

Whenever one discusses, or attempts to discuss, a highly controversial matter, especially one which is unusually charged with emotion, it will be said by many, according to their persuasions, beliefs and convictions--right or wrong, that the statement is "too pointed", "too vague", or "too something"--if it does not express completely those views held by friendly or unfriendly critics. Whatever might be said for whatever reason, I feel it is my obligation as the President of Florida A. and M. University to issue a statement pertaining to the disturbances very much in evidence at FAMU, as elsewhere. If the statement serves in even a minor way to bring some semblance of reason into the consideration of the most difficult domestic problem of the United States, of which our State of Florida is a part, it is well worth the effort.

The University is committed, as it should be, to the advancement, in individuals, of rationally predicated power of honest analysis and judgment; to the encouragement of a sense of responsibility toward others, as well as a sense of responsibility for one's own moral and spiritual being; and to the upholding of recognized criteria for personal and communal conduct that dignify human life and do not degrade it. This means, as should be evident, that the University cannot condone wilful misconduct and calculated civil disobedience, for whatever purpose. Wilful misconduct and calculated civil disobedience is not to be confused with peaceful, well-ordered and law-structured displays or demonstrations

of disagreement with existing conditions here or elsewhere. Peaceful, well-ordered and law-structured displays or demonstrations of disagreement have the unqualified approbation of the University; but, wilful misconduct and calculated civil disobedience is considered, even in the sensitive area of civil rights, to be inherently wrong.

The collective surrender of order and reason outside the framework of law by otherwise responsible persons, and the inconvenience, damage and danger it can bring to those so inclined is frightening--and it should not be indulged in by our students, for their own protection and safety, if for no other reason. As with the law and its proper administration in society as a whole, a function of discipline and responsibility in the University must be to defend and uphold values and standards of conduct essential to the well-being of FAMU as a whole. When so much is involved which demands the best efforts of educated and thoughtful men and women, we must not submit to actions deemed outside the pale of the law, with its necessary companions, wantonness and irresponsibility. Such actions are, indeed, unfortunate when practiced by the "majority"; but, such actions are pregnant with absolute disaster when employed by the "minority". We must select, almost without deliberation, the methods which have been outlined by the United States Constitution--"the right of people peaceably to assemble, and to petition the government for a redress of grievances." We do not want and do not need senseless frenzy and random civil disobedience.

The University is aware, and does not disagree, that the advancement of justice through law results at times from public protests against injustices believed to exist, as our recorded history well illustrates.

The University is also aware that the equality of all citizens in the exercise of civil rights is guaranteed by the Constitution and by the principles of a free people--the predicate of our government. The University believes that the denial of equal rights to a part of our people is a pure and simple violation of our laws and our principles.

On the other hand, the University must foster another fundamental truth of the law if the rightful dreams and rightful aspirations of a minority in this democracy are to be realized. The first paragraph of the United States Constitution announces as one of the twin purposes of justice and order the insuring of "domestic tranquility". As dedicated and thoughtful persons, then, we must understand that order is no less an essential part of law than justice, and civil duties are no less basic than civil rights. Lawlessness, however ethical the motive, breeds lawlessness on both sides and in many directions. It may quickly get out of the control of those who initiated it in a minor way, as has already been demonstrated by isolated but serious incidents which have occurred on and off campus, and turn into uncontrolled hysteria. Those who in their zeal for instant change would violate the law damage irreparably and obstruct unduly the lawful means, however slow and deliberate it might appear to the impatient, by which their purposes may be achieved. They, too, however well-meaning, defeat the ideal inscribed over the

"If one might be persuaded that this was merely an excess of exuberance of high-spirited youths with every intention of complying with court orders and of otherwise comporting with law and order, such impression vanishes with the manner in which the warnings and instructions of the deputy sheriff were not met by the respondents. Refusal to heed the instructions of duly identified law enforcement officers evinces a purpose to pursue one's own will regardless of consequences. Though one has a right to resist an unlawful arrest, he nevertheless acts at his peril when he practices or exhibits disregard for the requests or instructions of duly constituted law enforcement officers acting to preserve order. What may have been merely unreasonably boisterous and unruly became defiant and dangerous and breached every concept of orderly behavior."

With regard to the two students suspended indefinitely, Judge Willis' opinion reads, in part, as follows:

"Respondents...are each adjudged to be guilty of contempt of this Court....., the...respondents having been shown to have been the leaders in and to have misled others into the violation involved here."

With regard to the students placed on strict probation, Judge Willis' opinion reads, in part, as follows:

"The respondents...are each adjudged guilty of contempt of this Court...., the foregoing respondents having been previously involved in the disorders of May, 1963, and who thus exhibit a particularly flagrant violation of the injunction order of this Court."

The 1963-64 Student Handbook, compiled by students and faculty alike, reads, in part, as follows:

"Disciplinary action will be taken against students for:....6. Misconduct while on or off campus. This includes students who may be convicted by university officials or city, county, or Federal police for violation of any of the criminal and/or civil law."

In view of the foregoing, it seems reasonable to conclude that the University acted properly in meting out discipline, through its University Discipline Committee, in the aforementioned manner. It might even be said that the discipline imposed was minimal, all factors duly considered.

Finally, the University would like to record again that it can neither condone nor excuse conduct adjudged to be civilly disobedient. In line with a statement attributed to the highest constitutional officer in the State of Florida, the Honorable Farris K. Bryant, the University believes that "the Negro has a perfect right to demonstrate peacefully. Government should not interfere unless they interfere with the rights of others." FAMU will defend all who operate within the framework of the law and order.

The University has come under attack for its recent disciplinary action which resulted in the suspension of two students for an indefinite period, and the placing of some thirty-five others on strict probation. The allegations seem to state in effect that these students, especially the two suspended indefinitely, have been denied their civil rights. The University expressly denies these allegations because, in its considered opinion, they have no basis in fact.

Though the University, as is probably true of any institution so structured, is in sympathy with the goals sought by the students subjected to discipline, it cannot and must not permit its feeling of kinship to outweigh the demands of law and order. The University has afforded its protection, does afford its protection, and will afford its protection to all who choose to operate within the framework of the law. The University will not lend its official sanction to conduct adjudged to be wilfully violative of law and order. If the ends are proper, the means employed to realize them must likewise be proper. It seems obvious that demonstrations, if they are peaceable, are within the framework of the Constitution. It seems equally obvious that wilful civil disobedience is outside the pale of law and order--and, therefore, is not to be condoned.

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