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W.B. Harvey's Letter to Students, December 1971

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Indiana University School of Law

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INDIANA UNIVERSITY
Maurer School of Law
Bloomington

W. B. Harvey's letter to students

Editor's Note: After his resignation as dean of the School of Law, W. B. Harvey submitted the following letter to the student publication, The Appeal. He also wished that this message clarifying his position be circulated to law school alumni and other members of the profession.

I wish to convey to all the students my gratitude for their many expressions of confidence and good will, as well as my strong support for their determination that my resignation not in any way impede the strong, continuing development of the School.

I wish very much that my resignation might have been submitted in other circumstances. That was not possible, and I now regard it as a closed chapter. After consultations with my colleagues there, I have concluded that full public disclosure of the background of my resignation would not be in the interest of the School. Its welfare remains the guiding consideration for me, as I am sure it does for all students.

While I don't wish to comment on the operative reasons, I do feel that it would be appropriate to try to lay to rest some of the ill-founded speculation that has appeared in the newspapers. Permitting that speculation to continue could only result, I believe, in unnecessary damage to the school.

It has been suggested that one of the important factors was conflict with and condemnation from the Indiana State Bar Association. In my judgment, any contention that the Bar of the state has opposed developments in the School in recent years is quite untrue and is grievously unfair to many fine Indiana lawyers who have given us strong and enthusiastic support. These lawyers include many of our own alumni as well as graduates of other schools. It bears emphasis that on few issues, if any, does the State Bar speak with one voice and, insofar as I am aware, on developments in our School it has not undertaken to speak as an association at all. Since I have been in the state, I have participated in the affairs of the State Bar Association and have enjoyed warm, supportive relations with a great many of its members, including virtually all of its leadership over recent years.

The individual members of the association cover a wide spectrum of viewpoints. Of those who have given attention to developments in the School, I am sure there are some who on various grounds are critical and I have no disposition to question their entitlement to their views. I have tried diligently to determine the basis of critical reactions, when reports have reached me, and in most cases the reports of lawyer hostility to the School have proved illusory. Of course, this is not true in all cases and where actual disagreements have been discovered, I have had to conclude that perspectives on what constituted high-quality legal education were simply in conflict. Indeed, any law school that is pressing for reform and improvement will be in conflict with some segment of its lawyer constituency. I would emphasize, however, that for every lawyer I have been able to identify as a detractor or critic, I could name several who have in many ways indicated their enthusiasm and support.

The newspapers have also speculated that I felt aggrieved by the level of support being provided by the University to the Indianapolis Law School. As I have written to Dean Foust of that School, nothing could be further from the truth. I know very little about the budgetary support for Indianapolis, and as my own decision was precipitated, that factor never crossed my mind. I came to Indiana as Dean of both schools. One of my first acts as Dean was to recommend to the President and trustees that the School in Indianapolis be granted autonomy within the University so as to permit its faculty under its own leadership to press for development and improvement as it saw fit. My consistent view has been, and I have urged it at every available opportunity, that all legal education is under-financed, that Indianapolis was no exception, and that it was in the interest of the University and our own School, as well as the Indianapolis school, that it be granted increased support. I would urge, therefore, that any speculation that my own decision was related to a rivalry with Indianapolis be put aside.

The third reported reason—that there were “personality conflicts” between me and the administration of the Univer-

sity—is more difficult to comment upon and I want to deal with only one aspect. It would be foolhardy to deny that over the past three years important differences of view have arisen. Indeed, several of those are a matter of public record. At least from my viewpoint, however, none of these fell into the trivial category of “personality conflicts.” It has never seemed to me necessary that those with whom I dealt in a professional capacity be people with whom I might like to go fishing, and surely the view that issues of University policy can in any sense depend on personality reactions ought not to survive puberty. I have tried to stake out my position on substantive matters related to the nature of a university, the commitment to quality, the role of responsible administration, and the rights and duties of citizens, particularly lawyers, whatever position they might hold in a university. None of these factors, I believe, rests on personality considerations.

The students in the School are fully entitled, I believe, to express their views on the quality of the legal education they want and, indeed, to play a significant role in assuring that the quality they want be preserved and increased. I hope the students in the school will direct all their energies toward those ends. The inscription on the National Archives says, “The past is prologue.” As a motto that is far above the average and I would recommend it to all our students. My deanship is now a closed chapter; it should be permitted to rest where it is. There is no gain to the School in re-trying old causes. There is gain in re-affirming our commitments to first-rate legal education at Indiana and in supporting the faculty as it moves into consideration of a new dean. I hope our present students as well as our alumni will find appropriate ways of participating with the faculty in this process.

At the purely personal level, my plans are to return to Bloomington in March, and I look forward with pleasure to seeing all of you. Beyond that I have made no plans.

Sincerely,
William B. Harvey

December, 1971