

NOTICE OF
FACULTY COUNCIL MEETING

TUESDAY, OCTOBER 1, 1968, 2:30 P.M.

Faculty Council Room, Ballantine Hall

AGENDA

1. Approval of September 17, 1968 minutes
2. Memorial Resolution for Dr. Francis Hughes (Dr. Robert Forney)
3. Memorial Resolution for Professor E. C. Buley (Professor D. F. Carmony)
4. Presiding Officer's Business
5. Agenda Committee Business
6. Progress Report of the "Committee of Four" (The Secretary)
7. Continued Discussion of the Recommendations of the Committee on Revision of the Faculty Constitution (see Faculty Council Document No. 25, 1967-68) (Prof. Buehrig)
8. Resolution from Prof. Wesley Salmon for a Campus Safety Committee (Prof. Zeitlin)
9. Report of the Nominations Committee (Prof. Ryder)

Enclosed:

Unapproved Minutes of the September 17, 1968, meeting

Faculty Council Circulars #1A	-	Revised Membership List
#5A	-	Motion to Implement Circular #5
#6	-	Page 1
#8	-	Agenda Committee Announcements
#9	-	Resolution from Prof. Wesley Salmon
#10	-	Secretary's Statement to Board of Trustees
#11	-	Statement by Ted Najam, Student Body President

This Agenda, the Minutes, and the supporting documents are confidential and are restricted to the faculty of Indiana University

Minutes of the Faculty Council

October 1, 1968

Ballantine 008

2:30 p.m.

(This document is internal to the Faculty of Indiana University)

Members Present: Vice-Presidents Snyder, Merritt; Provost Penrod; Deans Carter, Harvey, Yamaguchi, Clark, Pinnell, Bain, Endwright; Professors Buehrig, Davidson, Farmer, Hewitt, Ludlow, Neil, Neu, Ryder, Turner, Wolff, Auer, Ballinger, Breneman, Frye, Gray, Mahler, Murray, Remak, Richey, Taylor, Zeitlin

Alternates Present: Vice-Pres. Sutton for President Wells; Dean Hartley for Vice-Pres. Sutton; Dean Higgins for Vice-Pres. Ryan; Professor Strickland for Professor Manlove

Absent, No Alternate: Deans Irwin, Hine, Holmquist; Professors Carter, Hackney, Shiner, White

Official Visitors: Professors Appleman, Bass (U. of Queensland), Borkenstein, Carmony, Ferdows (Southeast), Forney, Griffith (U. of London), Osterburg, Ringer; Captain Spannuth; Messrs Allen, Block, Cahill, Frank, Hoff (News Bureau), Jean, King, Lhamon, Oring, Travis (Univ. Counsel); Mrs. Vogt

AGENDA

1. Approval of September 17, 1968 Minutes
2. Memorial Resolution for Dr. Francis Hughes (Dr. Robert Forney)
3. Memorial Resolution for Professor R. C. Buley (Professor D. F. Carmony)
4. Presiding Officer's Business
5. Agenda Committee Business
6. Progress Report of the "Committee of Four" (The Secretary)
7. Continued Discussion of the Recommendations of the Committee on Revision of the Faculty Constitution (see Faculty Council Document No. 25, 1967-68) (Prof. Buehrig)
8. Resolution from Prof. Wesley Salmon for a Campus Safety Committee (Prof. Zeitlin)
9. Report of the Nominations Committee (Prof. Ryder)

Dean Sutton, presiding for Chancellor Wells, called the meeting of the Faculty Council to order at 2:30 p.m. He gave the Council the Chancellor's apology for missing the meeting, explaining that the Chancellor was accompanying members of the Board of Trustees to the University of Wisconsin to see how their re-organization was working and that this had been the only day in the near future when the President of the University of Wisconsin could spend time with our Trustees.

The Minutes of the September 17, 1968 meeting were approved with one change, namely that Professor Ballinger voted "nay" on the motion to implement the "Remak Circular." This change should be entered at the top of page 6 of those Minutes.

Professor D. F. Carmony read a Memorial Resolution on the Death of Professor R. Carlyle Buley, which was prepared by Professors Leo Solt (Chairman), Chase Mooney, and Carmony. The Resolution is reproduced at the end of these minutes.

Under Presiding Officer's business, Dean Sutton announced that Chancellor Wells would deliver the State of the University Address on October 10 at 4:00 p.m. in Studio 6 of the Radio & TV Building. Everyone was invited to hear the address, which would be carried by closed circuit TV to the Indianapolis downtown campus and the Medical Center and to the Fort Wayne Regional Campus.

Under Agenda Committee business, the Secretary expanded on his statement at the meeting of the Board of Trustees on September 20. The Minutes of the Council's last meeting would show that much of the argument against liberalizing the Open Guest Hours plan was tactical and had to do with the view that some members of the Faculty Council took of the Board's and the public's likely opinion on this question. The Board, it turned out, was thinking about being more liberal than had been calculated but was anxious not take issue with the Council. It was therefore important to find out whether the divergence between the Board and the Council was apparent or real. The Agenda Committee had been called in by the Dean of Faculties and, by checking with some of the members of the Council who had voted against the amendment striking out all references which distinguished between the sexes, had been able to assure the Trustees that a majority of the Council would approve of the Board's including women's residence units in its actions.

The Secretary then drew attention to the announcements which the Agenda Committee had circulated, reminding members that material for distribution to the Faculty Council (and the faculty) should be in the hands of the Secretary eight days before a meeting, and that extra meetings, if needed, would be scheduled for those Tuesdays when there would not ordinarily be a meeting. He also asked and received the Council's approval to schedule for October 29 the Open Meeting to discuss the proposed Bloomington Faculty Council in the light of the relevant section of the Buehrig Report. Professor Ballinger, upon being informed that such a meeting was ordinarily open only to those who voted for the elected members of the Faculty Council, gave notice that he would prepare for the October 15 meeting a proposal to allow at least some students to attend the meeting, and Professor Taylor asked that the classification, teaching assistants and teaching associates, be added to such a proposal.

The Secretary was then called on to deliver a progress report on the efforts of the "Committee of Four" to prepare a statement on the responsibilities and purposes of the University. The history of the matter was that Dean Snyder had been appointed by the Administration and Mrs. Harriet Inskeep had been appointed by the Board of Trustees to join Mr. Najam and himself; there had been two meetings and two draft statements. He had to report that neither Mr. Najam nor Mrs. Inskeep felt that they could associate themselves with any statement now because they could not sign as officers and they were too closely associated with their offices to sign as individuals. The statement he was about to read was based on a draft of his and was acquiesced in by Dean Snyder. The statement follows:

Indiana University aspires to be a place where trained intelligence can work freely, by learning, teaching, and adding to the body of acquired knowledge. Everyone engaged in intellectual inquiry and scholarly enterprise must be free to follow his own logic and to find his own conclusions. To guarantee this freedom, the University guards and must continue to guard all its educational activities from coercion, overt or subtle, and the scholars, teachers, and students of the University must in turn try to master, advance, and disseminate knowledge with all the objectivity and detachment they can command.

But despite this commitment to objectivity and despite the need to isolate intellectual inquiry from interference, Indiana University cannot help having responsibilities which extend beyond its walls. For one thing, it cannot ignore, though it cannot always satisfy, the wishes of those whose money supports it. For another, questions and conflicts which trouble society at large run through the University as well: members of the University community, as responsible citizens, must raise questions about the role of universities just as questions are being raised about other American social institutions.

Again, whatever one thinks about how a university should ideally conduct itself, every university, especially a great state university like ours, deliberately sets itself to serve many of the known needs of the society which established the University and which continues to support it. The service that Indiana University renders is not simply a matter of deciding at one period or another to educate more elementary school teachers or physicists or of deciding in one year to emphasize an "honors" program and in another a program for "disadvantaged" students. Indiana University also serves society when one of its faculty decides to investigate a topic because some social interest will be advanced by a particular piece of research. And it must be remembered that society is equally affected when someone gives up some research because he cannot get it adequately supported. Both the creation of knowledge and the failure to create knowledge have their social consequences, and the University is involved in these consequences.

Many people see this dual responsibility of the University--to intellectual enterprise and to the service of its society--as a weakness. For example, some want the University to insulate intellectual inquiry from all deliberate involvement in everyday affairs. Others would like the University to be entirely at the service of those who provide the money to support it. Still others want to make the University an instrument of some particular social or political policy or an arena within which social and political conflicts are acted out.

We disagree with these positions and find them, in each case, needlessly narrow. We prefer to think that the dual responsibility of the University can be a source of strength if we can find more and better ways to gear intellectual capacity to human need.

We also think the fact that the University has become one of the focal points of social conflict can be beneficial to the entire society if we can work out ways not simply to keep this conflict from getting out of control in the University, but also to use whatever understanding we can develop of the causes of conflict so as to improve the character of the University itself.

For these reasons we assert, first, our firm conviction that the members of the Indiana University community must not countenance any attempt to coerce, disrupt, paralyze, or capture the intellectual enterprise which is at its heart. We reiterate the importance, for example, of the publicly enunciated policies of the Board of Trustees and officers of the Administration specifying regulations by which order can be maintained and study and teaching in the University kept free from disruption. If inquiry were no longer free or possible within the University, it would cease to be a University.

For the same reasons, we assert our firm conviction that the members of the University community cannot neglect the role they play in their society, nor, in so far as it lies within their power, permit the effects of the University on society to be narrow or distorted. Whether its members intend it or not, the University does serve and affect institutions and events outside itself and its own intellectual principles require that it accept responsibility for this. We think that the faculty and administration of Indiana University must continue to adjust the emphases of intellectual enterprise both inside and outside its walls. The University must play an active as well as a responsive part in understanding the needs and wishes of its students so that, for example, the teaching of undergraduates is a central and innovative part of the University's life. It must also anticipate as well as accommodate social needs, creating the knowledge and educating the people required, for example, to help renew the educational, governmental, and cultural structures of cities.

Indiana University both stands for and needs orderly change brought about by humane intelligence. Policy not guided by humane intelligence, order without change, or change without order would, any one of them, betray the idea and life of Indiana University.

Professor Turner, who was worried that the statement was too complex to be widely intelligible, asked for what audience the document was intended. Professor Wolff replied that the Committee had in mind that, if the Council were to endorse the statement, given that the Administration was already committed through Dean Snyder, it could then be discussed by the Student Senate and the Board of Trustees. Even if there were no endorsement, the discussion should prove valuable. If it were endorsed, it should be released. It should not be released until it became the "joint" statement Professor Remak referred to. Professor Wolff accepted Professor Ballinger's comment that the sentence, "Still others want to make the University an instrument of some particular social or political policy or an arena within which social and political conflicts are acted out," needed modification to say "exclusively an instrument," and that the reference to "conflicts" should be rewritten to make clear that verbal conflicts were not being proscribed.

Professor Taylor, although he could agree with what was said about the University's commitment to society and its needs, did not see why a subtle version of the "law and order" cliché, with references to coercion and disruption, needed to be introduced in a statement of this type. He felt the statement was directed fairly exclusively to two groups on campus, the Black students and the political activists. The way to ward off Columbia and to prevent violence was to talk about the things the University ought to be attending to such as the role of the campus police and improvement of the circumstances of Black students. He knew of no threats of coercion or violence and he saw the statement therefore as an undeserved warning to certain segments of the University.

Professor Davidson agreed with Professor Taylor that the statement was rather negative in approach. The problem was not the activist student but the apathetic student, although there were problems connected with the way that the activist expressed his point of view. A good statement would open constructive channels for the activist. Indeed, we ought to recognize that, because of what could be called the social non-responsibility of science, there was a great need for student activists. Our capacity for solving social problems had fallen far behind our technology. The University ought to recognize this and so ought to speed up its responsiveness to people with new ideas.

Professor Ryder wished to express a different view. He thought a document like this one had a right to be read for what it said rather than for any presumed covert meanings. A great deal was said about the University's social responsibilities. He was not interested in specifying groups who might be coercive or disruptive and he did not think the statement was directed at any particular group. He liked the statement and he would be happy to see a version of it endorsed by the Faculty Council.

Professor Zeitlin agreed that outside issues did penetrate the University and increasingly enter the consciousness of its whole community. A document such as this should therefore speak to the need for reform and for commitment from the University to necessary changes. Far more important than any statement was the institutionalizing of certain structures whereby

we could recognize and act upon matters which we all recognized as urgent. He seriously questioned the utility of a statement which, regardless of what it said literally, would be interpreted as a "law and order" statement. He said this, because in this university, there was little or no call for such a statement.

Professor Murray added that the sentence, "The University community must not countenance any attempt to coerce (or) disrupt" was too strong and would be over-interpreted to mean that no nonsense would be tolerated.

Professor Ballinger thought the discussion so far made questionable our wanting a statement at all at this point. If we did, he wanted it to say something about the university being a place that encouraged each person to develop a responsible, thoughtful commitment to his own conscience and to his own sense of social needs as well as a place where knowledge was produced and disseminated. Our neglect of this point was at least part of the reason for the current difficulties of universities.

Professor Turner then raised the possibility that the document before the Council be used as a point of departure for discussion rather than as a policy statement. Professor Mahler ventured the suggestion that the effort had been doubly over-ambitious in that the Council was trying to get a statement which would both speak for and speak to the whole University. Not only could this not be done but what did result would not have the effect hoped for by its sponsor, Professor Remak.

Professor Remak indicated that he thought a joint Administration-Faculty Council statement was itself significant since in these days faculty-administration agreement about what a University was was much rarer than disagreement. He went on to say that, while every opportunity must be given for educational dissent short of violence, it was equally imperative that we had consensus about the university as an educational enterprise. He thought that both this statement and his own achieved that. Absence of unanimity could not be considered a very serious objection. Despite the pervasiveness of social and political suspicions and the problems of interpretation, he would come out clearly and say that he did not find any educational excuse in this kind of academic institution for disruption. This report did not say "no nonsense" should be tolerated. Demonstrations, for example, were a part of the academic environment, dramatizing certain feelings of the students and faculty, and as long as they did not disrupt, he saw nothing wrong with them whatsoever. We had to examine our own consciences for once and ask ourselves which had priority, the educational and intellectual institution or our own social and political aims and convictions. This was not going to be an easy decision to make nor was this statement going to solve all the problems. But he really thought that self-laceration no longer served the best purposes of an academic enterprise that wants to survive in a world already so much divided.

For Professor Buehrig the statement was a declaration of self-confidence and self-defense directed both to ourselves and to the public. It was indeed timely in view of the kind of often unreasonable and fanatic pressures to which the academic community had been subjected during the past year. We wished to reach the public because, without public confidence, the American university would cease to be the vital institution that it had been.

Dean Carter acknowledged that he had voted for the original resolution largely out of the conviction that it was impossible to come up with an appropriate statement so quickly and he thought this statement was indeed not fully appropriate. He agreed with both Professors Remak and Buehrig that it was a subject of fundamental importance, so much so that the important thing to do was to engage in dialogue about it. Acting upon this first draft would not achieve that. There should be discussion among faculty, between faculty and students, and with administrators, and it should last over the full year, not just through October. Professor Ryder agreed that further discussion would be good and hoped it could be embarked upon promptly, perhaps by having this paper issued as one originating with two people. He drew a parallel with Mr. Najam's recently circulated statement which he thought wholly commendable. He asked for a chance at some stage to voice his support for a statement like the one before the Council.

Dean Harvey then voiced his discomfort with the practice of bringing to this Council important documents which had not been distributed before the meeting. Preliminary discussion could be useful, but he hoped no one planned any positive action at this meeting. What was needed now was the precipitation of a useful dialogue for the whole University community. He was also troubled by the problem of wording. There might well be a very small area of disagreement among ourselves as to what a university was all about, but it was legitimate for us to take into account the concern about the implications that could be read into the statement. Therefore he thought it would be far better for us to speak entirely in the affirmative as to what we thought a university was and as to what kinds of commitments were implicit in the intellectual enterprise in which we were engaged. Anyone who could understand such an affirmative statement could equally well understand the negative points that were implicit in it. He saw no reason to anticipate kinds of conduct that has not occurred here as yet and which, he hoped, we would be able to avoid entirely. Rather than issuing a statement subject to misinterpretation, he would prefer to see a statement coming from the Council dealing with the affirmative implications of the University's business, to be circulated to other groups within the University in the hope that out of the total process could come a widely shared and widely supported statement equally affirmative. If we could agree on that, he was confident that it would not be necessary to spell out those negative points.

Professor Remak, though he was less satisfied than Dean Harvey about past and less optimistic about future disturbances at Indiana, agreed with him that it was hard to ask the Council to endorse any statement on such short notice. The present statement, however, was not punitive--he fully agreed with the President of the University of Michigan who had said that one way of preventing the kind of violence in the university which betrayed the trust we had as its guardians, was to tell everybody, not only students, but police and even the Administration, what we would not stand for, being sure to accompany this with a commitment to work for giving students a real voice in the running of the institution. Professor Remak then complained that, although the Indiana Daily Student had given full coverage to Open Guest Hours at the last meeting, it had printed nothing about his proposal nor about Professor Taylor's proposal on racial discrimination. He then moved that the Faculty Council express its gratitude to Professor Wolff and Professor

Snyder for the statement, encourage further dialogue between the members of the "Committee of Four," and ask them to recommend ways in which that dialogue could be extended to other segments of the university. The motion was seconded by Dean Carter.

Professor Wolff then explained his position as co-author of the statement. He had accepted the mandate of the motion of last time, promising himself and the Council that he would do everything he could to produce a statement that might stand a chance of being acceptable. The Minutes would show that he was skeptical about success and that he thought there would be many problems. He went on to say that, although he could accept the statement, he agreed with Professor Taylor that certain words had acquired extensive code meanings and that we could not pretend otherwise. His hope had been that the right people would read the right code words: for example, when the statement talked about work that the University ought to be doing in the cities, this would be seen as a code statement committing the University to active involvement in the problems of the Black community, and that when it used code words about coercion and disruption this would be seen by conservative members of the University community as a statement to them that liberals and radicals were not going to be burning down University buildings. If, however, the statement was going to be read so that the code words got to the wrong audience all the time, if the Blacks were going to see the word "coercion" and have that overwhelm their response to the statement about the cities, and if conservative members of the community were going to see our interest in urban affairs overwhelming the reassurance they got from the "coercion" statement, then Dean Snyder's and his effort would have backfired. It had indeed already backfired since the members of the Council were worrying about the negative statements instead of applauding the positive ones. Therefore he wanted to go on record as a member of the Faculty Council in his own right, rather than as the Secretary, to say that the statement as a whole was a failure.

Professor Breneman then asked what was wrong with saying that we were not going to have our intellectual enterprise disrupted or paralyzed, whether by deans or by Blacks. He could not believe, for instance, that Professor Murray was willing to have his classes disrupted.

Professor Zeitlin then commented that dialogue was more to the point than agreement on the document. For example, radical students quarreled with the view that the University should be free from outside pressures or could be impermeable to them. As they saw the University today, it was directly involved with other institutions which they regarded as repressive and unjust. They challenged the propriety of certain kinds of research being on campus at all. Unless we understood how they felt and could get into discussion with them there was really no hope for avoiding non-intellectual confrontations. This statement could not be effective if it affirmed again that this was a place where we carried on the intellectual enterprise. To say "no disruption under any circumstances" was not an adequate reply to students who felt that recruiting for unjust agencies had no place in the University.

Professor Remak, under questioning from Professor Ludlow, agreed to add to his motion that the "Committee of Four" should actually begin the dialogue with segments of the University which had been referred to by several speakers. Professor Ballinger wanted assurance that the motion did

not mean that the document would come out under Faculty Council auspices even as a working paper. Professor Auer (the Parliamentarian) remarked that it was being referred back to a committee and, except as part of the minutes, would have no official standing. As a member of the "Committee of Four", Dean Snyder worried aloud whether it was not now a "Committee of Two" and felt inclined simply to distribute the document and see what happened. Professor Taylor thought his earlier suspicions had been confirmed by some of the Council members' comments and that the statement was intended as a warning to Black and activist students. He therefore proposed that representatives of these groups be included on the Committee. Professor Wolff, as one-fourth (or one-half) of the Committee, assured Professor Taylor that he would see to it that the intent of his proposal was effected. Dean Sutton then called for a vote which carried the motion with two dissents being heard.

The Council was then informed that there were student delegations wishing to put before the Council their views for and against sidearms for the campus police. There was some discussion, first, as to the relation of that topic to item 8 on the Agenda, central to which was Dean Harvey's comment that we should avoid hypertechnical interpretations and regard the substantive issue of police weapons as germane and, second, as to the problem of the allocation of time, in solving which Professor Ludlow's suggestion of half-an-hour was decisive. The students were then unanimously invited to participate.

Meanwhile, Professor Forney (who had been misinformed about the time of the meeting) read a Memorial Resolution on the Death of Professor F. W. Hughes, which was prepared by Professors Robert Forney, Rolla Harger and James Ashmore. The Resolution is reproduced at the end of these Minutes.

Dean Sutton called in the student delegations and explained that they had thirty minutes in which to speak.

The first student speaker, Mr. Robb Frank, identified himself as Chairman of the Students for a Free Society (a classical liberal political activist group) and a conservative. He had spoken at the rally which had just ended. His group had no association with the Campus Safety Division but it was concerned about irresponsible actions by a minority of students at Indiana as in the Dow and the Rusk incidents. He would not say that the quality of the campus police could not be improved but he did feel that their job was a dangerous one, that an outside group could come onto campus to cause trouble, that the possible delay involved in relying totally on the Bloomington police was too risky, that there was irresponsibility within the student body. Therefore his group supported allowing the police to carry sidearms.

Mr. David Cahill, after insisting that the Council must meet in public, asked that President Stahr's November 1 order be reinstituted. His main argument was that the Safety Division had been used for political purposes and there was evidence that it would not protect demonstrators. The students wished the campus to be policed by consent not by repression. The uniform, not the gun, was the proper symbol of authority.

Mr. Russell Block felt that the Safety Division was staffed with people whose interests were diametrically opposed to those of most people on campus. He recognized the need for a police force but proposed a community force organized by and from the group that needed protection. As it was, the police were an outside authority not responsible to those they policed.

Mr. Joel Allen related this particular problem to the general one of political turmoil and potential violence. He spoke of his personal experiences of being beaten while handing out literature for Eugene McCarthy in St. Louis and of being gassed and beaten again on the fifteenth floor of the Hilton in Chicago. There was other more general evidence of police lawlessness and improper use of police power. Given the political context, it did not make sense to allow into the situation those very weapons which can turn fear and tension into violence.

Mrs. Marilyn Vogt thought that the police's generally unfriendly attitude to student demonstrators showed that there was a risk that a student could get seriously hurt or killed without it being his fault. She had no confidence that members of the Safety Division could control their hostile feelings.

Mr. Mike King began by commenting that there was absurdity in a situation in which the students who were directly involved with the issue had to wait on the Council which was not. He thought the key point was that the campus police and most police in this area considered student demonstrators their enemies. These students therefore felt their lives were directly threatened by the presence of guns and if the police could not be organized so that the University community as a whole could control them, those most threatened would have to take action to protect themselves. Students had been badly injured by police action at the Dow demonstration. That demonstration had been unplanned though the University had had month-old plans for sending for the police.

Mr. Rip Lhamon then summarized what he took to be a consensus of opinions at the outside rally. The Council was in an absurd position in that it had no power to bind the Administration; the presence of administrative officers on it was anomalous as was the absence of student representatives. Everyone he spoke for favored in general some kind of University-wide senate and in particular some kind of community control over the police. It was also very strongly felt that it was the police who originated, escalated, and continued violence in confrontations with people who had grievances.

Mr. Mark Oring said his main worry was the quality of the Safety Division. He gave an instance from another university of a drunk student who was shot and killed by a policeman who was having trouble subduing him. There had been letters from police officials in local newspapers about a Communist plot to take over the campus and, if this view were held by relatively unsophisticated and untrained campus police, anyone with unpopular political views was in danger. He asked for better pay and better training for--and therefore a better quality of person in--the Safety Division. Failing that, and in the interim, sidearms should be removed. He also supported community control of police and, as one who had helped the Union*

*Local 832, American Federation of State, County, and Municipal Employees

gain recognition here, opposed the particular arbitration ruling which had returned the sidearms.

The question was raised as to whether the students could remain for the Council's discussion of the related Agenda item. Dean Harvey commented that we had an opportunity this afternoon to demonstrate our recognition that communication was a two-way channel, and moved that the students be permitted to remain during the discussion. The motion was seconded by Professor Wolff and carried unanimously.

Dean Sutton called the meeting to order after a ten-minute break for tape change and called on Professor Zeitlin to introduce Professor Wesley Salmon's Resolution for a Campus Safety Committee (this resolution has already been distributed to the faculty as Faculty Council Circular #9).

Professor Zeitlin thought the resolution did not go far enough. Investigation was important, because the report of the arbitration which restored sidearms (Faculty Council Circular #7) raises serious questions. Why did the University not raise the jurisdictional defense of "management prerogative"? Was the so-called evidence of the Department of Police Administration given by that Department as such or by one or two individuals in that Department? In the light of this, he moved not only a committee in the spirit of the Salmon Resolution but also a return to the Presidential order forbidding sidearms. Professor Remak seconded this motion.

Dean Sutton then gave the Council some background, asking them to bear in mind that he had not participated in all the events he was going to describe. After the Dow incident, the Administrative Committee, consisting of the President, the Vice-Presidents, and the whole range of central administration, was unanimous in thinking that campus Safety Division police should not carry their weapons during the daylight hours. The Safety Division was then informed of this action (he understood that there had been no previous consultation with the Safety Division; this came simply as a directive from the President). This directive was found to be distressing by members of the Safety Division, perhaps because they had not been involved in the procedures all along and also because they regarded the carrying of a weapon as a part of their three-part symbol of authority, the badge, the uniform, and the pistol. Some of the Safety Division officers took this matter to the Union, and the Union took it up as a part of the established grievance procedure, feeling that this was a change in the conditions of employment and consequently a legitimate negotiable grievance. At each step in the procedure, the Administration was against the police carrying weapons and the Union was in favor of it. Arbitration then became necessary. Dean Sutton did not know why the Administration had waived "management prerogative," but one factor was that it had been confident it was going to win the arbitration. At the arbitration, the Administration had been represented by Dean Snyder and the Union by Senator Chavis. Dean Sutton had consulted Professor Borkenstein, Chairman of the Department of Police Administration, who affirmed that the document used as evidence in the arbitration was not a Departmental document. Moreover, the document had said that the police could carry their weapons except at those times when the

Director of the Safety Division told them not to, intending that they should not carry them in the daytime. The arbitrator took this recommendation to mean that they were to carry their weapons at all times and a document which was supposed to prove one thing had been taken to prove quite another. If this committee were to be established, Dean Sutton concluded, it would have to accept this commitment to good faith that went with submitting to arbitration.

Dean Harvey remarked that we must consider not only the interests of the faculty and the students but also the interests of the University as an employer and of its employees, and he saw nothing to be gained by going back and reopening the complex administrative judgment committing the issue of sidearms to arbitration. The point was to understand what our position was now. An examination of the arbitrator's opinion revealed that he was making a very restricted decision. He had advised re-instituting the pre-November 1, 1967 use of sidearms because he had concluded that the Presidential order restricting their use had been made without proper attention to the full range of interests involved and without adequate evidence. The decision was in no sense an attempt on the part of the arbitrator to dispose finally of the issue of equipment for the campus police. Therefore, Dean Harvey continued, whatever else the Council might do here today, it seemed to him highly appropriate for it to consider the faculty's role in defining long-range policies and particularly the educational implications of armed security officers on the campus.

In reply to a question from Professor Farmer, Dean Harvey thought the University could proceed, after more comprehensive study, to define its long-range position without having to reopen the arbitration proceeding itself. He realized, however, that the committee conceived in the resolution was to perform a somewhat different function. The Council might therefore consider also establishing a separate committee to explore fully the educational ramifications of the single issue of sidearms for security officers.

Professor Mahler suggested instead a committee whose primary and immediate responsibilities would be to survey the educational propriety of sidearms on campus, in addition to the general responsibilities given it in the resolution.

Professor Ryder then raised the question of the membership of the committee. Deans Carter and Clark returned to the matter of enlarging the committee's function, and Dean Clark combined these concerns by proposing, as amendments seconded by Prof. Zeitlin, that names of specific individuals be removed from the list of committee members and that the committee have, as its most urgent item of business, the proper policy for the Safety Division in the context of our special educational obligations.

Dean Harvey then returned to the subject of the composition of the committee. If the committee's task was an examination of the role, functioning, and accoutrements of security officers in so far as they impinge in any way on the intellectual atmosphere and the educational policy of the university then he did not think a member of the Safety Division would necessarily be an appropriate member, nor need a seat be reserved for a member of the

Department of Police Administration. On the other hand, if it were also going to act as a kind of continuing community body to scrutinize, advise, and perhaps channel information about the operations of the Safety Division to the members of the University, then a member of the Safety Division and a member of the Department of Police Administration might well be appropriate. This difference suggested to him that two tasks might be incompatible within a single committee. In any event, he would want the first task undertaken by a faculty-student committee.

Professor Ringer was then called on to read a resolution from the Continuing Committee. The resolution follows:

We, the members of the Continuing Committee of Concerned Faculty, deplore the reversal of President Stahr's decision which prohibited I.U. Safety Division personnel from carrying sidearms during daylight hours. Hence, we welcome the resolution, presented by Wesley C. Salmon, which recognizes the need to establish a Campus Safety Committee.

We believe, moreover, that firearms never have a place in an academic setting. Consequently, we suggest that the new committee should also investigate general university policy concerning the use of guns on campus by individuals and organizations.

Furthermore, because we feel, with President Stahr, that even "the present of firearms . . . might precipitate" a disturbance, we are convinced that urgent action is required. We therefore recommend:

1. that Safety Division personnel be immediately directed not to bear sidearms, and
2. that this measure be made permanent.

Fritz Ringer, Chairman
for the Continuing Committee
of Concerned Faculty

Professor Ringer emphasized that it was urgent, even while this long-range study committee was being established, that an attempt be made for immediate action, for example, by asking the Safety Division to return at once to the conditions of President Stahr's ruling. He then asked that, once the committee had been established, it consider in some depth the whole question of the removal of sidearms and what exceptions were justifiable. The Continuing Committee's position was that, except for very specific emergency cases and, perhaps, ROTC and State Police Training, there should not be any guns on campus. He also wanted to make clear that the Continuing Committee had no idea that there would be a student meeting that afternoon, and that the Continuing Committee's sense of urgency was arrived at independently.

Professors Davidson and Buehrig then got agreement to eliminate the term "standing" from the description of the committee named in the resolution

and Provost Penrod got agreement that the resolution should show that it was the Bloomington campus which was involved. Meanwhile, Professor Remak remarked that he hoped the Council while working on the long-range problem would find a way to go on record and urge the President that sidearms not be carried in the interim pending the final decision.

With the Presiding Officer's agreement, Dean Harvey moved as a substitute motion for all motions and amendments currently on the floor that the Faculty Council establish a special committee comprising three members of the faculty elected by the Faculty Council and two students selected by the Student Senate to study and report to the Faculty Council on the implications for the intellectual atmosphere and educational programs of the University of the functions, personnel, and equipment of the Safety Division on the Bloomington campus. The committee was also to recommend structures and procedures for assuring to all components of the University community a continuing scrutiny of the operations of the Safety Division. The motion was seconded by Professor Buehrig and passed unanimously.

Professor Buehrig then moved, with Professor Hewitt as seconder, an amendment by which the Committee should have as its Chairman Dean Harvey and that the two other faculty members be appointed by the Chairman in consultation with the Agenda Committee.

Professor Ballinger then returned to Professor Remak's remarks about the urgency of removing the sidearms while the Committee took the full time to deliberate. He moved that the Council go on record as recommending to the Vice-President and Treasurer and to the Chancellor that they exert every effort at their command to restore the situation to President Stahr's order of November 1967. The motion was seconded by Professor Turner.

Dean Harvey assured questioners that, if the principal thrust of the proposed resolution was not to direct or request that the University officers simply ignore the arbitration but rather through discussions and persuasion secure an interim accommodation, this would not compromise the arbitration procedure.

Mr. Clifford Travis (University Counsel) was unclear what the motion asked the Chancellor to do. He reminded the Council that it was dealing with a highly emotional situation involving people who felt that a trust had been reposed in them which included a trust in their ability to carry weapons and use them consistent with proper police practice. They viewed the problems on this campus, as far as crime was concerned, as having the same potential, no more or no less, than that of any large community. He knew how deeply they felt. To them the issue was the equivalent of academic freedom for the faculty.

Professor Ballinger then rephrased his motion to read that the Council go on record as recommending to the President and to the Vice-President and Treasurer that they use all judicious means to restore the situation to that subsequent to President Stahr's order: this to be as an interim measure while the recently established committee dealt with the longer range problems.

Dean Harvey was once again able to assure a questioner (this time Dean Hartley) that he did not consider passing this motion would be recommending a reversal of the submission to arbitration.

Dean Clark, anxious to protect the Council's action against being labeled precipitious, asked Professor Ballinger if he had in mind the notion of voluntary accommodation or some stronger action on the part of the Administration in its negotiations with the Safety Division. Professor Ballinger replied that he would leave it to the judgment of the Administration. He thought there might be some middle ground between purely voluntary agreement on the part of campus police and a highly precipitious action.

Professor Ludlow then asked Captain Spannuth to comment. Captain Spannuth said he was very much opposed to removing the sidearms though he did not want to discuss it at that time. He would, however, be glad to meet with the Committee.

Dean Sutton then called for the vote, which was as follows:

<u>Aye</u>	<u>Nay</u>	<u>Absent at time of voting or Abstaining</u>
Auer	Clark	B. E. Carter
Ballinger	Ludlow	J. E. Carter
Bain	Richey	Farmer
Breneman		Gray
Buehrig		Hackney
Davidson		Hine
Endwright		Holmquist
Frye		Irwin
Harvey		Strickland (for Manlove)
Hewitt		Penrod
Mahler		Shiner
Merritt		Sutton (for Wells):
Murray		White
Neil		
Neu		
Pinnell		
Remak		
Higgins (for Ryan)		
Ryder		
Snyder		
Hartley (for Sutton)		
Taylor		
Turner		
Wolff		
Yamaguchi		
Zeitlin		

Because of pressure of time, the Secretary then advised the Presiding Officer to postpone Item #7 on the Agenda.

Professor Ryder then presented the Report of the Nominations Committee. Because of the late hour, it was agreed to act only on vacancies which needed prompt attention. The results were as follows:

Library Committee: Nominations from the Nominating Committee:

Robert Bareikis (German)
Henry Mahler (Chemistry)
Albert Robbins (English)

(Nominated from the floor:

Edward Grant (History & Philosophy
of Science)

Elected: Bareikis, Mahler, and Robbins

Committee for Communications within the University (new committee established by the Trustees: one Trustee chairing, two administrators, two undergraduates, two faculty "to be appointed by the Faculty Council")

Nominations from the Nominating Committee:

Charles Bonser (Business)
Scott Gordon (Economics)

Nominated from the floor:

John Joyner (Speech & Theatre)

Elected: Gordon and Joyner

The Council adjourned at approximately 6:15 p.m.

Respectfully submitted
Michael Wolff, Secretary

P.S. The Committee referred to on page 14 has been appointed. It consists of Dean Harvey, Chairman; Professor Daniel Miller (Physics); Professor Conrad Mueller (Psychology); Mr. John Conley (Senior); Mr. Jerry Silverman (Graduate)

(Despite the wording of the motion, the faculty members of the Committee were, in fact, appointed by the Agenda Committee in consultation with Dean Harvey)