

Weigel, Stanley Alexander, 1906-1999

Letter to Edward C. Tolman from Stanley A. Weigel, November 12, 1954

Part of Papers relating to the loyalty oath controversy, University of California, 1949-1956., BANC MSS C-B 1036  
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## Letter to Edward C. Tolman from Stanley A. Weigel, November 12, 1954

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### [Letter, November 12, 1954]

November 12, 1954

Professor Edward C. Tolman

1038 Middlefield Road

Berkeley, California

Dear Edward:

#### PERSONAL AND CONFIDENTIAL

This letter goes to you alone to point out the shocking fact that the Regents have denied the existence of tenure at the University of California in a sworn legal document filed with their authority and on their behalf.

To understand that this is so, you have but to look, for example, at paragraphs numbered III and IV of your complaint, as they appear on pages 11 and 12 of that document, and compare them with the defendants' Answers thereto (paragraphs III and IV of the Answer, page 3 thereof), which flatly deny all the allegations of the two paragraphs of the Complaint. See, too, for further example, paragraph numbered III of your Complaint, at page 17, and paragraph numbered II of the Answer, at page 5 of the latter, i.e., paragraph numbered II on that page which relates to the Fourth Count.

Earlier I dictated that the Regents denied tenure. This was short of the truth. The denial is not only by the Regents, but as well by defendant Sproul and defendant Underhill.

There have been disappointments for all of us on the lack of faculty reaction to the realities involved in the fight of yourself and your colleagues, but I cannot persuade myself to believe that a majority of the faculty will be indifferent if they learn of the bald fact that the Regents deny the existence of tenure for people who are supposed to have tenure status. Even if the Regents make the claim that this was simply done for technical legal purposes, I would credit the average member of the faculty of the University with sufficient intelligence, coupled with his own self-interest, to refuse to swallow any such lame explanation.

I think all the non-signers owe it to their colleagues and to the welfare of the University to make these ugly facts widely and effectively known in every appropriate manner. Such at least is my present angry, but I believe sound, conviction.

Would you be good enough to turn the matter over in your own mind and then let's compare notes as to what can be usefully done about this.

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There is an interesting angle, perhaps significant, perhaps not. The Answers are verified by Mr. Diepenbrock, as attorney, rather than by any of his clients. The earlier Answers were verified by Underhill. Whether Mr. Diepenbrock's swearing to the Answers is a mere matter of convenience or whether it was a tactic designed to provide, in case of need, an alibi to the defendants, I don't know. But this is minor. If Mr. Diepenbrock was not authorized by the Regents, by Sproul and by Underhill to swear to and file the Answers, Mr. Diepenbrock has

been guilty of grave and incredible misconduct. I consider him neither so unintelligent nor unethical as to have done any such thing. On the other hand, as is probably the fact, if he was authorized by the Regents, Sproul and Underhill to swear to and file the Answers, it is their act, just as much as if all had signed and sworn to the Answers.

I am a little tired and I suppose you are of the "cause" aspects of our fight. On the other hand, it seems to me that the consequences of denial of tenure at the University of California are too serious to the University and its faculty, present and prospective, to go unnoticed. Anyhow, let's sit tight until we talk it over together after you've given it a good thinking through.

Best as always. It's been very much on my mind that we neglected to follow through on undertaking to see Kathleen when she was over at Children's Hospital. I hope she's fine and ask that you share our best with her.

Sincerely  
SAW:AC