositions available I would hope that you can find copies of them. They are all signed by the students. But to get specific I would like to read part of one of them and then ask a question about it.

I have no reason to doubt the veracity of this statement, on the other hand, I don't know whether to believe it. I need more information about it. This one is signed by a student, Jane Dillencourt and reads in part as follows:

"The police arrived and a man in plain clothes told us that either we would leave peacefully or we would get hurt. Almost everyone stood up, but after half the group had been herded out of the door the policemen started swinging clubs. Several boys were sitting on the couch with arms linked. The first policeman started punching Rip Lhaman in the ribs with his club. The second officer dragged Dwight Worker off the couch, which pulled the rest of the line down to the end where the policemen were clubbing people. While the second one beat Dwight Worker a third policeman attacked Dan Kaplan. A girl in the back of the room started screaming hysterically. Then I was pushed toward the door. I saw a policeman holding Bob Johnson with a club across Bob's throat. Bob had one of his hands on the club, seemingly trying to avoid being choked. A man in plain clothes approached Bob, who was completely defenseless and tried to kick him in the testicles. I didn't see what happened to Bob then because as I started in that direction a hand grabbed my arm and turned me around. I saw that the rest of the room was fairly well cleared except for two policemen who were each clubbing a student. Both of the students were rolling on the floor trying to protect their head and testicles, which were the clubs targets during the brief period I watched the scene. Again I was pushed very hard from behind into the doorway, this time by a club being jabbed in my back. I heard shouts of "get that colored boy" from all around me. The doorway was jammed with people, some pushing out into the hall, and others trying to get back into the office. A hand grabbed me by the hair. The hand was removed by Bob Johnson. We were all pushed out into the hall where I again heard, "get that colored boy" yelled. A man in plain clothes had his hand clamped onto my arm and wouldn't let go. Two days later I still have dark bruises from his fingers. At no time did I see a student strike an officer."

Is this true or false?

President Stahr: I obviously have no personal knowledge of what occurred in that Placement Office, since I was not there. I think it would be unfortunate, however, if we tried to try that case here this afternoon. I did make remarks in my own background statement that I have made a number of things absolutely clear to members of the Safety Division. I think all of you should know that there are distinctly conflicting statements about what occurred in that melee and I would urge you to reserve judgment. No matter how long we drag out the past incident into the future, I would urge you to reserve judgment on even the past incident until there has been opportunity for everything that can be done to be done to develop the actual facts.

I next recognize Professor Willis Barnstone of the Department of Comparative Literature and Spanish and Portuguese. He wishes to speak against part three of the motion.

Professor Barnstone: I want to speak very briefly. I agree with President Stahr's stated belief that reasoned response is taught as the path to enlightenment and further I believe his words that the use of security police in response to personal abuse should never be brought in to personal abuse alone. I believe, however, that the response at this time was not one of true reason. And I think the university bears a grave responsibility in calling the city police on this occasion. It has created an unnecessary and profound crisis in the spirit of the university and it has led, inevidently, to violence in which students as well as policemen were seriously injured. I ask what would our attitude be today if one of the students had been killed from the clubbing. I think we have opened a pandora's box to the Bloomington police and I cite the example, which some of us may not know about, of a T.A., a student whose name is George Farkas, in philosophy, who was arrested on the day of the assembling of students in front of Bryan Hall. He was arrested by a Bloomington plain clothesman for speaking an obscenity in public. He was arrested after water bombs had been thrown at a group of students and there was evidently shouting back and forth. He was one of those who shouted. He was on his way into Ballantine Hall. When he was arrested; his hands were pulled behind his back; he was handcuffed and ultimately bailed out at \$250. I feel that this is close to a kind of Kafkian nightmare situation when we can be patrolled by plain clothesmen and our words observed and when we can be arrested by the nature of our words. I would like to ask 1) Are plain clothesmen from the city police normally on campus observing us and 2) I would like to suggest in the best spirit and in agreement with President Stahr's main remarks about

reason and good conduct, that Bloomington city police never, never under any circumstance except obvious criminal action, be brought in in handling our students. Thank you.

President Stahr: With regard to the question about the plain clothesman, I simply do not know the answer. I have not been aware that there was any normal patrolling of that sort. I shall be interested myself to find out. I do not know whether it was this case or another, but it sounds like this case, about which I was advised by the city that a policeman had been disciplined, and if I understood correctly, discharged because he had arrested somebody for using obscene language here on the campus.

I now recognize Professor Robert Miliesin of the Department of Speech for comment.

Professor Robert Milisen: It is so easy for anyone to stand by and point a finger of shame at a university administrator or policeman who is trying to enforce our rules and laws. It is important that we see their side of the conflict as well as our own before finding fault. Shouting police brutality, for instance, is so easy. It is even easy to document this accusation if individuals feel no obligation to stick strictly to the truth. For example, I am inclined to feel that the student who wrote so melodramatically of police brutality might do well to continue in the writing of fiction.

Although every person should feel an obligation to support our laws we are being told that these students should be forgiven because their violations were made on the spur of the moment. I am sure these students knew the rules and laws and violated them knowingly because this is not a new kind of behavior that has developed in America recently. It is instead being repeated all over the country. I believe firmly that future behavior by students will be determined by past treatment. Too much coddling of lawlessness in the past will lead to its continuation in the future.

President Stahr: I now recognize Professor Albert Elsen of the Department of Fine Arts for a question.

Professor Elsen: Not being a member of the Faculty Council, I must judge the resolution concerning the adequacy with which the rules were enforced in my own mind, and I need some information. I think it can be given very simply. It concerns the role that Dean Smith played in this very difficult situation. We are told that Dean Smith explained to the students that an orderly protest in the hallway was permissible and that they would be arrested if they forced their way into the reception

room, and so forth. In other words, we know that the Dean fulfilled his task which was to apprise the students of the university's regulations and the penalties for breaking them.

My question, however, is to what extent did Dean Smith before this statement or afterwards try to reason with the students and try to dissuade them from the act apart from telling them of the penalties that act would incur?

President Stahr: There again I have no personal knowledge but I shall be glad to inquire into that point and report the findings to the Council.

I recognize Professor Robert F. Byrnes of the Department of History, who wishes to speak in support of the motion.

Professor Byrnes: Everything that I had hoped and planned to say has already been said by Professor Fuchs. I would simply like to support what he has said. I would like to say in addition that I thought President Stahr did the University a great service by the statement which he made this afternoon, which I think an exemplary statement concerning the nature of the university and the way in which it should be administered. I must say also that I have a great deal of sympathy for the administrators who have to face the very difficult and complex problems which the students have raised. The only complaint I have to make about the motion is that, instead of using the word "adequate," I would say that the Faculty Council approves and supports the rules of conduct, the rules for picketing and other forms of demonstrating, and the ways in which these rules have been administered. I recognize that we are all human and believe that the administrators in dealing with very difficult problems have acted with great discrimination and care. I am also struck by Professor Fuchs' comments and the comments by Professor Johnston. I think it is a mistake and very unwise for those of us in ivory towers who are not at the point of action to "seriously question" the action of those people who were in a position where they had to act very quickly. All of us as grandstand quarterbacks today can tell what Mr. Gonso should have done at one point in the fourth quarter on Saturday afternoon. It's a very quick and tight situation. I think that our administrators, in a delicate situation, which they did not create, deserve our understanding and our support.

President Stahr: I recognize Professor Mary Rouse, Department of Art Education, who wishes to submit a petition.

Professor Rouse: This petition which was signed by 173 professors has already been delivered to President Stahr, I believe. I wish to have it entered, however, into the documents

of the Faculty Council. This is what we signed:

We the undersigned faculty members are not against student's rights and have no desire to curtail rational dissent and debate. But we cannot find it within ourselves to condone irrationality in any form within a university community. Therefore, we wish to go on record as lending our moral support to President Stahr and Dean Shaffer as they exercise their responsibilities in the administration of their offices within this university. Thank you.

President Stahr: I recognize Hans Tischler, Musicology, who wishes to speak for the motion.

Professor Tischler: Everything that I had to say was said by somebody else before but I have a few questions and remarks to make about the kind of demonstration that it was. It seems to me that there are two types. Some which are made in order to reason out a point; some in order to make a fuss in order to gain a point. There are two types of demonstrators, some with whom you can reason; some who don't want to reason because that would destroy the whole point. Both types were present, it seems to me, at the demonstration at the Dow Chemical business and it seems to me that one has to deal differently with the two types of students involved and that we cannot make the decision here: only the Student Conduct Committee can find out who the students were and which students deserve to be treated, as was proposed before, leniently and who are those that really don't want to reason. I understand that some of those that were at these demonstrations were in fact not students at all.

I want to make one other point. I had a meeting with several of my colleagues at which I proposed as a possible way of reasoning with students to interpose a faculty committee that would be called in on such occasions to assuage the situation. I was laughed out of court by one person who had been present in the Business School who said: "Would you really take the risk of physical assault? I turned the other way." And he was by far stronger and bigger and younger than I. In other words, we should admire Dean Smith and the other gentlemen there for their physical prowess. I don't think that any one of us would have been much better at making decisions or more patient, because physical assault was in the air. Calling in the police was a double-edged kind of security, because both the demonstrators, counter-demonstrators, and watchers, and the people in the office were in danger and had to be protected. One point, the office had no other exit. Why was such a meeting held, although we knew that Dow Chemical was in for some kind of demonstration,

in an office that had no second exit? It could have been easily transferred, had there been a second exit.

To conclude, I think that we should not make a decision here about leniency or no leniency for the students involved, but let, as one of the other speakers has said, the Student-Faculty Committee on Conduct take over.

President Stahr: I now recognize Allen F. Agnew, Professor of Geology, who wishes to make comments in favor of the motion.

Professor Agnew: President Stahr and ladies and gentlemen, -- fellow colleagues -- I want to second the remarks that Professors Fuchs and Byrnes have made, as well as some of the other comments we've heard. But I also want to stress a couple of other points. We as faculty members, in the process of educating the students and ourselves at the same time, should remind ourselves of two particular facets of what we are talking about this afternoon. One is that a peaceful demonstration can very quickly get out of hand and the I.U. Safety Division and the city police and other authorities abhor the kind of wanton destruction that a riot can bring. The other point is that the demonstrators must be willing to accept the consequences of their action. They have opted for this move and they must be willing to accept the consequences even though these consequences may seem partially unwarranted. Then I would like to go ahead and remind us faculty members of three things. We have administrators who are administering the university. They are handling the administrative duties and they are doing this so that we faculty people can be free to carry on the academic program, that particular side of the university's charge. Many of these administrators, as you know, are former academics just like ourselves; they are not like vengeful fathers as might have been suggested earlier this afternoon, trying to deny their children the opportunity to express themselves or think for themselves. The third point is that we have the opportunity, we faculty, and the privilege to change with the changing times and we should be leaders in this changing scene; however, this does not give us license to do unlawful acts or acts that are disruptive to our educational purposes or acts that may provoke civil or criminal actions because of their possible harmful effects on others. In other words we must learn from these experiences. We must grow. I want to compliment President Stahr for his tremendous and objective statement that we have just heard and particularly for that excellent quotation from Chancellor Wells, and I think that we should support the Agenda Committee's resolution, giving special attention to the third part, the suggested revisions that have been made this afternoon. Thank you.

President Stahr: I next recognize Professor W.J. Moore of the Department of Chemistry, who wishes to speak against the resolution.

Professor Moore: I thought a chemist should say something since it was a demonstration against a chemical company. In fact, many chemists throughout the country have been deeply concerned by the Napalm issue and I think that we must recognize that the students here had a real and valid reason for protest. Perhaps, as is often the case, their emotions carried them away. Secondly, I should like to make the point that it seems that President Stahr, by his wise changes in the rules, has already implied strongly that the old rules were not adequate. Everything he said I can certainly support firmly and everything that the resolutions and petitions stated can also be supported, except for the word adequate in regard to the enforcement of the old rules and the actual details of the procedures for calling in the police. It seems to me that obviously these were not adequate. I think that the Agenda Committee could put it that a crisis was faced by various people as best they could under difficult circumstances and as a result of that experience more adequate procedures will be available.

President Stahr: I recognize Ralph L. Holsinger, Associate Professor of Journalism who has a pro comment.

Professor Holsinger: Mr. President, members of the Faculty Council. Our purpose today is not to try the students who were involved in the Dow fracas at the Business Building. That's a matter for the courts, and the administration has been very careful not to attempt to try that case here. Likewise I don't think it should be our purpose to try the campus or the Bloomington police on charges of brutality. These are not at issue. The issue is whether we are going to support rules that will insure a climate of freedom on this campus. This we must do because we are threatened from two sides. On one side we have a group of students and camp followers, who are not students, who have set themselves up as judge and jury of what is truth and who may speak and even who may visit the campus and under what conditions. They seem bent on having their own way at all costs. Now by their actions they're provoking a reaction that I would remind you could have grave consequences for everyone of us in this room. We are not an island, we are not an ivory tower, we are a part of the State of Indiana. And I assure you that the State of Indiana is watching. I think it is time that the majority of the faculty demonstrates that it does not want to encourage either side further. We must show that we can keep our own house in order and we can do that by voting overwhelming support for this resolution. Thank you.

President Stahr: I recognize Professor George List, of the Archives of Traditional Music.

Professor List: I am possibly in the most difficult position of anyone in this room. One of the students arrested was my son.

In our home we take seriously the Judaic-Christian ethic. My son was brought up to believe the Golden Rule to be an appropriate guide to behavior. He did not ask my opinion before he engaged in this action. I would have advised against it. But I cannot quarrel with his motives.

My son was one of the demonstrators at the School of Business. He did not resist arrest at that time. He did not participate in the heckling of Rusk the following day. The demonstration at the School of Business and the heckling of Rusk in the Auditorium were two separate actions. Those who participated in the first did not necessarily participate in the second. There is no unanimity of opinion among the students concerning the means of accomplishing their objectives.

I shall not speak to the motion as such. But I do wish to present to you some of the larger issues that bear upon the decision that must be made. We are engaging here in a discussion of a present situation on our campus. It is a very difficult situation. We are, to a certain extent, engaging in a discussion of legality, of actions versus rules. I am not sure this is the only germane approach.

As a parent I am faced with the necessity of continually keeping open a dialogue which, in fact, is not just between me and my son but between my generation and his and the group of which he is a part. I, perhaps more than most of you, am aware that what my son and these other students are doing is not entirely based upon emotionalism. Nor are their actions related only to present and local circumstances. If you read the newspapers carefully, as I have been doing lately, you will realize that the actions of these young people are part of a growing movement in our country. If you talk with them you will find that they are not entirely devoid of logic. When you ask why they do not "go through channels" they reply that all the approved and legal means have been tried and have failed. Nothing has been accomplished. The war goes on, people are still being killed, what they believe to be immoral conduct continues. I cannot help but be sympathetic to their feelings in this direction. I, too, strongly oppose the war in which we are now engaged.

If you ask the clergymen who have gone into an office of the Selective Service and have poured blood on the records there why they have done so they also reply that normal means no longer suffice under present circumstances. They remind you of the failure of the Church in Germany to put opposition to the Nazi regime ahead of loyalty to the state until it was too late to take effective action. They say that they prefer

to be ahead rather than behind the public in action, even if at times they may be in error.

When you study the history of our country you find that the greater part of the progress we have made has been produced by civil disobedience. We have secured emancipation of the Negro, suffrage for women, collective bargaining, all through civil disobedience. A law must be disobeyed before the Supreme Court can rule on its constitutionality. These young people know this. They are not completely ignorant of history.

How do we resolve the present situation? I do not have the answers. I do not have the answers at home. But I urge that we do not view this demonstration as an isolated incident divorced from its context, that we do not base our decision on legality only. We are dealing with a facet of a wide movement. We must not forget that it was through civil disobedience that our Republic was established as was, more recently, that of India.

I repeat, we cannot dismiss the action taken as a local and temporary phase of student life, as the whim of a group of students. We may argue that the students concerned would have better secured their objectives through approved and legal means. I have so argued in my home without success. But we cannot deny all logic to the act of civil disobedience nor can we deny its contribution to the development of American democracy.

President Stahr: I recognize Philip Appleman, Professor of English, who wishes to speak against the motion.

Professor Appleman: Mr. Chairman, I speak against the motion with particular reference to points 1 and 2, "Regulations Affecting Student Life." I happen to believe, in my own judgment, that those regulations are in general very well drawn; but, in retrospect and given our present predicament, it would seem to me a mistake if we simply gave them the official label of "adequate." That might have the unfortunate tendency to preclude future and possibly fruitful discussion of them. It would seem to me a healthier thing to do for the Faculty Council, or one of its committees, to take a hard look at the regulations rather than simply to label them as "adequate."

President Stahr: I now recognize Elinor Ostrom, Department of Government, for comment.

Professor Ostrom: My comment would be very similar. I assume that we are dealing with matters of fact and this is not the appropriate forum for dealing with these matters of fact. If I could make a recommendation to the Faculty Council it would be that the Council would appoint a broad-based

committee to examine, not only this particular incident, but incidents similar to this that have happened on this campus involving demonstrations in the fraternities and relating to football events and a variety of types of demonstrations that can occur on a university campus. If our policies are to be approved and backed, we should have examined not the one instance, but all. The committee should then recommend to the Faculty Council how it should act on this particular motion.

President Stahr: I now recognize Professor William Siffin, Department of Government, for a comment on a point previously made.

Professor Siffin: President Stahr, colleagues. I have a great admiration for sociologists, from whom I've learned a great deal. A while ago Professor Simon observed that not all the activity that goes on in a university is essential to its function. He was referring to Dean Rusk's speech. He did not point out, however, what sociologists have told me a number of times: that certain norms are essential to the operation of organizations, or the performance of functions of any kind whatsoever, in those organizations, if they are to continue in existence. I think perhaps it's the norm point rather than the functional imperative point that is germane to part of our concern here today.

It seems also to me that two themes are under consideration, and that one of them is an unfortunate incident that has provoked in the minds of quite a few people a sense of concern or even outrage. But there is also another theme and that is the theme of a question of policy. These two things are separate, although they have not always been maintained separately in this discourse. We have no choice but to continue to suffer a degree of irrepressible conduct from students who don't necessarily believe in fair play and, incidentally, in some cases earnestly believe that we represent a system that doesn't either. Within certain limits we must tolerate radicals and revolutionaries, not because they're right, but because they have certain rights. We must honor them in principle and in practice; but we must also protect this institution with wit and grace and the reasonableness we profess to honor, with the smallest possible reliance on force, and without passion. Now, if the re-affirmation of existing policies or the adoption of the Faculty Council resolution will foster these purposes, then I'm very much for them, but I suspect that the problem lies in the way in which the rules are going to be enforced. I'm inclined to think that we shall continue to grow in grace and wisdom.

President Stahr: I now recognize Alfred David, Department of English, who wishes to speak against the motion.

Professor David: Speakers for the resolution suggest that university officials, acting in a tense, possibly dangerous situation deserve our sympathy and support. I can see how they can perfectly well deserve our sympathy. A situation like that is one in which anybody might make a mistake. On the other hand I don't see why the sympathy should at the same time entail support. In fact, it seems to me, Part Three of the resolution cannot be passed without prejudging what happened on October 31st. President Stahr said there are grave conflicting reports about what took place, and until we know what happened I don't see how we can take the position suggested by the resolution. It's perfectly possible for legally appointed, legally summoned authorities to act illegally, and passing the resolution implies that we approve of the action of the police. The behavior of the police seems to me to be one of the very serious issues, at least as serious as freedom of expression; in fact the two are related.

President Stahr: I now recognize Professor Lester Wolfson, Dean of the South Bend Campus, who wishes to make a comment.

Dean Wolfson: President Stahr, and colleagues. The need for my statement has been somewhat obviated by the remarks of the last few speakers, but I did want to bring to the attention of this gathering and to the Faculty Council a brief episode that occurred last night in South Bend after we had received the invitation to this special meeting. I was called at home by two of our younger liberal faculty members--extreme liberals I suppose some might call them. These men are very sympathetic toward and active in SDS, one of them in fact being a sponsor. The upshot was that they came to my home and we spoke for an hour or so about University policy generally and not so much about the details of the Dow recruiting incident because none of us had known a great deal about it until we read the comments attached to the student "demands" and the President's answers. I would like to speak for them so that they can be heard at this meeting; to state their feeling of sympathy for the motives, if not necessarily the conduct, of the students who demonstrated; and to state their sense of how urgent the issue of war is in our times. They feel that a kind of rules as usual or business as usual approach by the Council or the University would be at best inappropriate and at worst almost a gross and flagrant evasion of responsibility. I think these young faculty members and, by implication, demonstrating students at our campus at Bloomington and elsewhere throughout the country may be seeing the kind of issue that was explosive here last week as one calling for principled civil disobedience.

I believe Professor List of Folklore spoke of that. To make this position clearer: if, for example, by any act of the aberrant imagination we could conceive of, say, the President of our University or some other high officer condoning racial discrimination or ethnic persecution, either by outright statement or by implication of silence, the course of action for many of us would be very clear.

The point is that some students and some faculty members see the Vietnam war (or war of almost any kind unless in retaliation for a deliberate direct attack) as a crisis of such enormous magnitude, fraught with such great danger literally to the survival of human beings, that they see the symbolic dimensions of the Dow issue in this same extreme light, a light that would be equally clear to some of us if we thought as intently upon the matter or felt as **passionately** about it as they did. I think that the basic question that they would want us to ask and have considered here is whether it is true that the University should take no stand on crucial political issues or by implication of silence should seem to be supporting something which is absolutely abhorrent to their imagination.

I'm reporting for these colleagues, and not stating my own view in this matter at all, but I do believe that if we see the question we are considering as one concerned mainly with the legalities of a given act, we might make a decision that would have grave consequences, at least in the minds of the people who raise the queries I have presented. Thank you.

President Stahr: Professor Wolff has submitted a motion from the Agenda Committee that, in view of the number of faculty members still waiting to speak, the Council extend its hour of adjournment until 6 p.m. (The motion was **carried unanimously**, and the President called for a brief break so that faculty members who had other commitments could leave. A substantial number of faculty then left the meeting.)

President Stahr: I recognize Professor Eunice Roberts, Assistant Dean for Undergraduate Development, who wishes to speak on the point whether the Rusk speech is essential to academic functions of the University.

Professor Roberts: Mr. President, I would like to respond to the comment that the Rusk speech, the invitation to Rusk to come here, was not relevant to the essential academic purposes of the university and was not necessary. Indeed it was not. Nor was the invitation to Apthekar last year necessary, nor was the invitation to Zinn this fall necessary. But put them all together and they are necessary to the essential academic purposes of the university, and if we overlook that point, we're overlooking one of the most important points in the whole discussion. We must be able to invite and hear and permit others to hear all sides of any question on which any member of the university community wishes to hear someone speak.

President Stahr: I recognize John H. Gagnon, Research Sociologist, Institute for Sex Research, to comment on point 3, application of university sanctions.

Professor Gagnon: As one of those who has received the protection of this university to conduct free and untrammelled scientific inquiry in my role at the Institute for Sex Research I would like to thank the university for having supported what we try to do. But I would also like to comment on the problem of the young people who were involved in the Dow-Incident. First of all, they aren't thugs and they aren't hoodlums. They are the very young people who conducted sit ins in the South and the ones who were hit over the head by the southern police. At that time we applauded them and we supported them and we tried to help them as much as we could. In a sense what we have failed to do is to make this university a kind of place where students have a sense that this is not the behavior which is required in order to promote their goals. It seems to me somehow that we have lost touch with these students who are, in many senses, our best product for they were really acting out of moral compunction quite unlike students who go on panty raids. I think there is a fundamental difference here between this and other violations of the student code of conduct. Even though they may have done things which I would not have approved of, it seems to me for the university to place sanctions on their behavior, especially given the other circumstances of this case, would require a stretching of the facts of the situation. I would hope, even if they are given a fair hearing at their court trials, that some reasonable investigation will go forward by an impartial body and that such a body act with clemency, since these young people are not a cancer growing in our midst that we have to cut out.

President Stahr: I recognize Professor Alfred Strickholm, Associate Professor, Anatomy and Physiology, for comments.

Professor Strickholm: President Stahr, and members of the faculty, we are faced, I believe, with a very momentous and difficult decision, a decision which will not be easy. I believe there are some guidelines, poor ones, but a few anyway. Namely, there have been other universities which have had the same trials and problems which we are currently being faced with. One specific example which I have personally been acquainted with was the Berkeley free speech movement. That situation is perhaps not the same as here since the free speech movement had wide support not only from the student body, but also from the campus ministry, rabbis, and priests. This wide support occurred because of the enforcement of a university ruling which denied to all groups, religious and political, access to University facilities which included the privilege of setting up card tables on campus for advertising

purposes. The students at Berkeley, in their protest, did trespass the administration building and thus did violate the law. President Kerr was bypassed by Governor Brown who made the decision to call in the state police who hauled the students out of the building and arrested them. The situation here at Indiana is a little different in that it was the university who initiated the calling in of outside police. At Berkeley, there then arose the question which we are discussing here; should the arrested students, who were being subjected to the civil law and possible punishment by the courts, be also subjected to university discipline and punishment. This immediately raised the question of double jeopardy. The question was, to my knowledge, dumped onto the lap of the faculty of the Law School, who wrestled with the problem for several years. These historical points I am mentioning to emphasize that it was a difficult problem and one not settled very easily. In the discussions of the law faculty which I attended, it was felt that while a private university or club could enforce its own rules and regulations however arbitrary, the situation with a tax supported public university is quite different. The university was in a sense in the public domain and constitutional guarantees, such as the right of freedom to advocate and of assembly, intruded into this arena and were applicable. It was on this point that the initial ruling, which denied the use of university facilities to student religious and political groups, was considered unconstitutional. However, the question of double jeopardy was never solved satisfactorily. My impressions were that some, but not all of the Law faculty at Berkeley, felt that when a tax supported university calls in civil authorities such as the police, constitutional guarantees somehow enter in, and the university possibly abrogates its right to additionally punish the offenders because of constitutional guarantees against double jeopardy. The final result was that the University of California avoided deciding on the legalities of the issue and the students were found guilty in the courts and paid fines or went to jail with sentences up to 3 months. This was the historical development of a situation similar to that we have here. On other campuses, the University of Chicago for example, there have been similar problems with student demonstrations. The problems at Chicago which occurred with sit-ins were solved in a different manner. The university officials avoided as much as possible the calling in of public authorities or local police and attempted to solve the problems internally as best as they could. They were able to solve these problems internally and thus avoided the possibility of violence with police clubbing students and the consequent undesired publicity. In summary, two points which I feel are important are: first that outside police should not be called in unless all other approaches and attempts at settlement are exhausted, and secondly, the question of double jeopardy will require considerable and lengthy thought.

President Stahr: I recognize Howard Spicker of the Department of Special Education to comment on future actions.

Professor Spicker: President Stahr, members of the faculty. I believe that the motion before the faculty is not the crucial motion that most of us, at least I for one, came to talk about. It seems that this university is very much devoted to academic freedom and I think that the statements of policy with regard to student demonstrations illustrate this and I for one can find no argument with that policy. I think that the problem is that the implementation procedures were inadequate for the type of demonstration we are now seeing. The type of demonstration we are seeing now, as a matter of fact, is only one example of what is to occur in the future. So it seems the issue is what type of action should be taken by the faculty and police in future demonstrations. It seems that there is an interesting parallel here with the Rusk demonstration and with the School of Business one in that the Rusk demonstration, although granted not a very pleasant type of demonstration was a peaceful one. It seems that here we had State police who were trained to handle riots. They, as the students put it, kept their cool. It seems that our own policy and the local police did not do so. It, therefore, seems that one of the main problems is to train our campus police as well as the city police in methods of coping with these types of demonstrations in the future.

President Stahr: I recognize Associate Professor Kenneth Schmitz of the Department of Philosophy who wishes to speak against the third part of the motion.

Professor Schmitz: Before I speak against the third part of the motion I should like to endorse the remarks made by Professor Gagnon, which I took to be a plea that the administration deal with the students in a spirit of understanding.

It seems to me that the third part of the motion is quite distinct from the first two parts. In fact, I see three issues here. There is first of all the issue of the general authority of the university to take action in these matters. That I take to be unquestionable. Then there is the second issue which concerns the general policies of the university in such situations. I gather that there is sentiment for some kind of thoughtful review of these general policies. I certainly would endorse some such review.

But it is precisely to the third part of the motion that I speak. It has to do with the implementation of the policies rather than the policies themselves. Other speakers have drawn this distinction too; but I should say that there is a vital urgency here, and that we should take this incident as an opportunity to face up to the moral challenge which we have been given. In the face of the charges that the

rules have not been implemented with impartiality, in the face of the charges that there has been some brutality, I should like to see a committee of the faculty as a whole actually investigate this matter. Such an enquiry would not intend to impinge upon the right of the courts, or any such matter, but would rather intend to prepare us for future incidents, so that we may more "adequately," if you wish, and certainly more justly, and perhaps more humanely implement the rules, whether we modify them or not. I think that this is the challenge that is most urgent and important for us to meet today.

President Stahr: I recognize Professor Alan Pollard of the Department of History.

Professor Pollard: I wish to speak against the resolution for the following reason. It has become apparent that a vote for the resolution is not really a vote in favor of the adequacy of the rules, for it has been made clear that the rules are going to be changed, or at least that the procedures are going to be changed. A vote for the resolution, in other words, is a vote of confidence for the manner in which the officers of the University have recently implemented the rules, and nothing I have heard this afternoon would permit me, at least, to extend such a vote of confidence. I cannot agree with those who have said that it is not for us to judge the validity of the charges of police brutality. To be sure, it is not for us to try the police; however, it is for us to determine whether or not those who were responsible for calling in the police were aware of the possible consequences of that action, whether or not they could anticipate what the police were going to do. If they could anticipate what the police were going to do, then they are responsible for the brutality. If they could not anticipate what the police were going to do, if they do not know what is going to happen because of their decisions, then their judgement is certainly seriously in question. Certainly it seems to me that no decisions regarding the revision of the rules and procedures can seriously be undertaken without an investigation of the charges. I am not sure whether an investigation of the history of past demonstrations would really be relevant. This was not a football riot or a panty raid; as many speakers have pointed out, this was something relatively new, at least to this campus. Perhaps it occurred in the 'thirties; that I do not know. We now have political students; this was a political demonstration. This is a new situation, and quite clearly, new rules or procedures are required to meet it.

President Stahr: I recognize Professor George Wilson, of the Department of Economics, who has a question and comment.

Professor Wilson: I agree with almost everything that has been said this afternoon, which indicates a high degree of internal schizophrenia. In any event, what I really want to comment on and ask a question about, is something that the last two speakers have referred to, namely, who in fact did call in the Bloomington police and are there any guidelines for situations where this action is contemplated or where it ought to occur. The administration has been roundly berated for calling in the police. As I read Dean Shaffer's report the fact of the matter seems to have been that this was Captain Spannuth, operating perhaps under no alternative instructions. So I'm also concerned about the way in which regulations are enforced. I have no particular quarrel with the existing set of regulations, which are in fact sufficiently amorphous in general that you could justify virtually anything. I would think however that the decision to call in local police is a pretty awesome responsibility to rest on any single captain's shoulders. Such a decision independently of whether or not Capt Spannuth understood the probable reactions of underpaid police in Bloomington when they're called all kinds of names, (i.e. how they will react is fairly predictable) is pretty serious business. I think this is a kind of responsibility that ought to be made clear and I would recommend that a top ranking administrative official be the only one with authority to call in the local police. Now top ranking officials are not easy to find at Indiana University, but I should think that we often have enough advance warning of when demonstrations will occur that we ought to be able to find one of the deans, vice presidents, or what have you. Thank you.

President Stahr: In answer to the question in Professor Wilson's remark, the answer I gave to one of the four demands stated the policy at that time, which was that the Director of Safety Division, in circumstances in which he feels a situation is beyond the ability of the Safety Division to control, could call for assistance. I'm glad Professor Wilson said, "if there's advance warning." Usually there has been, in this instance I am told there was not, but even so, I think if there is any period of time at all before violence has actually broken out, an academic officer of the university should be consulted.

I now recognize Assistant Professor Alan Bell, School of Education, who wishes to speak against the motion.

Professor Bell: I would like to add to the comments which have already been made about the fact of police brutality in this community. I have been told by a person who was a member of the Bloomington Police Force at the time that several years ago a demonstration was planned by certain members of the academic community. The police got wind of it

and were advised that two persons outside of the community were helping to direct the demonstration that was to take place. They prepared themselves for the event by having two plainclothes men, with leaded gloves concealed beneath their overcoats, join the demonstrators as they moved along the sidewalk. As the crowd made its way to the spot where the demonstration was to take place, the policemen dealt blows to the midsections of the two visitors and dragged them away with no one the wiser. Certainly we would all agree that the police were most efficient in their handling of that incident, and yet I don't suppose that anyone of us would support such tactics, especially when they involve the children of our own academic family. And I would like to emphasize the word "family" in this regard. If we are indeed a family, then we would do well to avoid behaving like those parents who have no recourse except to the iteration of rules and laws in the social control of their children. Such a response on the part of parents usually indicates that a breakdown has occurred between themselves and their children. It is usually an act of desperation that promises little good. No, with regard to this particular incident, the time has come not for punishment but for compassion, not for judgment so much as for understanding, not for a kind of punishment which will have profound consequences in the lives of these kids--and, I dare say, for the life of our community--but rather for a profound kind of listening. These are very sensitive persons with whom we are dealing. I know them well. I don't agree with everything they do or say. But what I do hope--and I am sure that I express the feelings of everyone here--is that this situation may yet become the occasion for an important kind of dialogue between us and them. Thank you.

President Stahr: I recognize Scott Gordon of Economics who wishes to propose an addition to the rules governing picketing.

Professor Gordon: The general principles that govern cases of this sort I think are generally agreed and they have been admirably stated in the excerpts from the regulations which I confess, as a new member, or relatively new member, of the faculty, I read for the first time when they were circulated to us. Students (and others) should have a right to speak and a right to demonstrate. The limits to this right occur when the activity impairs the rights of others, and this seems to have been in large part the case that occurred in the School of Business the other day. I've been somewhat disturbed by the suggestion that this general principle must be set aside in cases where the issue is so grave and the emotions aroused are so intense that people are not willing to abide by the usual procedure of limiting their right to speech and demonstration to what is required to preserve the rights of others. I don't think that's so. There are occasions in

which these rules must be broken and those are occasions in which people are deprived, as Southern Negroes are for example, of their right to speak and to vote and to assemble and to demonstrate. But this is not the case, it seems to me, that applies here.

Now this is preliminary to suggesting that while the excerpts from the regulations governing picketing and other forms of demonstration, is I think very good. It is deficient in one respect in that it fails to recognize that the right to demonstrate and to picket may be impaired by counter-demonstrators and counter-pickets. In fact, most occasions of violence are the result of provocative behavior of those who happen to be collected as bystanders by the demonstration that is going on. There is a selective process which stops in their tracks those who are anxious to see something violent occurring. There is nothing in our regulations which requires that counter-demonstrators be restrained from depriving the demonstrators and picketers of the freedom which is here stated. I would like to see something to that effect added to the regulations; and that the campus police authorities be instructed to deal quickly (and easily) with those who take the picketing and demonstrating by others to be an occasion for what they may simply consider to be fun and engage in harassment in the process. As we know such circumstances can turn out to be very serious.

President Stahr: I recognize Thomas F. Barton, Department of Geography, who wishes to speak for and against the motion.

Professor Barton: This administration has my complete confidence and when everyone was here I would have been willing to vote for the resolution providing that we are in no way whitewashing the activities of the Bloomington police. There is no question in my mind at all, and undoubtedly I'm prejudiced about this, that we have had a very poor performance record from the Bloomington police. Enough people have said this in so many ways this afternoon that I hope the Council takes as much action as they can. On the other hand, there is only one way to really get at the truth from the standpoint of statements made by students. And I assume my son is still one. That is by taking the controversy into the court and letting these statements be challenged and find out whether they're true or not. The action of the Bloomington police, in my estimation, was so abhorant that I can hardly speak about it with a calmness that perhaps it should have. My own son was arrested while home last summer for a week. He did make a statement. He never had his statement validated in court because we hired a lawyer and they dropped the charge after requiring him to sign a statement that he would not sue the city. But in my estimation, the city needs to be sued in order to reveal the degree of inadequacies and brutality of the police force.

President Stahr: I have a final slip of paper. Professor Dean Fraser of Microbiology has asked for 30 seconds for a comment.

Professor Fraser: At the time I asked for 30 seconds I didn't realize that several statements were going to be made along the same lines. What I want to point out is that we've seen this afternoon a remarkable unanimity of reasonable opinion. The question is whether our rules concerning student conduct are being administered by reasonable people. I sincerely hope that and support the statements of previous speakers in hoping that the Faculty Council will take a very serious look at whether the administrative officers who have carried out these policies, whether the campus police and most notably the Bloomington police have done so in a way consonant with our ideas.

President Stahr: I recognize the Secretary who wishes to make a motion to the Council.

Secretary: Mr. Chairman, in view of the lateness of the hour and the many points of view expressed on the motion I move that we postpone action on the motion until the Faculty Council meeting of November 21.

The motion was seconded and carried.

President Stahr expressed his personal thanks for all who attended and contributed to the discussion.

Meeting adjourned at 6:05 p.m.