Police raid screening of film
Pornography-censorship conference cancelled

Film is confiscated in Nieuwland Hall;
Ensuing struggle results in injuries

A legal hassle over the premier of a pornographic film mushroomed yesterday afternoon into the first violent confrontation of police and students in the history of the University of Notre Dame.

Two plainclothed officers and several students were injured, one seriously, in a scuffle which followed a raid by the St. Joseph’s County Sheriff’s deputies. They burst into a large lecture room in Nieuwland Science Hall, where the film, “Kodak Ghost Poems,” was about to be shown to more than 300 students.

Attorney Philip Facenda, special assistant to University President Rev. Theodore Hesburgh, C.S.C., told the OBSERVER late yesterday that the university did not call the police to the campus.

Prior to the search for and seizure of the film by sheriff’s deputies, Facenda said, “The police showed me a warrant to pick up what was probably pornographic film.”

When Facenda was further questioned as to how the police were informed of the possibility of the film’s screening he said, “David Kahn stood up last night (Thursday night) after the conclusion of “Lady Godiva” and announced it. I received several telephone calls this morning telling me of this.”

Facenda defended the actions of the police, particularly in regard to their lodging themselves inside O’Shaughnessy Hall and preventing several hundred angry students from following.

When the police left the Science Hall they split into two groups, one taking the film. The other group became surrounded by students and faculty and were attacked by them. I saw with my own eyes one police officer get knocked down. The students were cursing and throwing snowballs.

“When police are attacked you have a situation where law and order have completely broken down and the police have a right to restore that order. If they commandeer the building it was to avoid more violence.”

In questioning following the reading of the statement, Rembusch said that the reason police appeared on campus was because of complaints filed by the South Bend Citizens for Decent Literature. He said that while the FNL approved of the pornography conference held in the Center for Continuing Education last year that “it was their feeling that our conference was heavily weighted with pornography.”

Rembusch defended the idea of the conference and blamed poor organization for the unfortunate events of the day.

“In the melee, several students rushed the officers and went for the film. The other officers grabbed the film. The police made their way through the crowd to get to Miss Cecil and the film. The police hulled their way out the back door of the room and out the Nieuwland exit near the old business building. The students emptied the room and followed.”

The police walked quickly and surrounded the man with the film. They had gone only about 25 yards when one student jumped into the group of police and grabbed the film, but was unable to wrest it from the policeman. The other officers grabbed the student and pushed him out of the way, while several more students began lying down in front of the swelling crowd following the officers.

By this time, most of the students were out of Nieuwland and many were yelling “Figs,” “Fascists,” and assorted obscenities. The officers were also pelted with snowballs.

In the melee, several students who had lain down on the sidewalk were trampled. By the time the officers rounded the corner heading toward O’Shaughnessy Hall, about a dozen students rushed the officers and went for the film. The man holding the reel was

Special Assistant to the President Philip J. Facenda said last night that he was presented with a warrant for the seizure of the allegedly pornographic films which were to be shown yesterday afternoon.

Prior to the search for and seizure of the film by sheriff’s deputies, Facenda said, “The police showed me a warrant to pick up what was probably pornographic film.”

Facenda commented, “The police probably thought the best way to avoid a confrontation was to get in and get out as quickly as possible. The police used a minimum of force all day long. They could have moved in at 12 o’clock in the Student Center but they waited for the vote to see if the students would see the light.”

He added, “The students openly defied the law, the University, the Student Government and the Student Union.”

He further stated that the University is not cancelling the conference. He did admit that University President Rev. Theodore Hesburgh, C.S.C., could change his mind later. Student Union President Rick Rembusch cancelled the conference an hour later of his own volition.

He said he had no reason to believe that any students had been arrested during the events of the afternoon, but he had not been in contact with the county prosecutor.

Student Body President Richard Ronan, Vice President Charles Nau, Rembusch and Student Union Vice President Bill Wade met with Facenda yesterday afternoon, but Facenda would not comment on the meeting.

According to the administration, the decision was made after consultation with student leaders and after research was done to determine whether or not pressure was put on him.

Continued on page 4.
Associate Justice William J. Brennan of the U.S. Supreme Court is the principal speaker at a two-day centennial observance of the University of Notre Dame Law School today. Justice Brennan is the Justice who censored the controversial "Flaming Creatures" of the Pornography and Censorship Conference.

Human Rights and the Law is the theme of the centennial

Thieu orders arrests

SAIGON (UPI) - President Nguyen Van Thieu has ordered arrests in South Vietnam's provinces to arrest Buddhist monks and Roman Catholic priests who make "political sermons" that inflame the people, it was disclosed yesterday.

"Monks and priests are free to go to their pagodas and churches to conduct ceremonies and to pray," Thieu said during a trip to the Mekong River Delta province of Co Cong. "But if they deliver political sermons to stir up the people, the province chiefs should arrest them and report them to me."

Thieu's statement was made two days ago, but not published in Saigon until Friday.

Thieu charged that the Communists were planning to use religious and political organizations to stir up anti-government feeling. He said provincial authorities must warn, in person, monks, priests and political leaders "who lend a hand to the Communists or advocate a pro Communist peace."

Planes bomb Biafra

UMUOHIAGU, Biafra (UPI) - Dive-bombing Nigerian war planes killed 300 Biafrans and wounded 500 in a lightning attack on the crowded Umuebi market, Biafra authorities reported yesterday.

Biafra said it was the second costliest Nigerian air raid of the 20-month-old civil war.

Witnesses said the Soviet-made Ilyushin jets killed nearly 1,000 persons, mostly refugees, in the market. First they strafed it with cannon and rockets, then dropped their bombloads. Officials estimated 500 persons were wounded in the raid.

One of the bombloads landed in front of a maternity clinic, killing 15 women and children. Terrified, the refugees and villagers panicked. Stumbling over one another, they made escape from the market virtually impossible.

The bombs devastated the village and left deep craters. Members of the 125 families who had relatives killed competed with vultures in the search for bodies. Many of the wounded were critically hurt.

The Biafran Information Bureau in Geneva said the raid was second in intensity to the Nigerian air attack on Otuocha which killed 500 Biafrans last year.

Sweden grants asylum

STOCKHOLM (UPI) - The Swedish Aliens Commission granted asylum yesterday to 10 more deserters from the U.S. military services, raising to 175 the number of GIs who have been given refuge in Sweden.

Asylum is granted on "humanitarian grounds" to U.S. military personnel who desert to protest the war in Vietnam or to escape serving there.

Of the 175 granted asylum, 10 have since left Sweden either to return to their units or to the United States. The commission said 14 GI deserters had applied for asylum but left the country before a decision was made.

The commission said it currently is considering asylum requests from 10 other U.S. servicemen. The commission does not reveal the branch of service or posts from which the GIs deserted.

Sirhan trial proceeds

LOS ANGELES (UPI) - A woman opposed to capital punishment and another who apparently had her mind made up as to the guilt of the defendant were excused yesterday during selection of six alternate jurors for the murder trial of Sirhan B. Sirhan.

Linda S. Kartenheim and Verna Holinquist were among five prospective alternates dismissed during the yesterday morning session in the 19th court day of Sirhan's trial for the murder of Sen. Robert F. Kennedy.

The three others, all men, were excused because prolonged jury duty would have been a hardship on them.

Nixon and Wilkins confer

WASHINGTON (UPI) - President Nixon pledged yesterday to extend the opportunity for getting ahead to all segments of society and then conferred with Roy Wilkins, the first Negro leader Nixon has met since he became President.

Wilkins, executive director of the NAACP, said after a 50-minute meeting at the White House that he was "gratified by the President's grasp...of the urgency and the crisis situation confronting America's Negroes."

Shaw trial witness testifies

NEW ORLEANS (UPI) - A New York accountant yesterday testified he attended a party in June, 1963, where Clay L. Shaw sat around a kitchen table with seven others and talked about the best way to kill President John F. Kennedy.

Charles I. Spiesel said he was introduced to Shaw by name by the latter's brother. Shaw, said with composing witharris and Lee Harvey Oswald to kill the President.

Another state witness Vernon W. Bundy Jr., told Shaw's trial he went to the New Orleans waterfront in June, 1963, to take heroin, and saw Oswald give "what looked to me like money."
Any way you look at it, February 7, 1969 was a bad, bad day at Notre Dame. Maybe English Professor Peter Michelson said it better: "This is insane. I can't believe it." Insane or not, the facts remain: students were maced and policemen were punched.

The police came and confiscated a film. The District Attorney's office will view the film and decide whether or not to prosecute anyone or everyone who had anything to do with the conference.

Everyone was warned that it could happen. That's why SUAC decided Thursday night to stop all showings of films. A group of students knowing full well what could happen went ahead and attempted to show a film anyway.

Armored with a warrant authorizing the film's confiscation, the police had every legal right to take the film. What the officers lacked, however, was the foresight to avoid the confrontation they must have known would result. Instead of proceeding with the confiscation in an orderly fashion, they barged into the lecture hall, refusing to show either identification or a warrant, and shoved their way to the film. They should have realized that such an approach was bound to stir up a crowd of already over-heated students.

Apparently the police placed the confiscation of the film above the maintenance of order on this campus. For all the violence, it wasn't worth it.

While the reactions of the students who jumped the officers can be understood, they cannot be excused. Before the police arrived, David Kahn called for students to surround the projector and supply "passive resistance." Simple passive resistance must be distinguished from confrontation, and that was one thing the students protecting the film apparently were not interested in.

Finally, however, it must be admitted that a second guessing after the dust has cleared can be regarded as speculation at best.

Who knows whose fault it was? The Conference could have been better planned. Perhaps things like legality could have been checked on ahead of time. Perhaps SUAC could have prevented the film from starting to be shown yesterday. Perhaps the police could have used better tactics. Perhaps our society's laws about censorship and pornography are outdated. Without a doubt they should be applied with great care to a university community. Perhaps it was everyone's fault. Perhaps no one's.

One can only look at the facts and try to learn something. Students have to get closer to administrators—administrators closer to students. Students not so bold, police not so violent, and both not so self-righteous. Maybe all those things are dreams—and we'll never see them. But if we don't, we'll see more violence like yesterday's.

**Statement of cancellation**

This afternoon the decision was made by me, President of the Student Union to cancel the remaining sessions in the Academic Commission's Conference on Censorship and pornography. This decision was reached after the events of this afternoon.

Today, violence broke out on campus and the first obligation of everyone is to restore order and peace. While the present (tension) continues, the conference can be in no way constructive, and in no way be kept in its announced goal—the intelligent orderly execution of the conference can be in no way constructive.

This decision was reached after extensive and agonizing discussion with other student leaders. In no way were pressures brought to bear by the University administration. This action is not censorship, but a logical decision made to restore peace to the Notre Dame community and halt something that an unfortunate chain of events has rendered destructive.

The original rationale behind the conference was that it could be regarded as speculation at best.

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Cries of "Fascist Pig"

Chicago students disrupt official's meeting

CHICAGO (UPI)-Student demonstrators yesterday breached a credo of University of Chicago security police, screamed "Fascist pig" at a university disciplinary official, and disrupted his meeting with a student charged with participating in a nine-day sit-in.

About 25 of the six-in-protesters accosted Daniel H. Oakes, chairman of a special faculty disciplinary committee, in the basement of the university's ultra-modern law school building on the South Side campus.

The pushing, shouting and screaming match erupted a few hours after a task force of administration building, university disciplinary committee, and disrupted his meeting with a student protesting the cancelled play "Lady Godiva".

The students vowed to hold privately.

Dr. Michelson then traded tones with the officers an arrest of non-students who might enter into the university disciplinary official left. The security guards finally relaxed, putting the demonstrators on their heads.

The officers, with the film, flashed it in front of Michelson, who slipped out a rear antenna off a walkie talkie used as a private enterprise.

Bill McElroy, a Notre Dame and St. Mary's student, headed for a car parked near the unmarked administration building. The officers swerved down in front of the car, but the officers swerved around him, headed for the East gate and made off for downtown with the film.

Meanwhile, the man with the film had slipped out the back door of O'Shaughnessy and headed for a car parked parked near the fieldhouse. A husky student spotted him and chased him. One student lay down in front of the unmarked car, but the officers swerved toward O'Shaughnessy Hall. They entered and slammed the doors behind them until the police and Dr. Michelson then traded tone for the cancelled performance of the physical well-being of the C-ter, assuring Brother Gorch that the walls and furniture would not be touched. Brother Gorch also asked that the audience be limited to Notre Dame and St. Mary's students. If the police or other outsiders intervened, McElroy advised that the students be passive and obey directions.

The students pushed harder against the guards holding them in the room. One law student, in what may have been an attempt to cool the tense confrontation, identified himself as an FBI agent. FBI, FBI, the students shouted.

They broke past the guards and streamed into the room. Oakes slipped out a rear door of the room. The guards clustered at the door to protect their retreat. One guard shouted at a demonstrator. "You watch out or I'm going to flatten you. I have a job to hold privately.

The students vowed to disrupt any hearings Oakes tried to hold privately.

"There will be no private hearing," one shouted. They remained long after the disciplinary official left. The security guards finally relaxed, putting the demonstrators on their heads.

"I have been in touch with Mr. Voor (county prosecutor) on and off and he has given me no indication that anyone will be arrested, at least, not until the films have been viewed," Rembusch concluded.

Earlier in the afternoon, Rembusch had met with lawyer and Special Assistant to the university deans and other administrative personnel who had operated from other offices on and off the campus. Most of the university's 8,600 students, including some members of the sit-in group who came and went as they pleased, had attended classes as usual.

Some 350 nonstriking students gathered in the university quadrangle yesterday and voted overwhelmingly by show of hands to call upon the protesters to end the sit-in.

Theatre performs play:

Student center site

The Theatre of the Ridiculous performed "Lady Godiva" free of charge for teh Notre Dame student body last night in the Lafortune Student Center hall. The Student Union refused to accept responsibility for the scheduled performance in Washington Hall, and broke contract with the theatre group. However, the Union agreed to fulfill their financial responsibility to the company.

Bill McElroy, a Notre Dame junior, worked with the Student Union and University officials for the use of Washington Hall. When he was unable to attain the Hall facilities, the group decided to perform charging no admission. The performance was held at the Theatre of the Ridiculous, a private enterprise. The play, as well as the Fugs concert and other scheduled events, were cancelled by the Student Union President Richard Rembusch.

He said that he had received his instructions to keep cars from entering the campus at the time of the raid.

Arthur Pears, Director of Security said: "Basically, I know nothing. I know absolutely nothing. I was more surprised than anyone that police were on the campus.

He said that he had received his instructions to keep cars from entering the campus from Fr. Cypress, Vice President for Student Affairs. "This is a standard measure that often goes into effect when you get a lot of non-students who might come onto the campus," he said. "We have done this in the past, such as a pep rally.

Pears concluded, "It appears to me that this whole thing is between local authorities and students."