

Academic Senate, Southern Section

Statement by the Academic Senate, Southern Section, ca. January 1950

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The Academic Senate, Southern Section, is much concerned over the outcome of the negotiations between the Faculty, the Regents and the President on the problem of the special oath which the Regents now require as a condition of employment. It wishes to express its utmost regret that the majority of the Regents found it impossible to agree with the views of the Faculty. [The Senate appreciates the support it has received from Governor Warren, Regents Heller, Fenston, Griffiths and Hansen and President Sproul.] It is especially concerned, however, with what the requirement of the special oath may mean to many people of the state, namely that the University is suspect of being subversive and sympathetic to the employment of Communists on its teaching staff.

Since the implications are so utterly untrue, it has never occurred to the Faculty during the discussions with the Regents that it was necessary to do more than restate its devotion to the American institutions of free government and to ask for the privilege of pledging its loyalty to its country by taking again the Loyalty Oath prescribed by law for the governor and other officers of public trust of the state.

The Senate took it for granted that the people of the state knew that Communism in the University would not be tolerated by the Faculty and that the Faculty, the Administration and the President would promptly deal with it if it appeared. The Faculty wishes to state again that this is indeed the case.

Recently Governor Warren has publicly stated his reasons for supporting the Faculty viewpoint. As quoted by the Public Press, they include the following statements:

"1 — The faculty by requirement of the regents now take the same oath that I and every other officer of the state government take. That is the only oath permitted by our constitution for public officers in California. It is the same kind of oath taken by the President of the United States and all officers of the Federal government, including members of the armed forces. It is universally understood to be a complete oath of loyalty.

"2 — The faculty is therefore being singled out of all the 50,000 employes of the state for this particular oath or affirmation.

"3 — Any communist would take the oath and laugh, first because they are taught to lie about such matters and habitually to lie about them and secondly, because if this oath is falsified they could not be punished for it, as it is not an oath required by law.

"Having confidence in the loyalty of the president and the faculty I would have voted to approve any method for keeping communists out of the university that could have been agreed upon by them."

The Southern Section of the Senate is in complete agreement with these views of Governor Warren and once more urges the Regents to reconsider

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their position on the special oath. It is moved to make this request a gain because it is convinced that there are valuable members of the University who do not tolerate Communism but who will not sign the special Regents' oath because they strongly believe in the principle that the Loyalty Oath prescribed by law for public officers and no other should be required.

The Senate is bound to say that many members of the Faculty who have complied with the Regents' requirement although they vigorously oppose it will find that they cannot stand idly by if and when the Regents dismiss or fail to reappoint persons solely because, on grounds of principle, they will not sign the Regents' oath. The Senate therefore urges the Regents once more, in the interest of responsible administration of the University to reconsider its majority action requiring its special oath as a condition of employment and allow the Faculty to take in its place the Loyalty Oath prescribed by law for public officers of the State of California.