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## To Bring You the Facts..A Message for All Officers and Council Members of the Alumni Associations of the University of California, 1950

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### To Bring You the Facts. ..

"The issue is not Communism; it is the welfare and dignity of our University."

[A MESSAGE FOR ALL OFFICERS AND COUNCIL MEMBERS OF THE  
ALUMNI ASSOCIATIONS OF THE UNIVERSITY OF CALIFORNIA]

*"Again, for that other conceit that learning should undermine the reverence of laws and government, it is assuredly a mere depravation and calumny, without all shadow of truth. For to say that a blind custom of obedience should be a surer obligation than duty taught and understood, it is to affirm that a blind man may tread surer by a guide than a seeing man can by a light. And it is without all controversy that learning doth make the minds of men gentle, generous, maniable, and pliant to government, whereas ignorance makes them churlish, thwart, and mutinous; and the evidence of time doth clear this assertion, considering that the most barbarous, rude, and unlearned times have been most subject to tumults, seditions, and changes. .."*

Francis Bacon

*The Advancement of Learning* (1605)

— 1 —

### [Letter to Alumni, August 17, 1950]

August 17, 1950

Mr. MAYNARD TOLL, President, California Alumni Association

Mr. JOHN E. CANADAY, President, U.C.L.A. Alumni Association

Mr. HERBERT E. BARKER, President, California Aggie Alumni Association

Mr. F. P. O'REILLY, President, Santa Barbara College Alumni Association

Dear Fellow Alumni:

We believe that the University of California, its President and its future are in dire peril. The day can be saved only by a return to reason, good sportsmanship and good faith.

We believe that the alumni associations must now act to make their influence felt.

To bring you the facts, we append four letters. The first, to Governor Warren, deals with the provisions of the Alumni compromise; the second expresses the views of Professor John D. Hicks on the same matter; the third states the general problem as seen by Dr. Monroe E. Deutsch; and the fourth, by Professor Edward C. Tolman, shows who some of the non-signers are and why they have stood their ground.

They are long, they are not easy reading, but they present considerations to which we invite your earnest attention. From them you will find, we believe, that the issue is not Communism; it is the welfare and dignity of our University.

If you believe, as we do, that there must be no repudiation of the July 21, 1950, action of the Regents in approving the recommendations of President Sproul, we urge that you make your views known to the Regents prior to their next meeting at Berkeley on August 25th.

Copies to all Officers and Council Members of the above Associations

Sincerely

CHARLES A. RAMM '84

JAMES K. MOFFITT '86

HERBERT C. MOFFITT '89

WILLIAM DENMAN '94

ALEXANDER M. KIDD '99

MONROE E. DEUTSCH '02

EMMA M. MCLAUGHLIN '02

ROBERT SIBLEY '03

IRENE H. GERLINGER '04

ROBERT MCWILLIAMS '04

ALBERT M. PAUL '09

WALTER A. HAAS '10

DANIEL KOSHLAND '15

ARTHUR W. TOWNE '16

RUTH A. TURNER '17

HARRIET J. ELIEL '19

HARLEY C. STEVENS '22

EDWARD G. CHANDLER '26

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— 2 —

### **[Letter to Earl Warren, August 16, 1950]**

August 16, 1950

HIS EXCELLENCY, EARL WARREN

President of the Regents

of the University of California

Sacramento 14, California

Dear Governor Warren:

It seems to us that the question concerning the 40 nonsigners has become a very narrow one, namely:

Does the resolution adopted by the Regents on April 21, 1950, provide for a hearing by the Senate Faculty Committee on Privilege and Tenure as an alternative to signing the special letter of acceptance?

If it does, surely every Regent would want that alternative to stand in good faith.

We suggest that an important key to the answer appears largely to have been overlooked and forgotten. It lies in the recommendations of the Alumni Committee chaired by Mr. Bechtel. These recommendations, dated April 19, 1950, were the basis of the Regents' resolution two days later.

With that in mind, we invite your attention to the core of the Committee's report.

On the second page, the Committee carefully defined the problems it undertook to solve. These are the exact words:

1. "Should faculty and other employees of the University be required to declare individually their status with respect to membership in the Communist Party?"
2. "Should the President and the faculty have the same right of review in cases of members who refuse to conform to a firm policy which excludes members of the Communist Party from employment in the University, and the right to recommend to the Regents the action to be followed, as they do in all other matters affecting tenure?"

Is it not perfectly clear from the foregoing that the Committee regarded the right of review as a major aspect of the over-all problem?

After discussing both of the quoted two-fold problems, and after stating that "the Committee finds almost unanimous opinion among all groups that there should be no departure from right of review by Faculty and President, with right to recommend to Regents", the Alumni Committee proceeds to make, unanimously, its five-point settlement recommendation.

The recommendation as to the signing of the new contract of employment (containing the clause that the signer is not a member of the Communist Party, etc.) reads as follows:

1. " *All parties be invited to sign* the 'New Contract of Employment', but those who have already signed the so-termed 'Loyalty Oath' will not be required to sign the 'New Contract of Employment' for the current academic year."

Now if the recommendation of the Alumni Committee was, as some claim, that signing the new contract of employment be the only means of obtaining re-employment, it is simply incredible to us that the word "invited" should have been used. It would have been so easy to use the word "required" or

— 3 —

otherwise to make it clear, if such was the recommendation of the Alumni Committee, that "no special contract, no job".

But, of course, that was not the recommendation of the Committee, as can be seen from the fifth recommendation, which reads as follows:

1. " *Non-signers \* \* \** who fail to sign for any reason \* \* \* may petition through the President for a hearing by the Committee on Privilege and Tenure, after which the Regents will consider the findings and recommendations of the Committee and the President before making a decision. This has been the long standing procedure on this and similar matters and in no manner interferes with or changes the so-termed 'Tenure or Review' Privileges which are so close to the hearts of the faculty."

Do not these perfectly plain words make it crystal clear that the Alumni Committee held out to non-signers the honorable alternative of petition and review? And since the Regents' resolution was intended to carry out that compromise, is it not incumbent upon the Regents, as a matter of good faith, to honor the recommendations of the President of the University and of the Committee on Privilege and Tenure, unless the Regents, as to any particular individual recommended for reappointment, have some genuine basis for denying reappointment on the ground that that individual is a Communist or Communist sympathizer or otherwise unfit to teach?

We respectfully urge upon you that the question now is no more than one of good faith in honoring the provisions governing the settlement of the oath controversy.

In fact, we wonder if the question now before you may not be even narrower. A majority of the Regents at the last meeting acted to approve the recommendations of the President in regard to the 40 non-signers. Surely this action, so well justified by the facts, should not now be repudiated.

Yours for the University  
JAMES K. MOFFITT, 1886  
MONROE E. DEUTSCH, 1902  
HARLEY C. STEVENS, 1922  
cc: Dr. Robert Gordon Sproul  
President of the University of California  
Berkeley, California

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— 4 —

**[Letter to Stephen D. Bechtel, August 3, 1950]**

August 3, 1950  
MR. STEPHEN D. BECHTEL  
244 Lakeside Drive  
Oakland, California  
Dear Mr. Bechtel:

You will recall that at Davis last April, following the meeting of the Board of Regents which adopted the Alumni Compromise, I said something like this to you: "You have prevented mass murder, but when the executions begin one at a time, we shall look to you again for help." You then took little stock in my statement, and tried to assure me that our troubles were over.

It now appears that I was wrong even in my assumption that the Alumni Committee had prevented mass murder. At the July meeting of the Board, thirty-nine tenure members of the faculty, all of whom the Senate Committee on Privilege and Tenure had cleared of the slightest taint of Communism, were saved from dismissal only by a ten to nine vote. Thereupon Regent Neylan changed his vote from the minority to the majority, and served notice that at the August meeting of the Board he would move a reconsideration. Following this, the University Attorney ruled, quite mysteriously and unaccountably, that the Secretary of the Board of Regents would have to wait until after the August meeting before sending out contracts to the thirty-nine non-signers, as the ten to nine vote had ordered. A count of absentees at the July meeting makes it seem almost certain that, if Neylan can only get a full meeting of the Board, he will succeed in his determination to see the executions carried out.

Such action, by any rational interpretation of the Alumni Compromise, must be construed as a complete breach of faith. If the pledge to refer the cases of non-signers to the Senate Committee on Privilege and Tenure meant anything at all, it meant that the Regents could be expected to give favorable consideration to the report of the Committee. This was the understanding of the President, of the faculty, and certainly of about half the Board of Regents. It was on this understanding that the Committee of Seven, which I headed, laid down its arms, and returned some \$12,000 cash in hand to the donors. Any other interpretation of the Alumni Compromise would have made it conform with the well-known vigilante concept, "Give a man a fair trial and hang him." I am totally unwilling to believe that the distinguished members of the Alumni Committee could ever have been capable of making so fraudulent a proposal.

If the Neylan faction of the Board succeeds in carrying through its program, it is hard to see how the faculty can ever again have faith in the Board of Regents. Such action would constitute the second complete double-cross of the faculty by the Regents within a few months. The first instance came when we were assured by spokesmen for the Regents, both privately and publicly, that if we could get the Senate on record in support of the Regents' policy opposing the employment of Communists, the oath requirement would be handled in such a way as to satisfy the faculty. Believing what we were told, and acting in good faith, we put over on a mail

ballot by nearly an eighty percent majority the kind of resolution that we were told the Regents desired. But at their next meeting they refused, although only by a ten to

— 5 —

ten vote, to rescind the requirement of the oath. We should have been warned by this experience, but we convinced ourselves that there were enough men of good will on the Board that, with the backing of the Alumni Committee, we could count on a fair interpretation of the proposed compromise. It now appears that we can count on nothing. At the last meeting of the Board even the new President of the Alumni Association voted against us. Surely, surely your Committee can do something about that.

You remember, I trust, that I was one of the first to sign the Anti-Communist oath, and that my only objection, personally, to the contract proposed by the Alumni Committee was the way in which, by requiring annual repetitions, it completely vitiates any legal claim to tenure rights on the part of the faculty. My interest in this case stems in no way from sympathy with Communists or Communism. No one on this faculty or on the Board of Regents, has fought these wreckers any harder than I have. If any member of the thirty-nine non-signers were tainted with Communism, I would be against him. But the integrity of these men has been abundantly proved. The matter before us has nothing to do with Communism. The question is merely one of good faith. Will the Regents keep their implied pledge, or will they flout it?

I need not tell you how serious will be the consequences of the dismissal of these thirty-nine men, many of them scholars of world renown. The reputation of the University will drop to an all-time low. There will be the customary investigation by the American Association of University Professors, followed by a devastating and well-publicized report. The University of California will be blacklisted, and all good men will be warned to avoid it. There will be few immediate resignations, for most of us cannot afford that luxury, but gradually the valuable men on our faculty will accept calls elsewhere, while our efforts to recruit competent scholars from the outside will fail (as they are already failing). The same dry-rot that has virtually destroyed the University of Texas, following a similar episode, will set in at California. \* \* \*

May we not count on you to help us prevent this "lasting havoc" from being wrought upon your Alma Mater?

Sincerely

JOHN D. HICKS

cc: Paul L. Davies

Milton H. Esberg, Jr.

Kathryn K. Fletcher

Don H. McLaughlin

Governor Earl Warren

President Robert Gordon Sproul

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— 6 —

**[COPY OF DR. DEUTSCH'S LETTER TO EACH REGENT]**

San Francisco, California

July 17, 1950

MR. EARL J. FENSTON

504 Helm Building

Fresno 1, California

Dear Mr. Fenston:

As one who has served the University of California for forty years, as an alumnus of the University, and not least as a citizen of the State who has taken the greatest of pride in the University of California, I am taking the liberty of writing you at this critical moment in the history of the University.

There is great danger that sight will be lost of what has been the purpose the Regents have ever had in mind. That was clearly and undeniably to prevent the employment of Communists in the University. Accordingly (regardless of the past history of the incident and the misunderstandings which have occurred) the one question and the only question which should arise jeopardizing the position of anyone in the University ought to be: "Is he a Communist?" To ascertain this, the Regents established a form of contract in which the individual has the opportunity to declare he is not a Communist. But the Regents, recognizing the hostility of some members of the University to signing such a statement, expressly provided that those who *for any reason* objected to signing, would have the right of a hearing before the Faculty Committee on Privilege and Tenure. The recommendations of that committee (presumably on the one question of Communist membership) were to go to the President, and after he had considered them he was to submit his recommendations in each case to the Regents.

The Faculty assumed—and had a right to assume—that these recommendations would not be lightly considered. After all it is obvious that the Committee (like any jury) took into account the attitude of the individual when he appeared before it, and besides the members of the Committee had had many an opportunity to know much of his general point of view.

Certainly if the Regents (or any of them) had evidence disproving the recommendations submitted, they have a right and a duty to present it.

But the issue (it must not be forgotten) rests on the one point: "Is he a Communist?" If there is well-grounded evidence to doubt in any case, I should feel that it would be in accord with the previous action of the Regents to refer the new material to the President to be considered by the Committee on Privilege and Tenure for later report to him, and a subsequent recommendation by him to the Board. Surely the Regents do not wish to be in the position of both prosecuting attorney and judge, nor condemn a man without his having opportunity to present his evidence on a charge that may be against him.

Moreover, it must be remembered that in the Standing Orders of the Regents it is provided that the President shall submit recommendations as to appointments, promotions, demotions and dismissals, and in reference to such acts it has been wisely the settled policy of the Regents to accept the President's recommendations. For the Regents to endeavor to take over these functions would mean the certain and inevitable destruction of the position of the University. Even if they limited themselves to dismissals, it would unquestionably jeopardize the University, for the causes which would prompt their actions, would inevitably become more and more numerous. And as

— 7 —

a result of the destruction of the principle of tenure recognized in all Universities in the group to which California has belonged, and the interference with freedom of thought (and not merely academic freedom), men and women of scholarly standing and self-respect would refuse to remain in the University or come to it.

Those who have not signed have been impelled as much by their consciences as have the so-called "conscientious objectors". They may not be driven by religious motives, but I have never heard that that is the only thing that disturbs a man's conscience. I believe with Cardinal Gibbons that "conscience is the supreme law which under no circumstances can we ever lawfully disobey". Besides the Regents' action expressly permitted men to decline to sign for any reason whatsoever; it was not limited to religious motives.

The Faculty have made absolutely clear that they agree with the Regents' policy in excluding Communists. If proof—and convincing proof—can be evidenced that a man is a Communist, they will have no ground to

protest.

When the Regents acted on the report of the Alumni Committee, I urged the Faculty to cooperate with the Regents' action on the assumption of good faith on both sides. To dismiss a man for other than proved Communism is (I say it respectfully) not in good faith.

It has been rumored that the Regents may exempt from their dismissal eminent members of the faculty, men with war service records, and conscientious objectors on religious grounds. I have already discussed the last group. As to men of eminence, may I remind you that Justice in our land should never distinguish between the eminent or the wealthy or the powerful, as against the humble, the poor, the powerless? "Is he a Communist?" is the only issue.

As to war service it is obvious that that depended wholly (and I repeat the word *wholly*) on age, physical condition, and sex. Is the accident that one was too old or too young for military service to determine his dismissal? Surely that is not Justice in the American sense of the word.

It may be objected that I have used the word "dismissed," when what is in mind is a non-renewal of a contract. That is a distinction without a difference. The world will quickly learn who these men are and they will be "smeared" as Communists despite their complete innocence. Moreover this will seriously impair their opportunity to secure another post.

Already economic pressure has operated on a considerable number and caused them, despite their strong opposition, to sign the contracts. Many have written letters making their positions clear. Should there be pride in the fact that men have yielded their conscientious views to protect their families? I suspect that such motives have caused innocent men in Soviet courts to confess "crimes" which they did not commit.

The University has already suffered greatly from this whole controversy. While the past cannot be undone, yet for the present the matter may be brought to a close if the Regents do what the Faculty had a right to assume they would do—i. e. accept the recommendations of the President as to the non-signers, based upon the reports of the Faculty Committee. It was an extremely strong and able Committee; the loyalty of its members is unimpeachable.

I pray with all the strength I can command that at the meeting on July 21 this step will be taken.

Sincerely

MONROE E. DEUTSCH

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— 8 —

### **[Letter to Robert Gordon Sproul, July 18, 1950]**

July 18, 1950

PRESIDENT ROBERT GORDON SPROUL

University of California

Berkeley, California

Dear President Sproul:

I respectfully address you on behalf of members of the faculty of the University of California who, for reasons of principle, have followed the procedure for petition and review provided in the April 21, 1950, resolution of the Regents of the University of California. In a larger sense, our message could well be addressed to the students, administrators and faculties of all American universities, as well as to the people of our country.

At the outset, it is important to bear in mind that the resolution of April 21st, a copy of which is attached, makes it clear that faculty members who chose not to sign the prescribed form of letter of acceptance were provided by the Regents with "the right of petition and review" which "will be fully observed". The stated right of petition and review was specified, by the resolution, to consist of review of each case "by the Committee on Privilege and Tenure of the Academic Senate, including investigation of and full hearing on the reasons" for the failure to sign the special letter of acceptance. All for whom I speak have, in good faith, followed this procedure designated by the Regents and have done so in their belief that the Regents recognized that investigation by our fellow-teachers is at least as reliable a means of determining loyalty as the mere signing of a statement.

Another important preliminary matter which should be set out is this: The Regents have never repudiated either the findings or the recommendations of the Committee on Privilege and Tenure of the Academic Senate. The tradition has been inviolate that, for all practical purposes, that committee determines the fitness of faculty members.

These considerations as to the significance of the effect of the resolution of April 21, 1950, are, it seems to us, not only clear from the express words of that resolution, but were made doubly so by repeated statements of spokesmen for and on behalf of the Regents in urging faculty acceptance of the compromise contained in that resolution.

There is a final preliminary. We do not address you, and through you the Regents, in any legalistic manner. At the same time, we think that some support, at least, for the views we shall express may be found in the Constitution of our State, which declares that the University of California is a public trust, that it shall be kept entirely independent of all political or sectarian influence and, in another section of the State Constitution, that no oath, declaration or test beyond that of the oath to support the Constitutions of the United States and of the State of California may be required as a qualification for any public trust.

Appended is a partial list of the men and women who address this message to you. You know them and their families well. Many are eminent scholars and scientists; all are loyal to the United States of America; all have served our country in or out of uniform; all share a deep love for their University; most have served it for years; some have dedicated their entire adult lives to that service.

— 9 —

On July 21, 1950, the Regents will make a decision of vital importance to the nation, to our University and to the lives of ourselves and our families. That decision will bear upon an issue which for more than a full year has profoundly disturbed all concerned with the welfare of the University.

If the year of turmoil had clearly defined the issue and really settled it, we would not now be addressing you. The tragedy, it seems to us, is that it really has not been defined and settled. Therefore, we propose to state the issue as we see it and to submit our suggestions for fair settlement.

The one basic issue is and always has been academic freedom—freedom to teach the truth in good conscience and without fear.

To face that basic issue, one must clear away matters upon which there is no disagreement. May we try to do so at once?

1. Loyalty to the United States, its Constitution and its laws is a prerequisite to the privilege of teaching. All of us stand ready to swear to defend and support the Constitution of the United States.
2. Membership in the Communist Party or any other organization which advocates the overthrow of the government by force or violence disqualifies anyone from the privilege of teaching at the University of California. All of us recognize that loyalty to any doctrine of totalitarianism shackles the free



pursuit of truth.

3. Final authority over all the affairs of the University of California lies in the Regents. The Constitution of the State of California so provides.
4. The basic issue is not changed by the crisis in Korea. All history proves that it is in just such moments of crisis that liberty is most dangerously threatened by fear and passion; therefore, these are times in which it is more imperative than ever to stand firm for the freedoms which distinguish democracy from totalitarianism.

Recognition and understanding of the real issue calls for our clear answer to those who ask, "Well, if you're not Communists, and if you don't believe in overthrowing the government by force and violence, why aren't you willing to sign up and say so?"

To give such answer is the burden we now assume.

We believe that the one basic difference between democracy and totalitarianism (whether the latter takes the guise of Communism or Fascism or Nazism) is this: In a democracy a man is judged and his rights are determined on fair evidence, fairly considered and fairly acted upon by a fair tribunal. In a democracy, neither a man nor his rights nor his reputation are condemned because of mere whisper or hate or prejudice or because he refuses to tip his hat or to bow or to scrape or to sign on the dotted line.

In a totalitarian state, any man, his rights and his reputation may arbitrarily be destroyed for such trivial reasons. His worth, his dignity, his conscience and his competence may be swept aside by the nod of the head or the turn of the thumb.

Here in America, neither lives nor jobs nor property are condemned without a fair hearing and fair action based upon facts. Our very way of life and our form of government are based upon the fundamental principle that we presume the innocence and not the guilt of human beings; that presumption is the bulwark against arbitrary exercise of power.

— 10 —

If we are "fired" from work with the University and students to whom we are devoted only because we cannot in good conscience sign on the dotted line, isn't that a species of arbitrary condemnation? Isn't it the nod of the head or the turn of the thumb?

And is it not especially so in view of the fact that on April 21, 1950, the Regents assured us that "in any case of failure to sign. .. the right of petition and review will be fully observed"?

All of us have exercised that right and have appeared willingly before the hearing committee specified by the Regents.

We are advised that that committee has found that there is neither Communism nor disloyalty nor any other incompetence in any of us. This is the solid fact as to all of us. It applies equally to the several of us who could not in good conscience make oral statements equivalent to the written statement which all elected not to sign. Surely those who stood so staunchly on principle should not be victimized. Academic freedom can be frustrated by sacrificing a single innocent person.

Are, then, the findings of the faculty Committee on Privilege and Tenure to be disregarded? Are we now, having followed the very alternative offered to us by the Regents, to be discharged from our jobs and our students because we still choose not to sign?

It seems to us that if the findings of our traditional Committee on Privilege and Tenure are rejected and if we are told to get out, the damaging and unfair public assumption will be that the Regents have undisclosed evidence against us. Even more important, if the findings of our colleagues are discarded, not only is our

individual academic freedom destroyed, but that of the faculty as a whole is threatened.

It is threatened for a very real reason. At all free American institutions of higher learning, the ultimate governing authority has traditionally honored the findings of the faculty in regard to the fitness of teachers. That tradition has been the cornerstone of academic freedom. Arbitrary action which disregards findings, as to fitness of teachers, made by duly constituted faculty committees imperils the tradition and, therefore, academic freedom itself.

No one has seriously contended that the taking of the oath or the signing of the statement would insure the elimination of Communists from the faculty. The Regents in their resolution of April 21st recognized, wisely we think, that the purpose sought could as well be served by the hearing procedure which it prescribed and which we have followed. To us, that procedure seems not inconsistent with academic freedom. That is why, in complete good faith, we have followed it.

This still leaves it for us to make it unmistakably clear why we still do refuse to sign the special letter of acceptance. We believe there are many good reasons. We state only three.

1. We choose not to sign on the dotted line because the one thing that has kept freedom in American universities is the traditional right of teachers to be judged by their peers as to ability and integrity. Once the privilege of teaching the young becomes dependent upon signing any super-imposed statements, we believe our capacity to teach, freely and honestly, is imperiled. The first signing on the dotted line may seem trivial and unimportant, but in the tensions of the world today,

— 11 —

the trivial and the unimportant all too readily become the precedent for the dangerous and the evil.

2. If we sign on the dotted line, we risk losing the faith of our students. They ask us (and, more important, ask themselves), if we are then still free to speak and teach and write the unadulterated truth. Or, they ask us and themselves, must we measure our words and gauge our teaching and scan our writing to be sure that we do not offend those who required us to sign on the dotted line.

These factors of the faith of our students are of the utmost importance. The rights of students are profoundly involved. Indeed, their freedom is more important than ours. It seems to us that you can hardly have free students if they are taught by men whose freedom to pursue the truth is impaired, no matter how slightly, by arbitrary conditions of employment. And in the climate of a university, where the theoretical is quite as important as the practical, it does not suffice to say that the letter of acceptance imposes no practical restraint.

3. We hate and deplore totalitarianism. We despise its stifling of the individual and of freedom. Therefore, we resist the idea that coercion of teachers is requisite to preservation of free institutions.

If the facts have fairly established that any of us are members of the Communist Party or of any other organization which advocates the overthrow of the government by force or violence, we ask the Regents so to state and to refuse us the privilege of teaching at our University. Or if the facts have fairly established that for any other real and substantial reason we are not fit to teach, we ask the Regents so to state and to refuse us that privilege.

Otherwise, we petition the Regents to prove to the nation, indeed, to the world, that the privilege of a loyal and competent man or women to serve on the faculty of the University of California does not turn upon anything so arbitrary as signing on the dotted line.

Our faith in American institutions, in the University and in those who govern it fortifies our hope that the Regents will continue to support the faculty committee upon which they have traditionally relied and which

they have never repudiated.

We petition the Regents not to discharge, for arbitrary reasons, any innocent person.

Sincerely

Edward C. Tolman

Professor of Psychology

Carbon copy to each member of the Regents of the University

— 12 —

### **Resolution Adopted by the Regents of the University of California on April 21, 1950:**

The Regents of the University of California confirm and emphasize their policy designed to bar members of the Communist Party from employment by the University as members of the faculty or otherwise, as embodied in various statements and resolutions including those of October 11, 1940 and June 24, 1949, which policy is hereby reaffirmed. The Regents are gratified that the Academic Senate, both Northern and Southern sections, has concurred in this policy by an overwhelming vote, reported on March 22, 1950.

The Regents have given further consideration to the most effective methods for the implementation of this established policy, and it is their view that the objectives previously defined and announced can best be achieved in the following manner:

After July 1, 1950, which will mark the beginning of a new academic year, conditions precedent to employment or renewal of employment of American citizens in the University shall be (1) execution of the constitutional oath of office required of public officials of the State of California and (2) acceptance of appointment by a letter which shall include the following provision:

*Having taken the constitutional oath of office required of public officials of the State of California, I hereby formally acknowledge my acceptance of the position and salary named, and also state that I am not a member of the Communist Party or any other organization which advocates the overthrow of the Government by force or violence, and that I have no commitments in conflict with my responsibilities with respect to impartial scholarship and free pursuit of truth. I understand that the foregoing statement is a condition of my employment and a consideration of payment of my salary.*

Inasmuch as aliens are not lawfully subject to an oath of allegiance to the United States or the State of California, their letters of acceptance shall be drawn without reference to such oath but shall otherwise in all respects be identical with those of American citizens.

In any case of failure to sign the constitutional oath and the prescribed form of letter of acceptance the right of petition and review (referred to below) will be fully observed.

The foregoing is intended to govern employment and reemployment after June 30, 1950. For the balance of the current academic year, to wit, until July 1, 1950, account must be taken both of the large majority of faculty and employees who have subscribed to the loyalty oath of June 24, 1949, and of the minority who have not. The Regents have on various occasions indicated that an alternative affirmation would be accepted from the latter group if in form approved by the Regents. It is hereby provided that execution of the constitutional oath of office required of public officials of the State of California, and acceptance of appointment in the form herein stated, will be acceptable affirmation in lieu of the oath of June 24, 1949.

The Secretary of the Regents shall promptly mail to all faculty members and employees of the University new letters of acceptance of appointment for the academic year 1949-50, containing the text of the provision set forth

above, and accompanied by the text of the constitutional oath of office of the State of California. Acceptance in the form prescribed shall be obligatory for all who have not filed with the Secretary the loyalty oath previously required by the Regents. Those who have already taken the latter oath need not follow the described procedure for the current academic year but may do so if they wish. In such case the oaths to which they have subscribed may be withdrawn.

In the event that a member of the faculty fails to comply with any foregoing requirement applicable to him he shall have the right to petition the President of the University for a review of his case by the Committee on Privilege and Tenure of the Academic Senate, including an investigation of and full hearing on the reasons for his failure so to do. Final action shall not be taken by the Board of Regents until the Committee on Privilege and Tenure, after such investigation and hearing, shall have had an opportunity to submit to the Board, through the President of the University, its findings and recommendations. It is recognized that final determination in each case is the prerogative of the Regents.

In order to provide a reasonable time for completion of the foregoing procedures, the Regents hereby fix May 15, 1950 as the date on or before which the constitutional oath and contract form shall be signed, and June 15, 1950 as the date on or before which all proceedings before the President and the Committee on Privilege and Tenure shall be completed and their findings and recommendations submitted to the Regents.

The regulations and procedures herein enacted, as applied and enforced by the administrative authorities of the University, will henceforth govern and control over all previous actions of the Regents to the extent they may be inconsistent with such previous actions to the end that the policy of the Regents and the Academic Senate barring members of the Communist Party from employment in the University may be fairly and effectively implemented.

## **PARTIAL LIST OF FACULTY MEMBERS REFERRED TO IN ATTACHED LETTER**

### **ARTHUR H. BRAYFIELD, Ph.D.**

Age 35. Assistant Professor of Education, U. C.; B.S., University of Minnesota, 1939, cum laude; Ph.D., University of Minnesota, 1946.

Major Field: Personnel Psychology; Minor Field: Educational Psychology.

Positions: Dean of Student Personnel, Long Beach City College, 1946-48; Assistant Dean of Student Personnel, Colorado A. & M. College, 1940-41; Personnel Consultant, U. S. Armed Forces Institute, Washington, D. C., December 1943 to April 1944; taught in ASTP Personnel Psychology at University of Minnesota, June to November, 1943; Instructor and Lecturer, University of Minnesota, 1941-1946.

Publications: Contributed sections to *A Design for General Education in the Armed Forces*, American Council on Education, 1944; contributed sections to *Training of Vocational Counselors*, War Manpower Commission, 1944.

Books: *Readings in Modern Methods of Counseling*, 1950; with M. E. Hahn, *Occupational Laboratory Manual Job, Exploration Workbook*, Science Research Association, 1945; with D. G. Paterson and G. S. Dickson, section on Vocational Counseling in *Encyclopedia of Educational Research*, 1950.

Organizations: American Psychological Association, American College Personnel Association, National Vocational Guidance Association.

**JOHN W. CAUGHEY, Ph.D.**

Age 48. Professor of American History; 20 years' service U.C.L.A. Chairman, Department of History, 1945-47; managing editor, *Pacific Historical Review*; general editor, *Chronicles of California*.

Publications: *History of the Pacific Coast*, 1933; *Bernardo de Galvez in Louisiana*, 1934; *McGillivray of the Creeks*, 1938; *California*, 1940; *Hubert Howe Bancroft, Historian of the West*, 1946; *Gold Is the Cornerstone*, 1948; *Rushing for Gold*, 1949; and more than forty articles. Editor of *The Emigrant's Guide to California*, 1932; *The Los Angeles Star*, 1947; *Robert Owen, Social Idealist*, 1949; *East Florida, 1783-1785*, 1949.

Native Sons of the Golden West Fellow in Pacific Coast History, 1928-29. Technical director, Paramount Pictures' *California*, 1945-46; consultant, Calif. State Lands Commission, in the tidelands litigation.

Member: Phi Beta Kappa, Pi Gamma Mu, E Clampus Vitus, California State Landmarks Committee, Am. Historical Assoc., Miss. Valley Historical Assoc.; Director, Historical Soc. of Southern Calif.; member, executive council, Pacific Coast Branch, Am. Historical Association.

**HUBERT S. COFFEY, Ph.D.**

Age 40. Assistant Professor of Psychology; Chief of Training, Office of Administrator, Federal Security Agency, 1946.

War Service: Lieutenant Commander, U.S.N.R., Bureau of Medicine and Surgery, Aviation Psychology Section. Author of 6 monographs on Methods of Training in Aerial Free Gunnery.

Publications: "Community Service and Social Research." *Journal of Social Issues* (June 1950), and various articles on psychological research and service.

Member of Sigma Xi; Clinical Fellow, American Psychological Association; Group Leader, National Training Laboratory; Principal Investigator, Project in Group Therapy, U. S. Public Health Service.

**LEONARD A. DOYLE, Ph.D., C.P.A.**

Age 37. Associate Professor of Accounting; 8 years' service at U. C.

War Service: Consultant, Army Quartermaster Corps.

Director of Education, San Francisco Chapter, National Association of Cost Accountants; Management consultant.

Author of several articles on economic theory and accounting procedure.

**LUDWIG EDELSTEIN, Ph.D.**

Age 48. Professor of Greek; awarded Capps Fellowship of the American Archeological Institute, School of Athens, 1947; Lecturer in History of Ancient Science, Berlin University, 1932-33; Associate Professor of the History of Medicine, The Johns Hopkins University, 1934-47; Professor of Classical Languages and Literature, University of Washington, Seattle, 1947-48.

— 15 —

War Service: Taught A.S.T.P. courses in German, Johns Hopkins University.

Publications: *Peri Aeron und die Sammlung der hippokratischen Schriften*, Berlin, 1931; *Asclepius: A Collection and Interpretation of the Testimonies*, 2 Vols., Baltimore, 1945; *The Hippocratic Oath*, Translation and Interpretation, Baltimore, 1943; *Poseidonius*, (forthcoming, Johns Hopkins Press); and over 30 articles on Greek Philosophy and Science and related subjects. Also, Ed. *Hindu Medicine*, 1949.

Member of American Philological Association; History of Medicine Society; History of Science Society. President of History of Ideas Club; Tudor and Stuart Club. Editorial Committee, California University Press.

Honors: Summa Cum Laude, Heidelberg.

**WALTER D. FISHER, Ph.D.**

Age 34. Assistant Professor of Agricultural Economics; December 1940-June 1942, Assistant Agricultural Economist, United States Department of Agriculture, Agricultural Marketing Administration, Fruit and Vegetable Branch.

War Service: February 1943-March 1946 U. S. Army Air Forces; electronics officer, AACCS; June 1944-December 1945 in China-Burma-India Theater of Operations and Officer-in-Charge of isolated detachment.

Publications: *The Consumer Demand for Lemons in the United States, 1943*; *Canning Tomatoes: Situation in California, 1947*; *Dry Edible Beans: Situation in California, 1949*.

Member of: American Farm Economics Association, Western Farm Economics Association, American Statistical Association and Econometric Society.

**EDWIN S. FUSSELL, Ph.D.**

Age 28. Instructor in English.

War Service: Lieutenant (j.g.), U.S.N.R., destroyer-escort duty.

Publications: Three forthcoming articles on American literature.

Phi Beta Kappa, High Honors (Pomona College).

**MARGARET T. HODGEN, Ph.D.**

Age 60. Associate Professor of Sociology and Social Institutions; 25 years' service at U. C.

Publications: *Doctrine of Survivals, 1935*; *Dated Distributions and Social Change, 1950*; and 7 or 8 articles on history and anthropology.

University Fellow, 1921-23; Chairman of Department, 1937-39; Graduate Research Lecturer, 1939; Fellow, American Association of University Women.

**ERNST H. KANTOROWICZ, Ph.D.**

Age 55. Professor of History, 11 years' service at U. C.; Visiting Professor of History, Oxford University, 1934; Visiting Professor, Harvard University (Dumbarton Oaks), 1951.

War Service: Instructor, A.S.T.P., University of California.

Publications: *The Emperor Frederick the Second, The King's Two Bodies, Petrus de Vineia in England, The Problem of Medieval World Unity*, and over 20 articles on medieval and late antique history and art.

Member: Medieval Academy of America, American History Association; corresponding member, Monumenta Germaniae Historica, etc.

**HAROLD W. LEWIS, Ph.D.**

Age 27. Assistant Professor of Physics.

War Service: U. S. Navy, 1944-46.

Fellow in Physics, University of California, 1946-47; Member of Institute for Advanced Study, Princeton, 1947-48.

Publications: (All of the following published in the Physical Review) *Multiple Production of Mesons*, 1948; *Reactive Terms in Quantum Electrodynamics*, 1948; *Analysis of Extensive Cosmic-Ray Shower Data*, 1948.

**HANS LEWY, Ph.D.**

Age 46. Professor of Mathematics; 15 years' service at U.C.

War record: Expert Mathematician, Army Ordnance in Aberdeen, Md., specializing in problems of explosives and fragmentation.

Over 20 publications on the theory of partial differential equations, on differential geometry, and on hydrodynamics.

— 16 —

**JACOB LOEWENBERG, Ph.D.**

Age 68. Professor of Philosophy, 35 years' service at U. C. Former chairman of the Department.

Publications: *Dialogues from Delphi*, 1949; *Knowledge and Society*, (co-author) 1938; *Hegel Selections*, 1930; numerous articles in philosophical periodicals.

Phi Beta Kappa; Visiting Lecturer at Harvard, 1947-48; Past President of American Philosophical Association.

**CHARLES LOCH MOWAT, Ph.D.**

Age 38. Associate Professor of History; 14 years at U.C.L.A. Currently chairman of Committee on Educational Policy, U.C.L.A. Visiting associate professor, University of Chicago, summer quarter, 1950.

Publications: *East Florida as a British Province* (1943), and fifteen articles on British and British Empire history.

Member: American Historical Association, Economic History Society (England), American Association of University Professors; Guggenheim Fellow, for research in England, 1947-48.

**CHARLES MUSCATINE, Ph.D.**

Age 30. Assistant Professor of English.

War Service: Lieutenant, U.S.N.R., Navigator U.S.S. L.S.T. 335, November 1942-April 1945; North African Operations, Sicily Landing, Salerno Landing, Normandie Landing; Navy Commendation ribbon from Commander in Chief Atlantic Fleet for rescue work on D-day.

Honors: "Honors with Exceptional Distinction" (Yale, 1941); Willis Tew Prize (Yale Graduate School, 1942); Numerous Fellowships (Yale), Phi Beta Kappa.

Member of Phi Beta Kappa, Modern Language Association of America.

**STEFAN PETERS, Ph.D.**

Age 41. Associate Professor of Insurance, School of Business Administration, U. C.; Lecturer in Mathematics, U. C.

War Service: Served as enlisted man in U. S. Army, 1943-5 (2 years abroad).

Positions: Assistant Editor, Xth International Congress of Actuaries, Rome, 1933-4; Assistant Actuary, Compensation Insurance Rating Board, N. Y., to 1943; Mathematical Analyst, West Coast Life Insurance Co., S. F., 1946-8; Consulting Actuary for California Inspection and Rating Bureau since 1949.

Honors: First place in nationwide civil service examination for position of Chief Actuary of the California Insurance Department, 1948.

Publications: "Theorie der unendlichen Abelschen Gruppen," *Math. Ann.* 104, 1931; "Untergruppen und Quotientengruppen unendlicher Abelscher Gruppen," *Math. Ann.* 105; "Ex-Medical Coverage-Workmen's Compensation," *PCAS*, XXVII, 1, 1940; "Discussion of the Ratemaking Procedure in Workmen's Compensation Insurance; A Method of Testing Classification Relativities," *PCAS*, XXVIII, 1, 1941.

Fellow of the Casualty Actuarial Society; Associate of the Society of Actuaries.

**JOHN M. O'GORMAN, Ph.D.**

Age 35. Assistant Professor of Chemistry (SB); 4 years' service at U.C.

War Service: Instructor in charge of chemistry, for Navy V12 Engineering Officer Candidates, Cal. Tech.

Publication: Seven scientific and technical papers in publications of the American Chemical Society since 1944.

Member: Sigma Xi and American Chemical Society.

**MARGARET PETERSON O'HAGAN, Ph.D.**

Age 48. Associate Professor in Art, 22 years' service at U. C.

Publications: One-man shows of paintings; California Palace of Legion of Honor, San Francisco, 1933; Raymond and Raymond Galleries, San Francisco, 1945; San Francisco Museum of Art, Civic Center, 1950; "San Francisco Art Association-Emmanuel Walter Fund Purchase Prize," 1942; San Francisco Art Association Exhibition, Honorable Mention, 1943; San Francisco Art Association Show, October 1947, First Prize; San Francisco Women's Art Association Show, October 1937, Second Prize.

— 17 —

**LEONARDO OLSCHKI, Ph.D.**

Age 65. Lecturer and Research Associate in Oriental Languages; Lecturer in History and Italian, Johns Hopkins University, 1939-40.

Publications: (Published in the United States, 1940-50) *Marco Polo's Precursors*, 1943; *Machiavelli the Scientist*, 1945; *Guillaume Boucher: A French Artist at the Court of the Khans*, 1946; *The Genius of Italy*, 1949; *The Myth of Felt*, 1949; and 34 books and articles on history and Oriental languages.

Cf. Who's Who in America, Dictionary of American Scholars, World Biography, Enciclopedia Italiana (1948).

**BREWSTER ROGERSON, Ph.D.**

Age 29. Assistant Professor of English; Instructor in English, Yale University, 1944; Member of Modern Language Association, American Society of Aesthetics.

War Service: Instructor, A.S.T.P. at Princeton, Navy V-12 at Yale.



**R. NEVITT SANFORD, Ph.D.**

Age 41. Professor of Psychology, 10 years' service at U. C.

War Service: Office of Strategic Services.

1940-45, Research Associate, Institute of Child Welfare, University of California; 1944-48, Co-Director of Berkeley Public Opinion Study.

Publications: *Physique, Personality and Scholarship*, 1943; *The Authoritarian Personality*, 1950; during war and shortly thereafter published 13 scientific papers on the war morale and democracy and 7 papers on measurement of social beliefs and attitudes.

Elective offices of the American Psychological Association: Representative to National Research Council; Special Consultant to Mental Hygiene Division of U. S. Public Health Service; Associate Editor, *Journal of Consulting Psychologists*; National Chairman of Group of Psychoanalytic Psychologists; Member of Committee of American Psychological Association on Training in Clinical Psychology.

**DAVID STEPHEN SAXON, Ph.D.**

Age 30. Assistant Professor of Physics; 3½ years at U.C.L.A.

War record: Staff member, Radiation Lab. MIT, 1942-46 (a war research lab. operated under contract with OSRD; field of research: radar).

Allied Dye & Chemical Co. Fellow, 1943; Consultant to Northrop Aircraft, 1948; Consultant to the Institute of Numerical Analysis; Nat'l Bureau of Standards, 1949.

Publications: Several papers in theoretical physics in the fields of electromagnetic theory, electrodynamics and theory of solids.

Member: Sigma Xi, Am. Instit. of Physics, Am. Physical Society, AAAS; AAUP.

**EDWARD HETZEL SCHAFER, Ph.D.**

Age 37. Assistant Professor of Oriental Languages.

Military Service: In Office of Chief of Naval Operations and staff of U. S. Seventh Fleet. At present, Commanding Officer, Organized Communications Supplementary Activities Group 12-4, Alameda, California, with rank of Lieutenant Commander.

Publications: *Notes on a Chinese Word for Jasmine*, *Journal of the American Oriental Society* 68.60-65, 1948; *Noun Classifiers in Classical Chinese*, *Language* 24.408-413, 1948; *The Camel in China Down to the Mongol Dynasty*, *Sinologica* Vol. 2, parts 3 and 4 (Basel, Switzerland, 1950).

Phi Beta Kappa; Rockefeller Fellow in the Humanities, 1946; Associate Editor, *University of California Publications in Linguistics*; Chairman of Committee for China Middle Dynasties Project, East Asiatic Institute, University of California.

**PAULINE SPERRY, Ph.D.**

Age 65. Associate Professor of Mathematics, 33 years' service at U. C.

During the war taught calculus to Navy recruits.

Publications: *Properties of a Projectively Defined Two-Parameter Family of Curves on a General Surface*, *American Journal of Mathematics*, 1918; *Spherical Trigonometry*, 1926; *Bibliography of Projective*

*Differential Geometry.*

Member of American Association of University Professors, American Mathematical Society, Mathematical Association of America (Chairman, Northern California Section, 1945-46), Sigma Xi, Phi Beta Kappa.

— 18 —

**EDWARD C. TOLMAN, Ph.D.**

Age 64. Professor of Psychology, 32 years' service at U. C.

Publications: *Purposive Behavior in Animals and Men*, 1932; *Drives Toward War*, 1942; and over eighty articles in Psychological Periodicals.

President, Western Psychological Association, 1922; Fellow, American Association for Advancement of Science, 1922; President, American Psychological Association, 1937 (Council 1932-1934) (Board of Directors 1945-1947); Member, National Academy of Sciences, 1937-; Vice President, American Association for Advancement of Science, 1944; Member, American Philosophical Society, 1947; Faculty Research Lecturer, University of California, Berkeley, 1947; Phi Beta Kappa; Sigma Xi; Fellow, American Academy of Arts and Sciences, 1949.

War Service: Psychologist, Office of Strategic Services, July 1944-February 1945.

**HANS WELTIN, Ph.D.**

Assistant Professor of Physics, U. C. (SB). Instructor (Summer) Institute for Nuclear Studies, Oak Ridge, Tenn., 1950. Assistant Professor of Physics, Santa Barbara College. Consulting Physicist, Donner Laboratories, 1945.

War Service: Instructor in Army Specialized Training Program and in Navy V-12 Program, 1943-45.

Publications: Several articles on experimental physics.

Member of Phi Beta Kappa, Sigma Xi.

**GIAN CARLO WICK**

Age 41. Professor of Physics; Professor of Physics, University of Notre Dame, 1946-1948; Consultant, Office of Naval Research, 1946-1948; Research in Atomic Energy Radiation Laboratory, Berkeley, 1948 and 1949; Fellow of American Physical Society; Fellowship, Royal Academy, Rome, 1938; Fano Fellow, University of Turin, 1931; Sella Prize, Academy of Lincei, Rome, 1935.

Publications: Over 40 articles on nuclear physics.

**HAROLD WINKLER, Ph.D.**

Age 36. Assistant Professor of Political Science; Instructor in Government at Harvard, 1940-42; Director of Research for Council for Democracy (an organization headed by Raymond Gram Swing, Executive Secretary, C. D. Jackson, President of Life Magazine; financed by Luce, Rockefeller, etc., to combat hysteria which threatened democratic institutions in U. S., 1940-41).

War Service: Lieutenant, U. S. Navy, mainly on carrier duty in Pacific; Bronze Star.

A.B. (Summa Cum Laude), Ph.D. (Harvard); Member of Phi Beta Kappa, American Political Science Association (Committee on Labor).