



A Plea to the Regents of the University of California, July 21, 1950

A PLEA TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

By JOHN WALTON CAUGHEY

Spoken at their meeting on July 21, 1950 when they were pondering dismissal of forty professors certified as to loyalty and scholarly integrity by the faculty committee on privilege and tenure

GOVERNOR WARREN, PRESIDENT SPROUL, MEMBERS OF THE BOARD OF REGENTS:

I am one of those who took the route of appeal to the committee on privilege and tenure, the president, and the regents. I am here not so much to enter a plea for myself as for the group which chose this harder way, and not so much to plead for this group as for the welfare of the university as a whole.

Some of you know me, but let me introduce myself briefly. After graduate work at Berkeley I went to U.C.L.A., where I have been for twenty years. I am an American historian with a special interest in California history. I have a dozen books to my credit and have worked with thousands of undergraduate students and a hundred or more graduate students. I am editor of the *Pacific Historical Review*, general editor of the *Chronicles of California*, a member of the California State Landmarks Committee, and consultant for the California State Lands Commission in the Tidelands litigation. At forty-eight I am, statistically, at the halfway point in my career in the university. The gods willing, I have another twenty years before retirement.

My specialization in California history is an extra tie binding me to our university. But I am not unique in having a great devotion to the university. The whole faculty has this feeling, and so, I am sure, do you.

Men who have the interest of an institution so much at heart as you do and as we do ought to be able to find an area of agreement. We should be able to find a way out of this great and tragic misunderstanding.

I have no illusions that we can argue our way out of it. I am here not to argue, but to try to explain why some of us chose the route of appeal and why we count on being continued in the university family through that route.

First, let me make clear that there is no conspiracy among us. We have not, for example, tried to get before you a group of men all equipped with military records, FBI clearance, the right religious connections, and long tenure in the university. I, for example, because of physical disability was ineligible for military service. My specialization being what it is, I have not come under FBI scrutiny. Having been brought up a Presbyterian rather than a Quaker, I do not rest on religious scruple. All these factors, however, seem to me extraneous. We appellants acted individually, impelled by reasons of conscience and principle. We did so in spite of the fact that we recognized that the route we were choosing, as compared to simple and automatic clearance by signature, was a much harder course.

Second, we are loyal Americans. We gladly took the constitutional oath. To us it meant a pledge of full and unqualified loyalty. Furthermore, our loyalty, along with our competence and character, has been carefully investigated by the committee on privilege and tenure, and the committee reports have been carefully weighed by the president. In these reports and recommendations you have evidence that is worth more than a mere

assertion by a possible suspect and an interested party.

The reasons why we prefer not to sign the statement of denial of membership in a designated political party vary, person to person. Mine include the following:

The political test as a condition of employment seems to me to infringe on tenure as we have known it.

To sweep through the university and demand of every employee a political denial seems to me to violate the spirit of the state constitution.

The political test, by oath or contract, seems to me very much like the tactics of totalitarianism, which I abhor. I could not help noticing the alarm of several colleagues who had seen the same sort of thing happen under Hitler.

Required denial, by oath or affirmation, is a farcical way to insure loyalty or to exclude Communists. I don't believe it has exposed a traitor or improved a patriot. Committee investigation and presidential review can give a much sounder certification of loyalty, and it was partly on this account that I chose this route.

As an American historian I have a special awareness that a democratic republic such as ours needs to have functioning and vocal minorities. The majority endangers itself and the country when it attempts to silence them. As a historian, too, I am well aware how an action of this sort can easily become a precedent justifying another such step. I see involved the principle of minority rights, or rather of the wisdom of permitting minorities to exist and operate.

Along with other members of the faculty I have dedicated my life to the pursuit of knowledge. I try to make my classes a place where my students and I constantly try to learn. I take seriously the university's dedication to the free pursuit of truth and its full exposition. The political test as a basis for eligibility in the faculty seems to me to violate this vital principle-that a university must rely on truth to combat error.

In a totalitarian state there may be logic in having a party-line university. For us I do not believe there is logic or safety in having less than a free university. Academic freedom is usually taken to mean the right of a qualified scholar to teach, speak, and write in the field of his competence without interference. A fundamental thereto is that such a scholar shall not be censored out of eligibility to get or to hold an academic job.

These arguments against the special oath and the special contract still seem to me to be valid.

In April the board of regents announced two methods of qualifying for continuance in the faculty. One was simple and automatic: the other more complicated, full of hazard for an incompetent scholar or a traitor, but presumably safe for a good patriot and good scholar. To the faculty policy committee on April 19 and to the faculty as a whole on April 22 and 24 and May 6 and 7 the formula was explained in this fashion. It also is the clear reading of the document itself, which sets forth two ways to stay in the university-one easy and broad, the other awkward and tortuous, but still a route advertised as open.

It was with this understanding that the faculty accepted the formula and that a few score men chose the route of appeal. It is in this spirit that a few of us still count on this establishment of our eligibility. We think we acted within the clear authorization of the regents.

In the last couple of weeks some of my colleagues who went through the committee hearings have found reason to abandon that route and to switch to the other. Personally, I cannot see my way clear to make such an about-face.

To do so now would imply lack of sincerity in my original stand.

To do so now would look like an act of fear.

To do so now would indicate loss of confidence in the committee on privilege and tenure and in its action in clearing me.

To do so now would be a similar desertion of the president. I cherish a couple of letters of commendation from him written in quite different contexts and prior to this whole controversy. I also am proud to know that his approval is on the favorable report of the committee on privilege and tenure. I don't see how I could run away from my present position without betraying lack of trust in the wisdom and efficacy of his recommendation.

Also, for me to sign now would indicate no confidence in the good faith of the board of regents.

My wish is that the regents, with confidence in the faculty restored, would cancel the whole requirement of a political denial. My immediate plea, however, is merely that the board honor its word of April 21, that the road of appeal be treated as a legitimate pathway, and that the reports and recommendations of the committees and the president be received by the board with the respect that they deserve and which the faculty had every reason to expect would be accorded.

Such action will be a long step toward the re-establishment of that concord within and between the faculty and the regents which we all recognize our university must have.

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