

The University of Arizona
Proceedings of the Faculty Senate

Meeting of Monday

March 3, 1969

PRESENT: Armstrong, Bartlett, Brewer, Burton, Carlson, Cockrum, Damon, Davis, Dewhirst, Dutt, DuVal, Fahey, Forrester, Gegenheimer, Goodwin, Gould, Green, Harris, Harvill, Herber, Hetrick, Higley, Hull, Johnson, Kassander, Kemmerer, Krebs, Krutzsch, Lynn, Lytle, Marcoux, Massengale, McDonald, McMillan, Mees, Miller, Murphy, Myers, Nigh, Paylore, Richard, Robson, Shields, Sigworth, Skinner, Sorensen, Spicer, Steelink, Svob, Thompson, Tomizuka, W. Voris, Wilson, and Windsor.

ABSENT: Ares, Barnes, Bingham, Blecha, Bok, Delaplane, Gaines, Joyner, Leonard, Little, Martin, Paulsen, Resnick, Rhodes, Roy, M. Voris, and Wise.

WELCOME TO NEW MEMBERS: President Harvill announced that fifteen recently elected Senators were joining the membership of the Faculty Senate at this meeting as college representatives, as a result of the recent election of additional members of the Senate in accordance with a change in the Constitution of the Faculty of the University of Arizona. He asked Mr. Windsor to introduce the new members and Mr. Windsor did so as follows: Gordon R. Dutt, Martin A. Massengale, and Edward L. Nigh representing the College of Agriculture; Bernard P. Herber representing the College of Business and Public Administration; William D. Barnes representing the College of Education; Ralph M. Richard representing the College of Engineering; Mark H. Voris representing the College of Fine Arts; Neil R. Bartlett, Clifford M. Lytle, John W. Robson, Oliver F. Sigworth, and Carl T. Tomizuka representing the College of Liberal Arts; Felix L. Goodwin (Army ROTC), Lutie L. Higley (Library), and Donna M. Miller (P. E. for Women) representing the non-college group.

Dr. Harvill then introduced to the Senate the new Dean of the College of Engineering, Dr. Walter J. Fahey.

CATALOG MATERIAL: The following catalog material was accepted:

New Courses

Finance, Insurance and Real Estate 259s, European Insurance Problems and Practices (3) Summer Roos
Microbiology 398, Special Topics (1 to 3) I, II Staff
Nursing 7145, Interpersonal Relationships in Nursing (2) I, II
Physiology 299, Special Problems (1 to 5) I, II Staff

ANNOUNCING SENATE MEETINGS IN "BLUE SHEET," APPROVAL OF: Dr. Gegenheimer said it had come to his attention that many members of the Faculty are not aware that Senate meetings are open to all members of the Faculty wishing to attend. He thought it would be appropriate for announcements of Faculty Senate meetings to be carried in the University "Blue Sheet." He moved that the Secretary be authorized to arrange an announcement of all Senate meetings in this weekly schedule bulletin. The motion was seconded by several persons and carried unanimously.

RESOLUTION CONCERNING THE DISTINCTION BETWEEN FREEDOM OF EXPRESSION AND FREEDOM OF ACTION, CONSIDERATION OF: The next item was listed on the agenda as a discussion of a paper by Sidney Hook entitled "The Trojan Horse in American Education." This item has been placed on the agenda at the request of Dr. Damon.

President Harvill commented that he had earlier furnished each member of the Senate a copy of the Hook paper at the request of several members of this body. He said he had no motive other than to provide the Senate members with a statement by a person qualified to comment on the educational scene in America today. He said he regretted it if anyone had placed any other interpretation on his action in distributing the article.

Dr. Damon said he thought the Hook paper had raised a question that was timely and important. He therefore had prepared a resolution concerning the distinction between freedom of expression and freedom of action which he felt should be considered by the Senate. He then moved that the following resolution be adopted by this body:

"WHEREAS, freedom of expression including dissent from and criticism of the status quo is guaranteed by our Bill of Rights and is vital to the welfare of a free society.

"WHEREAS, the University has historically acted as a forum for free inquiry and, indeed, can only fully discharge its obligation to society by being such a forum.

"WHEREAS, recognition of an organization should not imply approval of its stated aims or rhetoric.

"WHEREAS, freedom of expression does not imply freedom to commit acts of insurrection or to deliberately impede the physical movement of other persons.

"THEREFORE, BE IT RESOLVED, THAT THE MEMBERS OF THE UNIVERSITY OF ARIZONA FACULTY SENATE CONSIDER IT THEIR RESPONSIBILITY TO:

"(1) Uphold freedom of expression on the University of Arizona campus observing the distinction between dissent and rhetoric on the one hand and insurrection or the deliberate restriction of freedom of movement or speech on the other hand.

"(2) Support the use of official recognition of an organization as a procedural policy only, but not as a means of suppression of troublesome criticism and dissent or as an instrument for preservation of an orthodox point of view.

"(3) Support duly constituted authorities in putting down acts of insurrection and actions deliberately intended to impede freedom of movement or speech providing that such authorities act as humanely as possible without repressing freedom of expression including earnest criticism and dissent."

The motion was seconded by Dr. Robson.

Dean Myers asked if paragraph 2 of the resolution meant that the University must approve an organization's operating on its campus even if it is known that the group stands for certain principles which the University's leaders oppose. Dr. Damon said that we should recognize such groups. Recognition does not mean approval. If we do not grant such groups recognition, then we are setting up on the campus only the orthodox point of view. Universities should not put down troublesome or dissenting points of view simply because they are troublesome or dissenting, he emphasized.

Dr. Steelink said it was his understanding that the document on student rights approved at the February Senate meeting had provided that certain groups could under certain conditions have campus approval even though the campus leadership might not subscribe to the beliefs of those groups.

Dr. Dewhirst said students should be free to organize but the body giving approval for such organization should represent faculty, student, and administrative elements. He questioned paragraph 2 of Dr. Damon's resolution.

Dr. Cockrum said he questioned the wording of the latter part of the resolution's third paragraph, beginning with the words "without repressing freedom of expression." Dr. Damon said that all that was attempted by the language of paragraph 3 was to state that freedom should be guaranteed but not at the price of suppressing or impeding someone else. Dr. Cockrum said that if we say we're upholding freedom of expression but at the same time supporting authorities who are preventing insurrection, who is to interpret where the line can be drawn? He wondered if the paragraph numbered 3 could not be ended following the words "...humanely as possible." Dr. Damon said he could not agree to this change.

Dr. Thompson said that while the resolution might indeed be an honest statement of the way many members of the Senate feel, he thought it would be a mistake to adopt it at the present time. In February the Senate adopted a rather sweeping set of principles. An effort is now being made to develop procedures to put such principles into action. That step should be taken before another action such as adopting this resolution is taken. He felt to adopt this resolution at this time would be unfair to the committee attempting to implement the action taken at the February meeting and would in fact be unfair to the Senate's action at that meeting.

Dr. Gegenheimer said that while there might be some degree of overlap between the two efforts, he saw this resolution as being only an expression of the feeling of the Senate. It could not be regarded as a statement of institutional policy. He further emphasized that the resolution does not refer to students; the matters discussed at the February meeting of the Senate had involved students' rights.

Professor Green said he felt that the resolution had some relationship to the question, "Have you stopped beating your wife?" He also felt that to adopt the resolution would in a sense be repetitive of action taken at the February meeting. He then moved to table the motion and his motion was seconded by Dean Brewer. The motion to table then carried by a vote of twenty-nine to twenty-one.

RECOMMENDATIONS OF AAUP COMMITTEE ON FREEDOM OF EXPRESSION, CONSIDERATION OF:

President Harvill explained that the next item on the agenda, Recommendations of AAUP Committee on Freedom of Expression at the University of Arizona, had been placed on the agenda at the request of the President of the University of Arizona Chapter of the AAUP, Dr. Paul Skinner, a member of the Senate. It was explained that in

July, 1968, Cornelius Steelink, then President of the U of A Chapter of the AAUP, had appointed a special ad hoc committee to examine freedom of expression at the University of Arizona and to make recommendations to the AAUP concerning its status. The committee had consisted of Professor Clifford Lytle, Chairman (Government), Professor Kenneth Reiblich (Law), Professor Ronald Milo (Philosophy), Professor John Merren (English), Professor Richard Cortner (Government), Professor Albert Gegenheimer (English), and Professor Clinton Trafton (Psychology). The committee had been assisted by two students, Mike Griffin and Hugh Holub.

The committee had subsequently made certain recommendations to the AAUP Chapter and that body had decided that these recommendations should be submitted to the Faculty Senate.

Dr. Skinner said he would like to give the floor to Dr. Gegenheimer who, as a member of the ad hoc committee, had participated in the development of these recommendations. Dr. Gegenheimer pointed out that Dr. Lytle had been chairman of the ad hoc committee. Since Dr. Lytle today had become a member of the Faculty Senate, he would be available for comment as the discussion progressed.

Dr. Gegenheimer said he thought the best way to proceed would be to present several motion to the Senate. His first was that the Senate approve the idea of preparing and distributing a pamphlet which would be a policy statement on freedom of expression at this University. This motion was seconded by Dr. Lytle and carried with nonnegative vote being heard.

Dr. Gegenheimer then moved that the proposed preamble for such a policy statement be adopted by the Senate, as recommended by the committee. This motion was seconded by Dr. Damon and this motion passed unanimously.

The preamble to the policy statement as adopted reads as follows:

"The academic community of the university is a free market for ideas for two separate but related reasons. First, the university is an institution of a democracy which holds freedom of speech and freedom of assembly to be basic human rights. Second, the academic community is unique in history as a source of ideas and a focus of critical inquiry. Traditionally, the search for truth and knowledge is its reason for being. Its free inquiry may be directed toward ideas new or old, popular or unpopular, controversial or universally accepted.

"This freedom to examine, to explore, and to discuss embraces both the right to teach and the right to learn. Thoughtful inquiry and a free exchange of ideas by both students and professors are essential in university life. To this end it is reasonable and proper that individuals holding many differing views be invited to address the university community. Such outside speakers serve the same educational function as books in the university library which present diverse ideas and attitudes.

"Freedom of inquiry and expression at the university benefits society at large. It opens new frontiers of knowledge, both scientific and humanistic. It allows the university to be an incubator and proving ground for new ideas. Most important, it encourages students, both as scholars and citizens, to criticize, to probe, to inquire. By producing an informed and questioning citizenry, the university insures political and social freedom in the land."

Dr. Gegenheimer said he realized that a certain amount of coordination would be necessary with Mr. Johnson's committee which was seeking to develop ways to implement the "Student Bill of Rights." But he did feel that a special committee of the Senate should begin work to develop the contents of the pamphlet just approved. He therefore moved that a special committee be created to consider the recommendations of the AAUP regarding the contents of the pamphlet, with the understanding that the committee would coordinate its work with the Johnson committee when the report of that committee was completed. Dr. Wilson seconded this motion.

Dr. Dewhirst said it seemed to him that the matters this special committee would be considering would be similar to those that the Johnson committee would be studying. Why not let the one group (the Johnson committee) consider both the Student Bill of Rights and the proposed material for the freedom of expression document? He then moved to amend Dr. Gegenheimer's motion to provide that the AAUP recommendations be referred to the Johnson committee, rather than to a special committee. Dean Myers seconded this motion.

Dr. Lytle said that if the Senate accepted Dr. Dewhirst's motion, the Senate would in fact be expanding considerably the responsibility of Mr. Johnson's committee. That committee is considering how to implement a document on student rights. The AAUP is concerned with all campus personnel, including faculty, staff and administration as well as students. He reviewed briefly the work of the AAUP ad hoc committee which he had chaired. The purpose had been to find a means to communicate to faculty, staff and students just what the procedures are in several areas on this campus. The committee had studied the existing procedures and while finding most of them satisfactory had felt that some of these were too restrictive and should be changed. Again he emphasized that consideration had been given not only to how these matters related to students but to how they related to all persons on the campus.

Dr. Cockrum asked if approval of Dr. Gegenheimer's most recent motion would mean that the specific recommendations by the AAUP were adopted even if they might later prove to be at odds with recommendations from the Johnson committee. He thought that probably action on the AAUP report should be delayed until the Johnson committee had reported. On the other hand, he said he did feel that to place the responsibility for considering both documents on one committee would be to give one group too large an assignment.

It became evident that Dr. Gegenheimer thought that his original motion approved earlier (the one authorizing creation of a pamphlet on freedom of expression) had provided for more than many members of the Senate had understood they were approving when voting for the motion. At this point, by consent, all motions, amendments, and substitute motions which had been left dangling in violation of correct parliamentary procedure were withdrawn with the approval of both the movers and the seconds. Dr. Gegenheimer then moved that the pamphlet which is to be prepared as a policy statement on freedom of expression on this campus should contain policy statements on at least the items included in recommendations A, B, C, D, E, and F of the AAUP recommendations, as follow:

- A. A general statement of freedom of expression at the University of Arizona.
- B. The procedures for inviting a speaker to campus when the speech is to be open to the public.

- C. The rules and regulations for political meetings.
- D. The rules of the University concerning the distribution of handbills, petitions, posters, displays, etc.
- E. The procedure and regulations concerning the organization of student groups on campus.
- F. The Board of Regents Ordinance regulating the use of and conduct upon properties of the universities of the State of Arizona.

Dr. Gegenheimer further specified that additional topics could be added later with the approval of the Senate. This motion was seconded by several persons and carried.

Dr. Gegenheimer then moved that a special Senate committee be appointed to prepare the policy statement, with the understanding that it would coordinate such parts of the statement as need be with any recommendations that come forth later from the Johnson committee studying student rights. Dr. Wilson seconded this motion. In answer to the questions of several persons as to how this coordination could take place until after the Johnson committee had completed its work, Dr. Gegenheimer said he felt the new committee could proceed with its work in certain areas, delaying action on any points which were being studied by the Johnson committee. Dean Hull and several other members of the Senate said they thought that there was no work for a new committee to do until such time as the Johnson committee submitted its report.

At this point Mr. Johnson explained that his committee had agreed that rather than wait until a complete final report had been prepared for presentation in total to the Senate, recommendations on various topics would be coming "piece meal" to the Senate. As a matter of fact, in considering the recommendations from AAUP, he saw the only area of overlap to be that of the procedure to be followed in recognizing student groups. This is item E in the list of AAUP recommendations A through F. The special committee proposed by Dr. Gegenheimer could go ahead with deliberations on points A, B, C, D, and F for the time being, giving no attention to point E. In this way neither group would be second-guessing the other.

Dr. Robson then moved an amendment to Dr. Gegenheimer's latest motion, to provide that the proposed committee be asked to give attention to at least all items listed in the AAUP recommendations A through F, but excluding E. Dr. Damon seconded this motion. The motion carried unanimously. Dr. Cockrum asked to whom would the committee report. The answer was that it would report back to the Senate. The vote was then called for on Dr. Gegenheimer's motion as amended, that a special committee be created to develop recommendations including at least all the points listed in the AAUP report A through F but excluding E, with the understanding that recommendations on additional topics could also be made. The motion carried.

David L. Windsor, Secretary