

**Fred Hornbeck, Senate Chair**

We are in a challenging situation. It calls for the best from each of us if we are to accomplish the maximum benefit to the faculty with no “friendly fire” casualties among us.

CFA has been bargaining with the CSU for a new contract for nearly two years. It is extremely frustrating for all to have bargaining at impasse. A fact finder has been appointed who is examining the situation. She will make non-binding recommendations to the parties. Should a contract not emerge as a result of this process, the CSU will have the authority to unilaterally impose working terms and conditions on Unit 3 employees. However, in the absence of a ratified contract, Unit 3 employees will be permitted under HEERA — the California Higher Education Employer–Employee Relations Act — to undertake job actions. CFA has been gathering data and consulting with members to determine the path that it will pursue.

Our Senate acknowledges that it is neither its role nor responsibility to participate in collective bargaining. It is, however, its role to advocate for actions and policies that produce a quality educational environment at SDSU. In this light, our Senate unanimously passed a resolution noting that the current climate harms morale and threatens our ability to recruit and retain high quality students, faculty, staff and administrators. This resolution called particular attention to matters of faculty compensation, workload, and support for professional growth and development as critical contract issues. The Senate urged negotiators for the CSU and the CFA to use the fact-finding process to reach a reasonable solution that addresses the critical issues without resorting to the imposition of terms and conditions by the CSU nor job actions by CFA.

Let me emphasize that we are not here to argue the wisdom or efficacy of faculty job actions. That is in the domain of our bargaining agent. It is up to CFA to decide that matter. We are here to consider and discuss the nature of appropriate professional conduct in the event of a strike.

Some of us are concerned that thoughtless or careless behavior may severely harm relations within our faculties; that the effects could be quite harmful to the very fabric of our faculty culture. Our Senate officers agreed that it was appropriate for the Senate to sponsor a faculty conversation on the maintenance of professional collegiality in the event of a strike. The president and vice president of our SDSU chapter of CFA agreed. This forum would be limited to presentations and discussion on the maintenance of professional collegiality. It would be understood that arguments pro and con job action *per se* would be out of order. All members of our panel have agreed to these ground rules. We respectfully request that all present do the same.

Bear with me as I describe the dilemma as I see it and the question that I hope we will seek to answer. I shall then recognize members of our panel for their comments before opening the meeting for participation by all.

I joked to my wife that it would be helpful to have an eloquent, charismatic, nonsectarian Solomon true to the spirit of Samuel Gompers whose values embrace those of Christ, Gandhi, Martin Luther King, Jr., and Cesar Chavez. Well..., we’ll just have to go with what we have.

What we have on the one hand is the possibility of faculty job actions, **of a strike**. This tool in the hands of trade unions involves the application of considerable pressure on all members to actively participate and support the collective action of the majority. Those individuals who do not conform are subject to ridicule, criticism, and, occasionally, bodily harm. *Scabs* are scorned. Reluctant individuals are subjected to extreme efforts to comply. *True believers* justify their means by their ends.

What we have on the other hand is a community of scholars, of professionals dedicated to the highest principles of free inquiry and open expression. Last semester, we adopted an academic freedom policy drafted by a Senate task force, adopted by the Senate, and approved by President Weber. That same task force has completed a policy on the freedom of expression that is now in the Senate. Any policy on freedom of expression must apply equally to everyone — particularly those with whom we disagree. Freedom of expression must be a core value of the academy.

Should there be a faculty strike, it is certain that many will participate in the concerted effort. It is equally certain that some will not. We must find the capacity to appreciate, accept, and honor the decision and behavior of each of our colleagues and to do so without prejudice. We should raise the salience within our faculty of the values of tolerance for others and of mutual respect.

And here is why: Professors are not cigar makers, shoe makers, steel workers, teamsters, longshoremens, farm workers, or auto workers. And, professors are not nurses, public school teachers, air traffic controllers, or airline pilots. They differ from these and other employees who engage in collective bargaining in one profoundly important way. Virtually all important faculty personnel decisions: appointment, reappointment, tenure, promotion, sabbatical leaves, and grants in aid are decided first and foremost by ones

peers. Peer evaluations and recommendations must be based in every instance upon the academic case made by the applicant and judged by fair and impartial professional colleagues. We must not permit differences over bargaining tactics to taint or bias this process. We cannot have those who will determine others' professional fates licensed to threaten, harass, or intimidate any one of our colleagues. It will destroy our very system of peer review itself should differences in beliefs, opinions, and actions in the collective bargaining arena intrude into the academic peer review process. No member of our faculty should be placed in a situation where her or his course of action is controlled by fear of retribution by peers.

How can we immunize ourselves from the development of hostile or negative attitudes toward those who choose a course different from our own? How can we assure ourselves that the civility and collegiality that are essential to the practice of our profession will be protected — particularly without diminishing in a material way the message that a strike is meant to convey to our Board of Trustees and Chancellor? I see this as an incredibly challenging question and ask that we now work together to arrive at some consensus with regard to behavioral norms in the event of a faculty strike. One cannot legislate civility and collegiality any more than one can legislate morality. We are incapable of controlling the attitudes that we and others form toward one another. We can, perhaps, agree on common goals and provide some well considered guidelines for appropriate conduct. Let us proceed to do our best to establish guidelines that preserve the overarching values of self determination and peer review for our faculty...for ourselves.

**Professor Gene Lamke, California Faculty Association Vice President**

Our three-year contract was from July 1, 2003 to June 30m 2005. In 2004 talks reached an impasse. Fact-Finding concluded yesterday. There is not a lot of information I can give as it is mostly confidential. The report will come out approximately two weeks from now. After that, there is a 10-day blackout period. Then the union has a right to go and pursue job actions. I am not confident that a settlement will be reached.

**Professor Mark Wheeler, California Faculty Association President**

The Chancellor's Office has right to impose a contract and CFA has a right to strike. Next Monday, most likely, we will Monday will vote authorization for job actions, including two-day rolling strikes across the system. I do not know when that would happen at SDSU. Chair Horbeck's speech might make it sound like those in the union would threaten and harass others; that is not adequate characterization. I have heard fears from both sides regarding retribution or reprisal .

**Professor Edith Benkov, Senate Faculty Affairs Committee Chair**

I was asked to discuss a possible administrative reaction, since it is not appropriate to have administrators here. No one, faculty, CFA, or the CSU wants this to come to a job action; that is an untenable position. The administration has no types of procedures or activities, no specific plans. The Administration also respects the right of students to get their education. We ought to go to classes, we ought to teach. What will happen to the faculty who don't? They won't get paid. How will that affect benefits? If it is a two-day rolling strike; not at all. If it is a long action, yes, benefits could be affected. I know of know retaliatory actions planned (RTP, Grants), and have not heard about being penalized for taking part in the action. Campus security will not be involved, assuming demonstrations are peaceful. The Freedom of Expression Policy has not been officially passed in the Senate (it will come before the body on April 10, 2007), but we are working within its framework; picketing, demonstrating, and peaceful assembly are covered. There will be no lock out.

**QUESTIONS AND ANSWERS**

- Q:** Will the fact-finding report be presented in a way that represents a potential contract? **Lamke:** I doubt it will be presented as a contract. CFA contends that there is already money available. Things like that will probably be established by the fact-finders.
- Q:** What about distance learning classes? **Wheeler:** Some plan to hold their classes elsewhere, Blackboard for instance. But a strike is a cessation of work. **Benkov:** We are prohibited from holding classes off campus. **Wheeler:** This is not a teach-in.
- Q:** Has the CFA formulated policies on job action or has the CFA provided guidelines regarding extra-communications on campus? **Lamke:** Formulations of those guidelines are forthcoming.
- Q:** Have Chairs been told by the Administration that they are responsible for reporting missing teachers? **Benkov:** No
- Q:** How are other unions on campus situating themselves? **Wheeler:** The Campus Labor Council has been meeting regularly. They are talking today about how they want to go forward. A vote hasn't taken place, but there is good reason to believe that the vote

will go in favor of job actions. There are complexities and some constraints on union members, some people can strike in sympathy; some can't.

- Q:** What if Faculty want to use their personal holiday? What sort of lead-time would you need to declare that? Is that a mechanism to avoid one of the two days? **Benkov:** You just declare a personal holiday. I don't know how CFA would feel about that. **Wheeler:** There is no way to stop that, either on the administrative or union side. But you are not on a holiday on strike.
- Q:** I see that issue for junior faculty as a point of some concern. **Wheeler:** CFA has set aside funds for a strike. If there is a hardship they can apply and get support.
- Q:** Not everyone teaches a class every day. If a strike occurs on a day one doesn't teach class, are you on strike? Do you not show up for a committee meeting? **Benkov:** Committee work is a service. We are told not to teach. So that's a nebulous area. **Lamke:** It has to do with missing your work.
- Q:** Is this a whole-day strike or a task-specific strike. **Lamke:** That is a difficult question. We are hoping that CFA will define that for us. **Wheeler:** We will do no more than the contract demands we do.

### Cezar Ornatowski, Professor of Rhetoric and Writing Studies

I overheard two kids playing at the Dulles airport in Washington D.C. in April 2005. One said to the other: "I'll be in my imaginary world and you be in your imaginary world and we will fight."

It may be taken for granted today that communities are in some sense "imagined." In his *Imagined Communities*, Anderson suggests that a nation is "an imagined political community" because "members of even the smallest nation will never know most of their fellow members, meet them or even hear of them, yet in the minds of each lives the image of their communion" (6). Such communities inhere, Anderson suggests, largely in a state of consciousness: a sense of "horizontal comradeship," a temporal simultaneity existing in and moving through history (7).

In an important sociological study of the nature of community, British anthropologist Anthony Cohen argues that communities are symbolic constructs. Like Anderson, Cohen calls them symbolic not because they are less than real; rather, they are symbolic because they coalesce around symbols. Symbols, however, Cohen argues, "do not so much express meaning" or tell us what to mean as "give us the capacity to *make* meaning" (15, my emphasis). Communities share symbols, but they do not necessarily share their meanings. "The quintessential referent of community," Cohen suggests,

"is that its members make, or believe they make, a similar sense of things generally or with respect to specific and significant interests, and, further, that they think that that sense differs from one made elsewhere. The reality of community in people's experience thus inheres in their attachment or commitment to a common body of symbols. (...) But it must again be emphasized that the sharing of symbol is not necessarily the same as the sharing of meaning." (16)

Cohen argues that communities structure themselves by erecting boundaries, between inside and outside, as well as within. "The most striking feature of the symbolic construction of the community and its boundaries is its oppositional character. The boundaries are *relational* rather than absolute; that is, they mark the community *in relation* to other communities" (58). "Culture," Cohen suggests, "is . . . inherently antithetical," since its essential character is expressed through contrasts with what it is not: cultures can only "formulate a sense of themselves as coherent and distinctive because they confront others" (115). Cohen concludes that

"Since the boundaries [of community] are inherently oppositional, almost any matter of perceived difference between the community and the outside world can be rendered symbolically as a resource of its boundary. The community can make virtually anything grist to the symbolic mill of cultural distance, whether it be the effects on it of some centrally formulated government policy, or a matter of dialect, dress, drinking or dying. The symbolic nature of the opposition means that people can 'think themselves into difference'. The boundaries consist essentially in the contrivance of distinctive meanings within the community's social discourse. They provide people with a referent for their personal identities. Having done so, they are then themselves expressed and reinforced through the presentation of those identities in social life." (117)

My own research into the dynamics of political transformation and national construction suggests that the "symbolic" construction of community proceeds along four major and complementary lines: construction of identity (who we are, thus who is one of "us" and who is not), relations between community members, relations between the community and its outside (other communities), and myth of origin (where we come from).

What communities does each of you belong to? By virtue of what sense of “community” belonging are you here? The more general community of “intellectuals”? The community of “faculty” as opposed to staff or students? The “community” of CFA members as opposed to the more general category of faculty? The community of those who hold certain values about the university as opposed to those that hold different values? Along what boundaries and according to what values do you construct (“imagine”) what in rhetoric is called “identification” (which is a fundamental sense that any good orator immediately proceeds to build and secure in his or her audience) as well as your relationships to others? I leave it to you to reflect on.

But to help in the reflection most relevant to the business t hand, I want to point out that the most important symbolic medium for constructing and reconstructing community is language.

I will mention only one aspects of language that is critical here: the use of pronouns.

Pronouns are one of the elements of what is called “enunciation”: the discursive process through which the subject enters and secures its presence in discourse, as well as locates him or herself within the matrix of social relations. In this connection, especially telling are the reflections of Croatian dissident Slavenka Drakulic. Drakulic recalls “hating” the plural pronoun “we” as she grew up in Communist Yugoslavia because it erased her experience and very existence. “I grew up,” she recalls, “with ‘we’ and ‘us’: in the kindergarten, at school, in the pioneer and youth organizations, in the community, at work” (2). “Individuality, the first-person singular,” she points out, was “exiled from public and political life and exercised in private” (4). On the other hand, “[t]he consequences of using the first-person singular were often unpleasant. You stuck out; you risked being labeled an ‘anarchic element’ (not even a person), perhaps even a dissident” (3). Draculic points out that the plural pronoun continued to hold sway when the nationalist myth replaced the communist one and led to the ethnic wars. “Those who used ‘I’ instead of ‘we’ in their language,” she recalls, “had to escape. . . . As a consequence of this ‘us,’ no civic society developed” (3). The pronoun “we,” Draculic concludes, means “somebody else deciding your destiny. ‘I’ means giving individuality and democracy a chance” (4).

Consider the shifts in pronouns in the following remarks by SFSU President Corrigan:

“After mulling this over a good deal, **I** have concluded that I should share my concerns about the current state of contract negotiations. I must warn you ...

**We** are in the midst of the most painful and divisive faculty collective bargaining process I have seen in my 19 years in the CSU. ....  
**We** are currently in fact-finding and my guess is no better than yours as to how this will come out. ....

**I** grew up in a union family....

Is this the way **we** negotiate a contract? ...

Activities such as these may gain news media attention, as conflict always will, but they do not increase **our** chances of winning the legislative support that is absolutely vital to our future.”

Constructing multiple and in this case shifting “community” boundaries be creating inclusions and exclusions is an often invisible even to the speaker or thinker herself, part of the argument. It may also be the part that is potentially most insidious.

It is such conscious or unconscious construction that one has to be mindful of so that one do not mistake what the issues are and where one stands on substantive matters by knowingly or unknowingly erecting boundaries that may have a lasting effect on one’s relationships with people. These things may be “only” symbolic, but they are the basic stuff of which human society is made.

**Professor William Eadie, Senate Secretary, Chair, Freedom of Expression Ad Hoc Committee**

San Diego State values freedom of expression, and those values are codified in the new freedom of expression policy, which is currently being reviewed by various Senate committees. But, we also value order and continuity, which is why the new policy states that freedom of expression may not be carried so far as to disrupt the mission of the university, particularly our academic mission in teaching, research and creative activity, and service, nor to put the safety and security of the campus at risk.

Collective job actions aim at the least to disrupt the university's mission, and so they are disturbing to some individuals on those grounds. The enthusiasm that is required to attract media attention and maintain a group identity may also result in putting safety and security at risk. If our students were to stage such a protest, it would clearly violate the proposed freedom of expression policy. As faculty acting collectively, however, we are within our rights to stage such job actions within the limits of the law and the contract that our union has negotiated with the CSU.

But, the specter of a strike, even a brief one, is bound to worry a large number of our campus community, faculty, students, and staff alike. We worry about the disruptions, and we worry about safety and security. Most of all, we worry about how the choices that we are bound to make will be perceived by others. We know that our faculty colleagues, in particular, have long memories and may hold whatever actions we take against us. We have seen examples of such resentments resulting in various non-collegial actions ranging from long-running feuds to various forms of retaliation. Long-term work relationships are often difficult to manage because of the memories attached to instances of disagreement.

Can we prevent this kind of damage from occurring? Perhaps not, but we can try. One way of trying is to remind ourselves that this situation is a difficult one and that our colleagues may have to choose while finding that none of the options is particularly palatable. A second way is to remind ourselves that it is appropriate in these circumstances to respect each other's choices, even if those choices do not agree with our own position. Finally, this situation seems to me to be one of those times when "more speech" is appropriate; that is, each of us should take a stand whether or not to support the strike and should choose a policy of honesty about our choice. Taking a position, rather than attempting to have it both ways, seems the healthiest of choices, as it allows for the possibility that those who disagree with us will at least respect the honesty of our position.

#### **Radmilla Prislín, Professor of Psychology**

Conflict between groups changes dynamics within groups. First causally of inter-group conflict is intra-group freedom of expression. Conflict between groups increases pressure for consensus within each of the group involved in the conflict. Closing ranks is a means of demonstrating strength to adversaries and deviation from the majority position is perceived as disloyalty if not betrayal

There is logic behind this tendency for groups to put pressure on their members to follow "the group line." Group consensus is functional; it gets things done. Indeed, it does -- but under one very important condition. Consensus is functional in conveying strength only when it represents agreement among thinking individuals, individuals who are free to choose rather than yielding individuals who were pressured into agreement.

Any "Argument" meant to pressure others into conformity rather than encourage free their decision-making is likely to be counterproductive. Groups in which majority or powerful try to scare minority or powerless into yielding to their position are self-destructive. Majorities that oppress breed minorities than obstruct.

Thus, protecting fiercely individual freedom to decide about participation in strike is not only consistent with the noble principle of freedom of expression. It also is functional in making us strong. In short, being collegial and respectful of others who may behave differently in a case of the strike is not only the right thing to do, it is the smart thing to do.