

## AN OPEN LETTER

*Although I have good reason to believe that many of my colleagues share the sentiments expressed in this letter, and even though my position as President the IU Bloomington Faculty does afford me the right, under the terms of Section 10.J of the Bylaws of the Bloomington Faculty Council, to speak on their behalf, the opinions expressed in this open letter are mine alone.*

Since her arrival at Indiana University three years ago, President Pamela Whitten has repeatedly answered criticisms of her actions by claiming that the changes she is seeking to make to the structure and culture of the institution are driven by increasingly pressing external realities whose implications for higher education IU has somehow either managed to evade, or simply failed to address. When asked to explain the rationale behind her own approach to addressing the challenges these new realities present for our university, she has routinely cited novelty of circumstance or examples of similar actions taken by other universities as proof that such changes are both necessary and sound. Rarely, if ever, has she indicated much openness to the idea that IU might have something important to teach her or its peer institutions about how to handle anything. A recent case in point is the Whitten administration's handling of protests in Dunn Meadow.

While President Whitten is fond of citing certain provisions of IUB's "Policy for the Use of Indiana University Assembly Ground" (BL-ACA-I18) as guiding principles for the actions her administration has taken over the past several days, she seems to ignore others that are crucial to understanding the profound commitment to freedom of expression enshrined in that document. Among these is a statement that appears in Section 1 of the policy under the title "Basic Principle," which reads, in part, "when a demonstration becomes violent or represses the rights of others, it has no place on a university campus. But the mere fact that some find a demonstration distasteful is no more reason to ban it than to ban an idea the listener finds distasteful. We [the Trustees in 1969] have reviewed the history of demonstrations in the Assembly Ground. Many of us as individuals disagree with the points of view which have been expressed there. Many of us who agree with the substantive views expressed in individual demonstrations have found the form of their expression sometimes distasteful, or worse. Taken as a whole, however, this history shows us a lively and vigorous commitment to the exploration of matters of public concern: the vigor of that commitment is to us one of the measures of greatness in a university."

Another important provision is Section 2.D which reads "*We believe the University should not use physical force to enforce these rules* [emphasis added]. In cases of non-compliance, the University should use the legal process to enforce its legal rights. This commitment might involve some cost to the University and would probably entail more serious consequences for violators; we believe these costs are an appropriate way to mark the weight the University community attaches to both the rights and responsibilities it recognizes in the Assembly Ground."

It is difficult to reconcile the events we have witnessed over the past week with the measured statements of principle expressed in the sections of the policy quoted above. Beyond the fact that the only violence that has occurred in Dunn Meadow has occurred at those moments when members of the IUPD and the Indiana State Police have been directed by someone to advance on protestors, the very fact that physical force was used as the enforcement mechanism at all is an affront to the (now blatantly) obvious wisdom reflected in the language of that policy as it was originally crafted. That physical force was used as a first resort, on the very first day of the protest, rather than a last resort, constitutes an even greater affront to that wisdom.

Indeed, it is important to recall that the first forcible conflict between protestors and law enforcement officers occurred on the afternoon of Thursday, April 25<sup>th</sup>, many hours before anyone would have been in violation of the original policy's prohibition against unapproved, unaccompanied "signs, symbols or structures" between the hours of 11 PM and 6 AM. These are all facts the Whitten administration openly acknowledged in their communication to the IU community last night: they did indeed decide to "stand down" for 24 hours following IUPD and ISP's first forcible encounter with protestors on Thursday afternoon. The only reason they had do that, though, is because their first impulse was to stand up law enforcement assets as their primary tool for defending the campus against potential threats posed by...whom? By its own students, faculty, and staff, apparently, at least if the list of people who have so far been arrested offers any indication of who those attempting to exercise their First Amendment rights in Dunn Meadow are.

It is undoubtedly true, as President Whitten's communication Sunday evening suggested, that "our campus—like so many others—has experienced the escalation of a national movement on numerous college campuses to erect encampment," although it not clear that the actual goal of such efforts is to "occupy universities indefinitely." It is also accurate enough for President Whitten to say that, like numerous other college campuses, IUB has an obligation to figure out how to "support free speech and ensure the safety of the IUB community." But here is a very important point that is worth keeping in mind: every other campus in the country has not had a designated free speech zone set aside since 1969 as a matter of policy for the express purpose of mitigating precisely the sort of challenges we are facing now. Every other campus in the country did not have the wisdom, born of experience, to acknowledge and embrace the inevitability of public protest on a university campus in a way that safeguards the right of freedom of expression while also minimizing disruption to other ongoing activities on that campus. And crucially, every other campus in the country did not make these arrangements long ago precisely because they sought to make unnecessary the heavy-handed and quite frankly dangerous use of physical force against their own students, faculty, and staff to reconcile these competing imperatives. Indiana University Bloomington did. Yet despite being handed a ready-made solution to the supposedly intractable challenges that campuses across the country are currently facing that might have allowed Indiana University Bloomington to serve as a model for those other institutions, the Whitten administration decided instead to lean in to its own impulsiveness and follow rather than lead on the theory that doing otherwise might result in the situation deteriorating and potentially getting out of hand. At this juncture, I think it is safe to say concerns about the current situation deteriorating or getting out hand are passé. It has already

deteriorated, and it is arguably already out of hand—if not in terms of what happening in Dunn Meadow at any given moment, then certainly in terms of the outrage and sadness that is being felt by students, faculty, and staff across the campus.

Despite her recent promises to listen and learn, I am very skeptical that President Whitten is likely to do either. Rather, I strongly suspect that what she will continue to do is what she has done for the past three years, which is make one questionable decision after another resulting in one terrible headline after another, and then blame the chaos she has played an integral role in creating on somebody else, or on circumstances beyond her control. That is something, but it is not leadership. In fact, it is the exact opposite of leadership. That is why I have reluctantly arrived at the conclusion that there is no viable way forward other than for President Whitten to resign from office or be removed.

That is the principled version of the argument I feel compelled to make considering this past week's sorrowful events. Now let me make a version of this argument that is likely to be more persuasive to the people who are best positioned to respond to it.

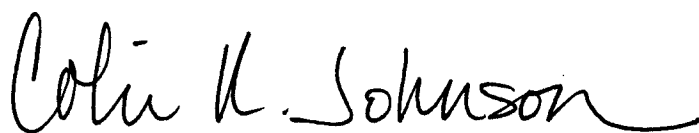
Try as I may to envision one, I simply cannot imagine a scenario in which students, faculty and staff who feel as betrayed by the Whitten administration as many of my colleagues and our students clearly do will ever be able to look beyond the events of the past week, let alone the generally frustrating and dispiriting events of the last of the past three years, and simply resume their labors—labors which are, fundamentally, the most important work of the university. Indeed, even if everything she and her surrogates have said about the unappreciated complications and nuances of the current situation is true, which I am not sure I believe, President Whitten has clearly become a liability to Indiana University. And not only in the context of this past week's events.

Just two weeks ago, the faculty on IU's Bloomington campus made it quite clear through a procedurally orderly vote that they had *already* lost confidence in President Whitten's leadership, as well as the leadership of IUB Provost Rahul Shrivastav. I do not see how any reasonable person could make the claim that what has happened on the IUB campus since then is likely to have increased anyone's confidence in that administration's ability to meet the challenges we currently face with much success. Faculty are even more outraged than they were before. Our students are absolutely, and quite rightly, appalled at having been targeted by their own university on the grounds that their free expression represents a disruptive threat to the functioning of an institution that is now, thanks to the Indiana General Assembly, required by law to not only accommodate free expression, but actively encourage it. And elected officials are openly characterizing President Whitten's management of the institution's affairs as "amateurish," which it is. I do not know what IU's hundreds of thousands of alumni are thinking, but I find it difficult to believe that seeing their alma mater's good name routinely dragged through the mud in national and international headlines over the past several years, and especially over the past week, has filled many of them with a sense of pride.

Is it true that the challenges college and university presidents are facing at the moment are profound? Undoubtedly. Is it also true that there are complexities and nuances to most

situations that institutional leaders are called upon to navigate that many people are not aware of or do not understand? Almost certainly. Is it possible that history may eventually record that President Whitten was unfairly made to bear personal responsibility for failing to manage adequately a situation that no university president could have been expected to manage without making some mistakes? Possibly. But at the end of the day, we do need to be pragmatic. Corporate boards remove organizational leaders they have otherwise trusted for years all the time because those leaders' names become tainted, as President Whitten's most assuredly has. Even more commonly, organizational leaders preemptively resign from their positions because they understand, or are made to understand, that it is not their reputation that is most significantly on the line when controversies surrounding the real or perceived functionality of an organization arise on their watch. It is the reputation of the organization itself that is at stake. In the case of Indiana University, the organizational reputation currently at stake is one that has been more than two hundred years in the making. It is a reputation that has not only included a stronger than average embrace of freedom of thought and expression as foundational principles, but one that has been built quite directly on the institution's fidelity to those principles, in some ways almost uniquely. And it is a reputation that is currently being trod upon and damaged in the most distressing and abhorrent ways.

In my first public comments as President of the Bloomington Faculty to the members of the Board of Trustees on August 25, 2023, I noted that "more than anything, what faculty and staff need as eventual outcomes of the transformational work we are all about to embark upon is more time—time that can be put where it truly belongs, which is at the disposal of our scholarly ambitions, our obligation to serve our communities, and perhaps most importantly our obligation to serve our students. We need freedom from distraction, which as any of my undergraduates could tell you is necessary if one is trying to concentrate for the purpose of doing the very best thinking and writing one possibly can. Finally, we need even more confidence in the near- and long-term stability of this institution than we already have." I cannot say that we have received these things from the Whitten administration in any appreciable measure. In fact, it has sometimes felt as if we have received nothing but time-consuming distractions and repeated blows to our sense of the institution's near and long-term stability, although I am willing to admit that this may just be my sheer exhausting talking. Be that as it may, however, I am nevertheless convinced that the time has come for the Whitten administration to end.

A handwritten signature in black ink that reads "Colin R. Johnson". The signature is written in a cursive, flowing style with a long horizontal tail at the end.

Colin R. Johnson

President of the Faculty

Indiana University Bloomington