

**University of Minnesota Sesquicentennial Diversity Project**

**Interview with Walter Bruning**

**Interviewed by Ann M. Pflaum**

**Interviewed on January 17, 2000**

Walter Bruning        - WB  
Ann Pflaum            - AP

AP: We will get these transcribed for the transcriber. It's Walter Bruning. Walt, can you describe the years you came to the University of Minnesota and the positions that you held during the presidency of C. Peter Magrath?

WB: I joined the University of Minnesota in August of 1974 and I left in August of 1977. During that time I was Vice President for Administrative Operations.

AP: As I recall, your responsibilities included the police department, intercollegiate athletics, and the coordinate campuses?

WB: Yes, and a number of other things. The Alumni Association and the Foundation were also included in that. I think that covers it. There was also a planning element in there, too, which came about in the last year or year and a half. The legislature put more pressure on the University to develop some sort of planning function.

AP: One of the things that I wanted particularly to refresh my memory and also the memory when we put it into the book, was the outcome of the NCAA litigation.

WB: Well, it was a bust in the end because we won in federal court in St. Paul a decision basically enjoining the NCAA from exercising any penalties on the men's athletic program. But then that went to appeal and we lost on a 2-1 decision. I believe that was the Court of Appeals in St. Louis. The result was that the NCAA penalties had a pretty tough effect on participation in post-season athletic activity across the men's programs, and severely restricted the basketball program for several years. I could talk about that at length, Ann. I don't know if you want a lot of . . .

AP: One of the things I want to sort of clarify in my own mind was, it seemed to come in two stages. There were the infractions which from this distance looked relatively minor. Then there was an assembly committee that imposed some penalties, but the NCAA, if I understand it correctly, did not consider the penalties that were internally imposed sufficient?

WB: They never recognized those. They acted as a law unto themselves and didn't really care what happened internally. They felt that the substance of the thing was that representatives of the University's athletic interests, and you can read over-enthusiastic boosters—that's a euphemism for them—were, insofar as NCAA regulations were concerned, illegally involved in the recruitment and the sustaining of players to the basketball program, and that they contributed not only some money but in-kind use of automobiles, telephones, and all sorts of things. It went on and on and on, and there was this whole list of infractions that they laid upon the University. We went through their process, then, which was basically to appear before them and agree or disagree, and we went through a couple of meetings with Walter Byers, who was then Executive Director of the NCAA. I recall at least one trip to Kansas to meet them there. Then we were called on the carpet in New Orleans where they had the big NCAA—I forget what they call it—infractions committee meeting or something like that. We made our case and said we didn't believe it was all that accurate, and they basically didn't pay any attention to us, and dropped the boom.

AP: And the boom, just to be sure I'm clear, was that not only was the basketball program put under penalty, but all of the programs.

WB: Yes, the whole men's intercollegiate athletic activity. It would affect post-season play. At that time the baseball team was very competitive; Dick Siebert was still alive, and there was a real sense of unease and dissention within the men's department because the coaches felt that why should they be penalized because of things that happened with the basketball program. Cal Stoll was coach at the time, and the football team looked like it was reviving its fortunes a bit. The whole thing seemed grossly unfair, so the decision was taken to court, and we sued in federal court.

AP: Do you remember approximately the dates of the episodes?

WB: Of the lawsuit?

AP: Yes.

WB: I would like to think that . . . It all happened within a three-year period. I think the lawsuit was filed in the fall of 1975. The thing broke open sort of I think in late '74 or early '74, and the NCAA hearings and all that sort of stuff were going on during '75, and they came down with their decision. The lawsuit was either filed in late '75 or early '76 and proceeded through the courts during '76, and we won, then lost on appeal. It was pretty much all over by the end of 1976.

AP: What was the situation while the litigation was pending? Were the penalties on hold?

WB: Yes, because I think what happened is we went to court and we in effect got an injunction in federal court. That burned up the NCAA considerably because nobody had ever done that before. There was a lot of resentment in the athletic community in the United States. A lot of other schools were at the same time considering lawsuits. Nobody really had ever sued them before like this. They considered themselves immune from that sort of stuff. We tried to prove that they were basically an illegal trust and what they were doing was in a sense . . . As I recall, we tried to sue them under federal anti-trust legislation, that they were in effect a monopoly. Then the thing went for us in St. Paul and we lost on appeal. But at the same time something else kind of screwed everything up, Ann. In 1976, the hockey team got into a big battle or a big brawl during the NCAA playoffs against Denver, as I recall. A lot of names exchanged; big fights and so forth. So all of a sudden they were going to clamp down on us about the hockey program. That was going on underneath all the basketball stuff about a year and a half later. Really, the relationships with the NCAA all the time I was there were pretty much in the pits. It was just not good.

AP: If I recall correctly, the net effect of that sort of lag time was that the penalties must have begun to run . . .

WB: After the lawsuit was over, as I recall. I think they were kind of delayed for a year, but then they started when the lawsuit was over and they went on, if my memory's right—I can't recall it—in fact, they did impose them after the appeal was reversed. The University was reduced in the number of basketball scholarships that we could have at the time. I think a lot of that was implemented after I left the University in 1977. I recall there wasn't much post-season play activity for a couple years after I left. How long it went I don't remember.

AP: I'll have to check. The other thing I wanted to ask you about was the planning and the reason why it was instituted and how important Peter and you thought it was or didn't think it was.

WB: We were getting a lot of flack. If you recall, the period when I was at the University was the period where the legislature finally brought the whole constitutional autonomy issue to a head. The University basically went to court in the state of Minnesota, and the Minnesota Supreme Court ruled against the University in terms of selection of architects for buildings. They said that the state architect had the right to select architects for University buildings, that the Regents were not the sole determiners of that. That case basically busted the constitutional autonomy business. You could see that legislative meddling inside the University was going to increase. It was the year of Nick Coleman and his colleagues. Coleman was furious at the medical school, as you'll recall, and that was a period during which we had to institute a new professional fee system in the medical school, and set up Gus Larson as the monitor and all that kind of stuff.

AP: Why was he furious at the medical school?

WB: Why was Nick? He was just furious at the University. He was a real populist type and didn't like big autonomous institutions, and I think he just kind of took the University on. He had other issues with other organizations in the state, but I think Nick was a real populist who thought that it was the legislature's right to control the purse strings, and through the patrol of purse strings not only suggest but dictate certain kinds of policies. You have to remember, Ann, this is 1974-75, and five years before the National Guard was wandering around the campus, and there was a lot of pressure on the legislators to do something about bringing that so-and-so liberal into line over there. All this was going on, and there was enormous amount of criticism. We'd go to hearings in St. Paul, both the House and the Senate, hearings where the University got criticized for never stopping anything. "You guys, all you do is come over here for money for more and more programs, but we never hear about you stopping anything. Don't you ever stop anything over there? Is thing going to get so big someday that it just collapses of its own weight or drives the earth off into orbit in an eccentric orbit that's so out of balance?"

It became clear that some kind of planning capability and some kind of analysis of the University's programs and functions needed to be done in order to, at first, satisfy this legislative pressure, but secondly, it wasn't a half-bad idea. The place had just sort of grown for a hundred years. Whether the St. Paul campus should still be instructing students on how to build barbed wire fences or whether there ought to be a course in Lithuanian literature in Liberal Arts, were questions that might well have been asked.

We started out on that in . . . If I recall rightly, it probably would have been the spring of 1976 that was the first effort to do some planning. Legislature met in odd years, right? The legislature starts in an odd year, so it would have been January of '77 when a new legislature came in, so that would have been the real session, not the mini-session when they didn't meet every year. They really were supposed to meet every other year, and they'd had a short session on the even numbered years. Anyhow, the odd year would have been a year to submit a university budget, because it was a biennial budget. So we went through the planning exercises during the spring and summer, and in the fall we would have had to start meeting with the education committee and the appropriations committee of the House, and with the appropriations committee people in the Senate and staff people to present aspects of the budget. We would then submit the budget officially, I guess it was by January 1 of '77.

That was the period when we did the first planning in terms of looking at areas of the University that seemed to be underutilized in terms of student involvement; student enrollment; looking at graduate programs that had marginal enrollment; looking at areas that were getting increasing pressure from students; looking at areas where science and technology programs seemed to be lagging behind because of lack of investment and somehow missing the boat in terms of some current, interesting activities in those areas. I guess I was the author of the first piece of planning work like that. The embarrassing part about that is there were some things in there in the first go-around that were still under

review, and somebody leaked the document to the student newspaper. There were some things in there, some recommendations about getting rid of some programs. That caused quite a furor as you might well imagine. But that didn't stop us. Finally, during the budgeting process it became clear that henceforth there would have to be a great deal of planning work done, and that's what led when I left to Nils Hasselmo having change of his title. He became vice president for planning and administration or something. I can't remember what the title was, but the job when I left changed fairly significantly in that respect. He had a much bigger role than I did, although I was the first one at the president's request to do something. That's a long way around, but that set up how and why it happened and where the pressure came from. I doubt whether we in the University would have done it on our own had not the legislature been kind of kicking us along every inch of the way. So, that's that part.

AP: Do you want to talk a little bit about women's athletics?

WB: Yes. I think one part that I'm happiest about in the time I was there is that I think we made a real breakthrough. We finally took the steps necessary to begin identification of a women's intercollegiate athletics program as a separate entity and not a humble dependent of the men's program. We hired the first women's athletic director, as you recall, and although perhaps in retrospect she might not have been exactly the right person for the job, but it at least established a precedent and got us going. The Title IX work, which you were much involved in, I think was a major turning point for the University. And, of course, other big universities were moving in that direction, and many, including California schools, have gone a great deal further by, if not establishing separate programs for women, at least having largely autonomous programs for women in intercollegiate athletics. I think it was a turning point. What we've seen in subsequent years—although it hasn't been easy—is that it has certainly grown in American universities in stature and importance in giving women opportunities to compete, which they should have always had but never did because of the tradition of male-dominated intercollegiate athletics.

AP: Walt, were you involved at all in the Rajender?

WB: That happened just before I got there. She was in the chemistry department, and that whole thing with Bob Hexter . . . I recall the charges were brought about the time we showed up—when I say "we," Peter and I—but the alleged incidents took place in '71, '72, somewhere in there.

AP: I think it did not get settled . . .

WB: It didn't get settled until about '75—'74 or '75, somewhere in there. I can't remember when the court-appointed referee was put in place to monitor women's salaries.

AP: I think the mid-seventies. I think it stretched for a number of years—fairly long.

WB: That went on for a long time. The expert on that would have been Jeanne Lupton were she still able to talk with you.

AP: She's been very helpful. I will double-check those dates with Jean.

WB: Jean would know about that. There was a group called . . . she was involved in it . . . Women in something for University Progress.

AP: Committee for Women's University . . . CW . . .

WB: Something like that. In fact, when I was appointed vice president, I was appointed a little bit under a cloud because they objected to my appointment because there wasn't a proper search and all that kind of stuff. Afterwards, Jeanne and I would sit around and laugh about that because we became very good friends and close working comrades and I valued her opinions and insight greatly in many areas of the University.

AP: Can you describe, Walt, you had been at a number of different Big Ten institutions and knew a number of them, one of the things we're trying to describe in this history is, something of the things that make the University of Minnesota distinctive.

WB: My experience actually had been in the Big Eight before I came to the Big Ten. I was at Nebraska, but I did know a good deal about Big Ten campuses. I visited many of them in my teaching research capacity, and then when I became more involved with academic computer networks I did go to a variety of campuses to meet with faculty and look at computer installations and got to know some of these places. I think a couple of things come to mind immediately. First is the extraordinary position that the University of Minnesota has always played in the state of Minnesota. It is the state university. You don't have the sort of university land grant college split that you have in many states—Michigan, Michigan State, what have you. Second is its urban location. It is a true urban university. It stands there smack on the border of Minneapolis and St. Paul and it's right in the middle of the political, cultural, economic, spiritual life of a major metropolitan area. There really isn't another Big Ten university that sits in that position. Illinois is out in the boondocks; I guess East Lansing is a pretty good sized city now, but it's nothing like the Twin Cities; Indiana is in the country; Madison, Wisconsin. That makes the University of Minnesota really different because not only do you have the extraordinary breadth of programs at the undergraduate and graduate level, but you have this huge continuing education extension program that sits on top of it. I don't know how many students are enrolled here now in night school, Ann, but is it still fifteen or twenty thousand a year?

AP: Yes, exactly.

WB: That's not an insignificant activity. That's quite unusual for institutions like . . . or it was; I guess it's changed to some degree . . . that's unusual for a premier university to be involved in very practical kinds of things like that. I also think that Minnesota was unique up at least until my period of work there, the only exception being Michigan, in that the constitutional autonomy lasted for a long, long time. University of Michigan was able to hang onto it a bit longer than Minnesota. And that allowed the Board of Regents to basically develop policies, and the University was left alone. It was left alone to do the things it wanted to or could do best. I think that had a strong influence on the growth of academic programs and increased the strength of those programs. That's what made the fate of Minnesota different.

AP: Is it your impression that the architecture case selection completely abolished constitutional autonomy or simply put a limiting frame on parts of it?

WB: I think it basically torpedoed it because it was a test case and the University knew it, and the state picked it very carefully—the attorney general picked it very carefully because it was one where the odds were pretty high that the state was going to prevail. In effect, it said that the regents did not have the authority to select architects, and by implication, case law, whatever, the regents didn't have a lot of other things that they claimed to have under the guise of constitutional autonomy. That decision I think came down in '76 also. I may be off a year or half a year, but the long-term interpretation at least in our administrative group was that was the end of it. In fact, Jim Brinkerhoff bailed out shortly thereafter and went back to Michigan because Jim Brinkerhoff was one of the main defenders of constitutional autonomy and at times played that role with legislative committees to the point where he could be a little abrasive with them, and that caused us some problems. We had some backing and filling that we had to do occasionally when Jim would make one of his constitutional autonomy speeches. I'm not speaking out of school. These were public hearings. This wasn't something that happened in the background. So that case was the beginning of . . .

AP: How would it have caused people . . . I can see from what you're saying that it would have crimped the style of somebody like Brinkerhoff, but how did it shape other behaviors?

WB: Prior to my joining the University of Minnesota in 1974, and I can only tell you this based on what other people told me and what I could see in the records, the University basically prepared its biennial budget, and the regents sent it over to St. Paul, and then as a courtesy to the legislature University administrators and regents were available for discussion purposes and clarification purposes, but not for negotiating, not for lobbying, not for appearing at hearings and fighting and scrapping. It was basically, "Here's what we need and we are the regents and we are constitutionally defined, and what we say is bound and beholden to be right on, so just give us the money and we'll go spend it, and we'll come back in a couple years and we'll ask for some more. Kind of just let us alone." That's what the attitude was. Some of the old-time regents really held on to that position,

Elmer Andersen being one of them. As a former governor and life-long political figure in Minnesota, Elmer was a staunch believer in university constitutional autonomy. That attitude prevailed pretty much, and that's where guys like Coleman really got upset because they perceived this as arrogance and evasion of responsibility, and that the University didn't want to play by the rules and be audited and monitored like any other state agency. In effect, they did not want to be considered as a state agency per se, like Economic Development or Department of Natural Resources. The University was special and apart, and certainly didn't want to be considered the way state universities or state college system and community colleges were treated.

AP: This may help explain one of the things that I've read in Peter's early statements. When he first came, he felt one of his most important roles was to repair relations with the legislature.

WB: Absolutely. It was in chaos because Moos at the end was totally ineffective and out of touch. Then there was an interim period, sort of an interregnum. E.Z. [does he mean E.W.?] Ziebarth was interim president or whatever they called E.Z. [E.W.?] I got to the University the first part of August in 1974. Peter actually didn't come until September of 1974. I purposely was there a month early. I spent that whole month basically flying around the state of Minnesota meeting with people, friends of the University [end of side 1]

WB: His help was not good. He had basically been used up by the legislature.

AP: So he left in the summer of '74?

WB: I think Kegler became Vice President for Institutional Planning and Relations—that was his title, by the way, although he didn't do any planning. Peter gave him that title, if I recall, and he would have been appointed that in the rash of appointments when Peter was announced as president. I was appointed Vice President for Administrative Operations, and Stan took over the chief lobbying activity. He had worked for Stan Wenberg as associate vice president, I guess, for three or four or five years, whatever. It was pretty well understood over in St. Paul that they didn't want to see Stan Wenberg coming over there any more.

AP: Was there a change in party, I'm trying to remember, in the legislature?

WB: Sure. Partisan elections became the rule, and from Independents—whatever they were, Conservatives, whatever—I think the first partisan legislature elected was maybe 1971 or 1970 or whatever the hell it was, where Republicans and Democrats appeared on the ballot with labels as Republicans or Democrats because they were always called Conservatives or Liberals—nobody knew what they were. The Republicans lost control of the House and the Senate I want to say late sixties or early seventies—before we got there. So there was a Democratic majority. Of course, Wendell Anderson was governor.

That was the beginning of the end of the constitutional autonomy. Once the Democrats became the majority party, as we kind of looked at it, the busybodies just started digging in, taking a chunk off our hide every time they could. They were going to bring this university to heel, one way or the other.

AP: Am I correct that Wenberg was generally speaking more comfortable with the Republicans than with the Democrats?

WB: I think so, sure. That was one of the reasons why he was not so welcomed anymore. Yes, he knew that a Republican majority, when Rod Searle was Speaker of the House, he knew these guys as close friends and supporters of the University of Minnesota. Stan Wenberg was on the road all the time. Also, Ann, I think with the demise of Republican control in the legislature or what was Republican control though not really labeled, there was also a very sizable diminishing of the influence of agriculture and out state political forces. These were the people who revered the University for its role in agricultural development and economic development and the small towns, and that stuff was coming unglued. So there was a major change from about 1965 to about 1970. They basically wore Stan Wenberg out, and then it was pretty clear Mac Moos had been very ineffective. Mac was also hurt pretty bad by the student demonstrations and the National Guard and police on campus and all this. I wasn't there for that but I certainly lived with the fallout of it. So the University administration was perceived as weak, ineffectual, old-time, Republican, the whole smash. And the chairman of the board was a former Republican governor of the state, although widely respected by both parties. I think Elmer Andersen was probably one of the most genuinely accepted politicians the state of Minnesota has seen in the modern era. That was pretty much the background of it.

AP: That squares certainly with things that we have read and heard from other people.

WB: We had to do a lot of work with that legislature just to get them calmed down. It was pretty frantic that first session. Then Peter ends up with Guillain-Barre disease and can't appear at any of the legislative hearings. He was in bed. It was a hell of a mess.

AP: Presumably you and Stan Kegler did a lot of . . .

WB: Stan Kegler did ninety-five percent of it. We had no academic vice president. Hal Chase was the acting academic vice president. There was another charming fellow. You can imagine him sitting down shmoozing with the DFL politicians. That didn't work too well. I think it took five years off of Stan Kegler's life that first year. He worked his buns off and did everything he knew how to do. I was green and wet behind the ears, and I had to learn a lot about what was going on. I can tell you, my first couple testimony sessions with the legislative committees, Stan just about had a heart attack because I put my foot in my mouth more than once. But you learn that way, and I learned pretty fast. Stan Kegler did yeoman service. That first year or year and a half, without him it would have been a real mess. They trusted him. He came out of St. Paul; lives in Maplewood;

University graduate. Pretty much political independent but long time association with the Democrats. He was on speaking terms with a lot of senior Democratic officials and politicians in the state, and he was good. He knew how to work with them.

AP: As you looked at your time at the University, are there things I have not asked you about that you think I should have?

WB: There were two things. One is small in retrospect, but I did enjoy thoroughly working with the faculty committee on retirement. There was a time, you'll recall, coming out of the Vietnam war out of the Nixon administration, where interest rates began to rise dramatically and the stock market was not doing very well, and a lot of these older faculty were retiring with a pitiful retirement. It wasn't just meager, it was pitiful. I had a chance to work with a number of these guys, including Mahmood Zaidi. I remember Mahmood. There was a guy in the economics department whose name escapes me now—well known, he's a federal reserve economist—and we worked through a plan to basically bridge the retirement system for those old timers who weren't covered by TIAA and CREF. It got special appropriations to help do that. If there's one thing I did and had an opportunity to be part of, that was one that would have long-lasting effects and would help a lot of people. The other thing was the work with the coordinate campuses. Whatever you do about writing a history of the University post World War II, you can't ignore the coordinate campuses and the enormous effect that they had on the perception of the University of Minnesota outside of the Twin Cities. Both Waseca and Crookston were the darlings of the agricultural community, and rightfully so—they did a good job. The University of Minnesota Duluth filled a major gap in northeastern Minnesota that was not being filled very well by any state college campus. Morris is another story. Morris probably came too late and probably wasn't needed, but it happened, that was it. The coordinate campuses play a major political role in the University's life, not necessarily academic or scholarly or whatever, but the good feelings that people developed about those campuses and what they brought out there really helped to maintain a base of positive support group for the University of Minnesota throughout the sixties into the seventies. I guess that pretty well covers it.

AP: I think it does indeed. This is very helpful.

WB: Yes, I had a lot of fun. It was fun. It was just that after three years I was worn out. I had to go to work someplace else so I could rest up for a while.

AP: Absolutely.

WB: It was an exhausting three years.

AP: And then for the record, you went to Control Data.

WB: Yes, went to Control Data and stayed there until 1989. I consulted a couple of years, and retired I think, as you know, in 1991. We moved out here in '92. We've been here eight years in April.

AP: Thank you very, very much. [end of interview]