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THE HESBURGH LETTER

Ten days ago the Rev. Theodore M. Hesburgh, President of the University of Notre Dame addressed a letter to the students of the University. The fact that he had written the letter, that he had taken a tough stand and that he threatened swift direct action in case of violence at Notre Dame was picked up by the news services and sent throughout the journalistic world, more or less, in just that form. Hesburgh was shortchanged by press media handling, because his sensitive and preceptive letter dealt with the entire "University in a free society philosophy", simply and realistically stated, and civilizations need to preserve the academic community as a free institution. Hesburgh's letter is totally void of dogmatic religious flavor, utopianism and ivory tower mysticism. It is rather his clearly stated and studied presentation of the University life as he understands it, the necessity of preserving and improving it and the steps he intends to take to do just that. The Hesburgh letter, an academic Gettysburg address, may well be a product of historical significance in 1969 and in years to come.

Letter to Students

This letter has been on my mind for weeks. It is both time and overtime that it be written.

My hope is that these ideas will have deep personal resonances in our community, although the central problem they address exists everywhere in the university world today and, by instant communication, feeds upon itself. It is not enough to label it the alienation of youth from our society. God knows there is enough and more than enough in our often non-glorious civilization to be alienated from, by you young, middle-aged, or old.

(5 Jan)

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The central problem to me is what we do about it and in what manner, if we are interested in healing rather than destroying our world. Youth especially has much to offer idealism, generosity, dedication, and service. The last thing a shaken society needs is more shaking. The last thing a noisy, turbulent, and disintegrating community needs is more noise, turbulence, and disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Compassion has a quiet way of service. Complicated social mechanisms, out-of-joint, are not adjusted with sled hammers.

Now to the heart of my message. You recall my letter of November 25, 1968. It was written after an incident, or happening if you will. It seemed best to me at the time not waste time in personal recriminations or heavy-handed discipline but to profit from the occasion to invite this whole university community, especially its central councils of faculty, administration, and students, to declare themselves and to state their convictions regarding protests that were peaceful and those that threatened the life of the community by disrupting the normal operations of the university and infringing upon the rights of others.

I now have a statement from the Academic Council, the Faculty Senate, the Student Life Council, some College Councils, the Alumni Board, and a whole spate of letters from individual faculty members and a few students. . . . In general, the reaction was practically unanimous that this community recognizes the validity of protest in our day - sometimes even the necessity - regarding the current burning issues of our society: War and peace, especially Vietnam; civil rights; especially of minority groups; the stance of the university vis-a-vis moral issues of great public concern; the operation of the university as university. There was also practical unanimity that the university could not continue to exist as an open society, dedicated to the discussion of all issues of importance if protests were of such a nature that the normal operations of the university were in any way impeded, or if the rights of any members of this community were abrogated, peacefully or nonpeacefully

I believe that I now have a clear mandate from this university community to see that: (1.) our lines of communication between all segments of the community are kept as open as possible, with all legitimate means of communicating dissent assured, expanded, and protected; (2.) civility and rationality are maintained as the most reasonable means of dissent within the academic community; and (3.) violation of others' rights or obstruction of the life of the university are outlawed as illegitimate means of dissent in this kind of open society. Violence was especially deplored as a violation of everything that the university community stands for.

Now comes my duty of stating, clearly and unequivocally, what happens if. I'll try to make it as simple as possible to avoid misunderstanding by anyone. May I begin by saying that all of this is hypothetical and I personally hope it never happens here at Notre Dame.

But, if it does, anyone or any group that substitutes force for rational persuasion, be it violent or non-violent, will be given 15 minutes of meditation to cease and desist. They will be told that they are, by their actions, going counter to the overwhelming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for their identity cards. Those who produce these will be suspended from this community as not understanding what this community is. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by law.

The judgment regarding the impeding of normal university operations or the violation of the rights of other members of the community will be made by the dean of students. Recourse for certification of this fact for students so accused is to the tri-partite Disciplinary Board established by the Student Life Council. Faculty members have recourse to the procedures outlined in the Faculty Manual. Judgment of the matter will be delivered within five days following the fact, for justice deferred is justice denied to all concerned.

After notification of suspension, or trespass in the case of non-community members, if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as non-students.

Lest there be any possible misunderstanding, it should be noted that law enforcement in this procedure is not directed at students. They receive academic sanction in the second instance of recalcitrance and, only after three clear opportunities to remain in student status, if they still insist on resisting the will of the community, are they expelled and become non-students to be treated as other non-students, or outsiders.

There seems to be a current myth that university members are not responsible to the law, and that somehow the law is the enemy, particularly those who society has constituted to uphold and enforce the law. I would like to insist here that all of us are responsible to the duly constituted laws of this university community and to all of the laws of the land. There is no other guarantee of civilization versus the jungle or mob rule, here or elsewhere.

I have studied at some length the new politics of confrontation. The rhythm is simple: (1.) find a cause, any cause, silly or not; (2.) in the name of the cause, get a few determined people to abuse the rights and privileges of the community so as to force a confrontation at any cost of boorishness or incivility; (3.) once this has occurred, justified or not, orderly or not, yell police brutality - if it does not happen, provide it by foul language; physical abuse, whatever, and then count on a larger measure of sympathy from the up-to-now apathetic or passive members of the community. Then call for amnesty, the head of the president on a platter, the complete submission to any and all demands.

So it has gone, and it is generally well orchestrated. Again, my only question: Must it be so? Must universities be subjected, willy-nilly, to such intimidation and victimization whatever their good will in the matter? Somewhere a stand must be made.

I only ask that when the stand is made necessary by those who would destroy the community and all its basic yearning for great and calm educational opportunity, let them carry the blame and the penalty. No one wants the forces of law on this or any other campus, but if some necessitate it, as a last and dismal alternative to anarchy and to mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay. The only alternative I can imagine is turning the majority of the community loose on them, and then you have two mobs. I know of no one who would opt for this alternative - always lurking in the wings.

We can have a thousand resolutions as to what kind of a society we want, but when lawlessness is afoot, and all authority is flouted, faculty, administration, and student, then we invoke the normal societal forces of law beneath our hapless and hopeless gaze. I have no intention of presiding over such a spectacle: Too many people have given too much of themselves and their lives to this university to let this happen here. Without being melodramatic, if this conviction makes this my last will and testament to Notre Dame, so be it....

May I now confess that since last November I have been bombarded mightily by the hawks and the doves - almost equally. I have resisted both and continued to recognize the right to protest - through every legitimate channel - and to resist as well those who would unthinkingly trifle with the survival of the university as one of the few open societies left to mankind today....

I truly believe that we are about to witness a revulsion on the part of legislatures, state and national, benefactors, parents, alumni, and the general public for much that is happening in higher education today. If I read the signs of the times correctly, this may well lead to a suppression of the liberty and autonomy that are the lifeblood of a university community. It may well lead to a rebirth of fascism, unless we ourselves are ready to take a stand for what is right for us. History is not consoling in this regard. We rule ourselves or others rule us, in a way that destroys the university as we have known and loved it.

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3 March 1969

cc: Chrono
Subject File

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