**Neylan, John Francis, 1885-1960**
Statement of John Francis Neylan, ca. 1949
Part of John Francis Neylan papers, BANC MSS C-B 881
BANC MSS C-B 881, Box 179, Folder 1946-49 Loyalty Oath

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# Statement of John Francis Neylan, ca. 1949

## STATEMENT OF JOHN FRANCIS NEYLAN, MEMBER OF BOARD OF REGENTS UNIVERSITY OF CALIFORNIA

There is widespread misunderstanding of the facts in relation to the so-called loyalty oath.

I am sure that when all parties are fully advised, the Board of Regents, the President and the Academic Senate will be in complete accord as to the best method of dealing with the problem of Communism.

During twenty-one years of membership on the Board of Regents, I have never known that body to yield to pressure or to fail in its guardianship of academic freedom.

Following is the history of the disputed form of oath.

Late in the meeting of the Board of Regents held March 25, 1949, at Santa Barbara, President Sproul asked for unanimous consent for consideration of a matter which was not on the agenda.

The President stated he would like to have the hand of the President upheld and his authority clarified in relation to the subject matter he was about to propose.

Unanimous consent was given and the President presented to the Board and moved the adoption of a resolution embodying a proposed modification of the form of oath which had been in use for some years.

He stated that the attorney of the Regents had drafted the form at his request.

The President accepted a suggestion that the two



sentences in the oath should be transposed putting the affirmative portion first, and, thereupon, except for the transposition, the form of oath was adopted in the identical language originally proposed by President Sproul.

Due to illness, I was not present at the meeting.

I know of nothing I value less than the oath of a Communist and I question the value or the effectiveness of a loyalty oath in dealing with such people.

However, I am inclined to believe that had I been present, I would have yielded to the President's request that his hand be upheld.

I am inclined to this belief for the following reasons:

(1) By long established tradition, the President has primary jurisdiction in the matter of academic appointments, and, evidently, he considered there was some value in such an oath.

(2) I would have assumed as a matter of course that the President had had the advice of the Academic Senate, in accordance with the custom in such matters.

It is now obvious there was some misunderstanding, and I feel certain the Board will take constructive action to remedy the situation.

It is sheer nonsense to suggest that the Board of Regents would do anything to circumscribe academic freedom or to impose an indignity on the scholarly men and women who constitute the greatest university faculty in the world.