July 16, 1969

Miss Angela Davis
1107 1/2 87th Street
Los Angeles, Calif. 90044

Dear Miss Davis:

The Regents of the University of California have a policy which specifies that no person who is a member of the Communist Party shall be employed by the University. The University has received reports to the affect that you are a member of that organization. An article appearing in the UCLA Daily Bruin of July 1, 1969 states that a person recently employed as an Acting Assistant Professor scheduled to begin teaching in the Winter Quarter in the Department of Philosophy is a member of the Communist Party. You have been appointed to such a position with a pay period from July 1, 1969 through June 30, 1970. An article in the San Francisco Examiner of July 9, 1969 indicates that you are the person referred to in the Bruin article.

Accordingly, I am constrained by Regental policy to request that you inform me whether or not you are a member of the Communist Party. Please furnish me with your written reply not later than July 25, 1969.

Sincerely yours,
To: Professor David Kaplan  
Vice-Chairman, Department of Philosophy  

From: Kenneth L. Karst  

Re: The constitutional validity of the Regents' resolutions of 1940 and 1949 prohibiting the University's employment of members of the Communist Party  

Introduction  

This memorandum responds to your request of July 30, 1969, on behalf of the Philosophy Department, for an opinion on the validity of two resolutions of the Board of Regents, as those resolutions are stated on page 37 of the Handbook for Faculty Members of the University of California:  

(1) The 1940 resolution is quoted in the Handbook. Its operative language is:  
"... membership in the Communist Party is incompatible with membership in the faculty of a State University."  

(2) The 1949 resolution is paraphrased in the Handbook as saying "that no member of the Communist Party shall be employed by the University."  

In 1969, the Regents adopted an amendment to Standing Order 102.1(a):  

"No political test shall ever be considered in the appointment and promotion of any faculty member or employee."  

The 1969 amendment appears, on its face, to supersede both the 1940 and the 1949 policies. However, the Regents might in the future choose to rescind their most recent declaration of policy, or to adopt an exception for the case of membership in the Communist Party. In this memorandum, I shall assume for purposes of argument that the 1969 amendment makes no change in the 1940 and 1949 resolutions, and that those resolutions continue to represent Regental policy.
Summary of Conclusions

I. The power to impose qualifications for employment relating to loyalty (or to membership in an organization said to be subversive) rests with the Legislature if it rests anywhere. Such a power does not rest with the Regents. Even if the Regents did have such power under the California Constitution, however, the Regents lack power, under the Constitution of the State of California, to impose employment qualifications relating to loyalty or to membership in political organizations.

The Regents of the University of California are a constitutional department of the government of the State. California Constitution article IX, section 9. Their orders have the force of statutes governing the University. See, e.g., Hamilton v. Regents of the University of California, 293 U.S. 245 (1934). Thus there are some areas of University affairs in which the Legislature cannot act. However, there are also areas of legislation that are outside the jurisdiction of the Regents. In Tolman v. Underhill, 39 Cal. 2d 708 (1952), the Supreme Court of California dealt with such an issue: the University of California loyalty oath. In its opinion striking down the Regents' requirement of such an oath for faculty members, the Court drew the controlling distinction between "matter[s] involving the internal affairs" of the University and "subject[s] of general state-wide concern." The first category falls within the legislative province of the Regents; the second falls within that of the Legislature. As the Court said in the Tolman opinion:

There can be no question that the loyalty of teachers at the university is not merely a matter involving the internal affairs of that institution but is a subject of general statewide concern. Constitutional limitations upon the Legislature's powers are to be strictly construed, and any doubt as to its paramount authority to
require University of California employees to take an oath of loyalty to the state and federal Constitutions will be resolved in favor of its action.

Thus it is the Legislature and not the Regents who are empowered to set loyalty tests and their equivalent in employment qualifications -- if any such tests may be required at all. In the next section, this memorandum demonstrates how the California Supreme Court has now held that even the California Legislature's efforts in this field are invalid violations of the freedoms of political association. But the principle of separation of powers that was enunciated in the Tolman decision remains the law of the California Constitution.

II. The 1940 and 1949 resolutions violate the freedoms of political association guaranteed by the First and Fourteenth Amendments to the United States Constitution.

Beginning in the early 1960s, the United States Supreme Court has consistently held invalid state and federal legislation either (a) forbidding employment of members of the Communist Party or other organizations described as subversive or dedicated to the violent overthrow of the Government, or (b) requiring, as conditions to employment, oaths or declarations of non-membership in such organizations. The Supreme Court of the State of California, following this line of decisions, has held invalid the "Levering oath" that was embodied in the California Constitution. I shall outline three decisions of the U.S. Supreme Court, and the California decision just mentioned. Then I shall comment on the relevance of these decisions to the Regents' 1940 and 1949 resolutions.

(1) Eliebrandt v. Russell, 384 U.S. 11 (1966), struck down an Arizona statute that made it a crime (perjury) for a public employee (in this case, a school teacher) to take the state's general oath of allegiance while knowingly being a member of the Communist Party or other organization dedicated to violent overthrow of the Government. The Court's opinion makes clear that "proscription of mere knowing membership, without any showing of 'specific intent' [intent to assist in achieving some unlawful purpose of the organization], would run afoot of the Constitution . . . ." The law, said the Court, imposed, "in effect, a conclusive presumption that the member shares the unlawful aims of the organization." Thus the law's coverage was too broad
in its infringement on constitutionally protected freedoms of political association. For a thorough discussion of the implications of this decision, see Israel, Elfbrandt v. Russell: The Demise of the Oath?, 1966 Supreme Court Review 193.

(2) Professor Israel's prediction, implicit in the title of his article, was confirmed in Keyishian v. Board of Regents, 385 U.S. 589 (1967), which held invalid several New York statutes governing the qualifications for employment as a teacher in a public school or in the State University of New York. (The parties in this case were members of the faculty of SUNY, Buffalo.) One of the statutes struck down made membership in the Communist Party prima facie evidence of disqualification to teach in the University. The Court's opinion paraphrased the Elfbrandt opinion, saying:

Mere knowing membership without a specific intent to further the unlawful aims of an organization is not a constitutionally adequate basis for exclusion from such positions as those held by appellants.

While under the law it was possible for the presumption of disqualification to be overcome by an employee, the presumption would stand unless the employee could show (a) that he was not a member of the Communist Party, or (b) that the Party did not advocate the violent overthrow of the Government, or (c) that the employee had no knowledge of such advocacy by the Party.

Thus proof of nonactive membership or a showing of the absence of intent to further unlawful aims will not rebut the presumption and defeat dismissal . . . . Thus [this statute and a parallel statute] suffer from impermissible 'overbreadth.' They seek to bar employment both for association which legitimately may be sanctioned and for association which may not be sanctioned consistently with First Amendment rights.

(3) The U.S. Supreme Court followed these two decisions with United States v. Robel, 389 U.S. 258 (1967), which struck down a portion of the (federal) Subversive Activities Control Act of 1950 making it a crime for a member of a Communist-action organization that is under a final registration order (here, the Communist Party) to be employed in a defense facility (here, a shipyard).
The Court's opinion uses language much like the language quoted from the Elfbrandt and Keyishian cases: "It is made irrelevant to the statute's operation that an individual may be a passive or inactive member of a designated organization, that he may be unaware of the organization's unlawful aims, or that he may disagree with those unlawful aims." While Congress does have the power to protect against espionage and sabotage, it must do so in narrowly-drawn legislation that does not bar from defense-facility employment persons whose political associations cannot be "proscribed consistently with First Amendment standards."

(4) On the basis of the Elfbrandt and Keyishian decisions, the California Supreme Court, in Vogel v. County of Los Angeles, 68 Cal. 2d 18, 64 Cal. Rptr. 409 (1967), held invalid section 3 of article XX of the California Constitution. This section required public employees to sign an oath disclaiming membership in any organization that advocates the violent overthrow of the Government. This was a suit by a taxpayer to enjoin the spending of public funds on the enforcement of the requirement of the challenged oath. The Court discussed the Elfbrandt and Keyishian decisions in detail, and specifically in reliance on those two decisions reversed its 1952 decision that upheld a similar oath that was prescribed in the Levering Act of 1950.

The four cited decisions make these points clear:

1. Membership in the Communist Party cannot constitutionally be made a disqualification for employment, including public employment, and specifically including employment as a member of a state university's faculty. More specifically,

2. A prospective employee of the University of California cannot be required to disclaim membership in the Communist Party as a condition on his being employed.

The Elfbrandt decision set the basic rule for constitutional validity in this area: Disqualification for employment cannot rest solely on the prospective employee's membership in the Communist Party, absent any showing of active and purposeful forwarding by the
prospective employee of aims of the Communist Party that are demonstrated to be unlawful. (Other court decisions make clear that the Party's illegal activity must itself be proved in each such case. See, e.g., Noto v. United States, 367 U.S. 290 (1961).) But the Elfbrandt decision dealt with a criminal statute, punishing one who took the oath of allegiance while he was a member of the Communist Party. The 1940 and 1949 resolutions of the Regents, it might be argued, do not impose punishment, but merely forbid the employment of a member of the Party. Here the Keyishian and Robel decisions are conclusive, making clear that the denial of employment on the basis of mere membership in the Communist Party is unconstitutional. (Robel did involve a criminal statute, but the language of the opinion also covers our situation: the statute, said the Court, "contains the fatal defect of overbreadth because it seeks to bar employment both for association which may be proscribed and for association which may not be proscribed consistently with First Amendment rights.")

The 1940 and 1949 resolutions of the Regents are even more clearly unconstitutional than was the statute in the Keyishian case that dealt with membership in the Communist Party. Under the New York statute, party membership was only prima facie evidence of disqualification for the prospective faculty member; under the Regents' resolutions, such membership is conclusive on the issue of disqualification.

The California Supreme Court's Vogel decision quite clearly applies to all public employees. Since the suit in question was a taxpayer's suit, challenging the spending of any County money on the enforcement of the oath, the decision does not rest on the peculiarities of one or another type of public employment. The oath in the Vogel case was held invalid on its face, not in any particular application.

One other matter deserves brief mention. Even after the overwhelming evidence that the U.S. Supreme Court and the California Supreme Court have determined the invalidity of employment disqualifications based on mere membership in the Communist Party, it might be argued that it is nonetheless appropriate for the University to make inquiry into such membership as a preliminary to a fuller inquiry into some possible illegal conduct on the part of a faculty member or a prospective employee. It should be clear from the foregoing discussion that if such a faculty member or prospective employee should refuse to answer such a question, the University could not constitutionally terminate or refuse employment on the basis of such a
refusal. Furthermore, the University could not constitutionally insist that the faculty member or prospective employee carry the burden of proving loyalty (or the absence of illegal conduct) as a condition on maintaining or securing his employment. The key decision on the last point is Speiser v. Randall, 357 U.S. 513 (1958).

Kenneth L. Karst
Vice-Chancellor David S. Saxon
2147 Murphy Hall
Campus

Dear Vice-Chancellor Saxon:

I'm writing about the administration's refusal to date to approve Miss Angela Davis' appointment to a Summer Fellowship, notwithstanding the unequivocal commitment previously made to her. While I did not attend the meeting called by philosophy department representatives on August 1 to discuss this, I was subsequently informed about what transpired. From every indication, what is involved is the overt intrusion of political tests for academic employment. This is morally and educationally impermissible. It is almost certainly unconstitutional. And to the degree that it results from regental pressure, formal or informal, it is wholly at odds with the Regents' stated renunciation of political tests for employment and represents a de facto reversal of their delegation of non-tenured hiring decisions to the campuses. It is therefore of the highest danger to the University. I do not doubt that numerous representations to this effect have been made to you. Nor, given your record, do I doubt either your concern for the principles involved or your awareness of the extreme danger this creates for the University. In light of this, it seems to me imperative that you approve Miss Davis' appointment now.

I wish to make a further point of special concern to me because of its relation to minority faculty recruitment. It is hard to believe Miss Davis' case will not come to be perceived by many people in baldly racial terms. Her race will not be regarded irrelevant to the treatment accorded her. In any event, whether intended or not, such political tests will tend to have a specially negative effect on the efforts to enlarge the minority faculty. If the University is serious in its desires to expand its minority faculty, it must be prepared for the fact that minority candidates will with some frequency have unconventional political backgrounds and views (judged from white perspectives), views and backgrounds in no way calculated to endear them to the governor or to those regents associated with his viewpoint. The contemporary black political environment guarantees that. If minority candidates must
establish their political acceptability to the regents or to the administration as a precondition to employment, our minority faculty recruitment program will become a mockery, as will our general claims to academic integrity. The University will, I am afraid, end up paying an incalculable price.

I am writing because of the urgency of the issues as I see them. If I am wrong in any of my assumptions about the facts, I apologize and ask that you correct me. I intend to raise this issue with the Equal Opportunity Committee at the earliest opportunity.

Sincerely,

Leon Letwin

LL: mj
August 18, 1969

To: L. Paige, D. Popper, H. Horowitz, L. Letwin, W. Wilcox,
P. Thorslev, G. Lacies, M. Price, C. Franker, N. Schwartz,
K. Karst

From: Donald Kalish, Chairman, Department of Philosophy

Subject: Progress report on the problems raised by the allegation that
Miss Angela Davis is a member of the Communist Party

1. On Thursday evening, August 14, 1969, the Summer Staff of the Department
of Philosophy met with Chancellor Young and Vice-Chancellor Saxon for a thorough
briefing on, and a discussion of, the problems involved.

2. In principle our two administrators share the point of view held by the
Department and expressed by several of you in letters you have written to the
Chancellor.

3. Although it would be naive to assume that the complex problems involved
can be resolved in an entirely satisfactory manner, it is my personal feeling that
our administrators are dedicated to achieving an entirely satisfactory resolution
of the problems.

4. The Chancellor's Office will continue to remain in close communication
with the Department during this week, and before the week is over you will
receive a further report from me.

Again on behalf of our Department, I wish to express appreciation for the
concern which each of you has shown.
Memorandum to:  **Friends of the Philosophy Department**

L. Paige        G. Laties
D. Popper       M. Price
H. Horowitz     C. Franker
L. Letwin       H. Schwartz
W. Wilcox       K. Karat
F. Thorslev     W. Warren

From:  Donald Kalish, Chairman, Department of Philosophy

Subject:  Lack of progress report on the problems raised by the
          allegation that Angela Davis is a member of the Communist Party.

The Assistant to the Chancellor, Miss Beverly Liss, communicated the following message from the Chancellor to the Department at 5:20 p.m. on Wednesday, August 20, 1969.

"I have been directed by the Regents (by their interpretation of their action of July 11, 1969) to take no steps affecting the employment status of Miss Angela Davis pending further action by the Regents following their receipt of the information which they instructed the Administration to obtain concerning the appropriateness of her employment under the terms of the Regental policy barring appointment of members of the Communist Party."

Later Wednesday evening the Chancellor gave me a frank and informal report in connection with the message above and indicated that he would also formally and officially report to the Department in writing either by Friday or Monday. You will receive either a carbon copy of this letter from the Chancellor's office or a duplicate sent from my office.

Again, on behalf of the Department, thanks for your continued support.
August 26, 1969

Professor Donald Kalish, Chairman
Department of Philosophy
Social Welfare Building
Campus

Dear Don:

During the past several weeks you have on numerous occasions, both in writing and discussions, communicated with Vice Chancellor Saxon and me regarding the status of the proposed summer stipend for Miss Angela Davis. Following our discussion of late last week, you, on behalf of the Department, asked that I put in writing my response to your request that I sign the Change of Status form which would effect the summer stipend payment.

I must tell you, as I did at that time verbally, that I have been directed by the Regents as a result of their action of July 11 to take no further steps affecting the employment status of Angela Davis pending further action by the Regents following receipt of the information which they instructed the administration to obtain concerning the appropriateness of her employment under the terms of existing Regental policy.

In response to other questions raised by you, I must report to you that the investigation I am required to make includes forwarding to her a copy of the original letter sent to her on July 16, 1969, and to which you make reference in your letter of August 7, 1969.

You and others making representations on behalf of the Department and the faculty generally have raised questions relating to the validity of the Regents' policy on constitutional and other grounds. Similar questions have also been raised regarding legal aspects of the summer stipend payments. While recognizing these issues, I must advise you that they are beyond my purview.
I very much appreciate the spirit you and other members of the Department have shown in the protracted discussions which have taken place on this matter.

Sincerely,

Charles E. Young
Chancellor

cc: Vice Chancellor David Saxon
To the Faculty of the University of California:

A serious violation of the academic freedom of a member of our Faculty is taking place. On behalf of the Philosophy Department, UCLA, I am sending you this account of the matter.

Last April, Miss Angela Yvonne Davis* was offered, and accepted, a teaching position and a summer research appointment in the Philosophy Department at UCLA, both to take effect July 1, 1969. These decisions were made in accordance with established University procedures. Miss Davis was furthermore assured that a continuation of her appointments for a second year would depend only on the adequate performance of her duties during the first year. The UCLA Administration signed Miss Davis' Employment Form for the teaching appointment on May 9, 1969. According to standard clerical procedures the form authorizing payment of her summer research stipend (Change in Employment Status Form) was not signed at that time.

On July 1, 1969, William Tulio Divale, a UCLA student, wrote a column in our campus paper, The Daily Bruin, trying to justify the fact that he had been working as an undercover agent for the FBI. In the course of his column he alleged that the Philosophy Department had hired a member of the Communist Party as an Acting Assistant Professor. He did not name the person to whom he referred.

On July 9, in a report by Ed Montgomery in the San Francisco Examiner, Miss Davis was named as the person to whom the column in the Bruin had referred. However, Montgomery described her, not as a member of the Communist Party, but as

* Miss Davis' curriculum vitae is as follows:

Born: January 26, 1944
1961-63 - Brandeis University, Waltham, Massachusetts.
1963-64 - The Sorbonne - Certificat de la Litterature Francaise Contemporaine.
9/67-12/68 - University of California, San Diego; M.A., Philosophy.
9/68 - Passed Ph.D. qualifying examination, Philosophy.
10/69-6/69 - Teaching Assistant, University of California, San Diego.
- Currently working on dissertation concerning problem of violence in German Idealism under supervision of Professor Herbert Marcuse.
"a known Maoist". American Maoists and American Communist Party members are antagonistic to one another. Montgomery also alleged that Miss Davis has been "active in the SDS and the Black Panthers..." The SDS and the Black Panthers are not Communist Party offshoots. Neither the striking discrepancy between the Divate and Montgomery accounts nor the reference to other groups was explained. Nor was any substantial evidence offered for the allegations about Miss Davis.

Neither article created a public stir. We know of no other public allegations regarding Miss Davis' political affiliations.

Yet on July 11, two days after the Examiner article appeared, The Regents of the University of California met and instructed the UCLA Administration to determine whether Miss Davis is a member of the Communist Party. They directed the Chancellor to report his findings at their meeting in mid-September. Miss Davis' Change in Employment Status Form for her summer research appointment had not, as of July 11, been signed. To this date it remains unsigned.

Certain University statutes and resolutions bear on this case, as do some recent decisions by the United States Supreme Court.

1. In 1940, and again in 1949, The Regents resolved that membership in the Communist Party shall disqualify one from becoming a member of the Faculty of the University of California.

2. In June, 1969, The Regents adopted a Standing Order reinstating their power to pass on tenure appointments in the University. However, in the course of that Order (102.1) they also stated that "No political test shall ever be considered in the appointment and promotion of any faculty member or employee."

3. In June also, the UCLA Academic Senate adopted, by vote of 696-151, a resolution of "warning to the campus administration, faculties, departments, and concerned Senate committees not to allow The Regents' recent withdrawal of campus control over academic promotions and appointments at the tenure level to result in any implicit or explicit self-censorship which permits the question of the political acceptability of candidates to intrude itself into the review process."

4. The Supreme Court, in the case of Keyishian v. Board of Regents, 385 U.S. 589 (1967), struck down New York statutes that made membership in the Communist Party grounds for disqualifying one from teaching in a public institution -- in this instance, New York's State University in Buffalo. Relying on the Keyishian and other decisions, the California Supreme Court, in Vogel v. County of Los Angeles, 68 Cal. 2d 18, 64 Cal. Rptr. 409 (1967), invalidated a section of the California Constitution requiring public employees to sign an oath disclaiming membership in any organization that advocates the violent overthrow of the Government.

These court decisions appear to establish the legal impropriety of disqualifying anyone from university employment on grounds of membership in the Communist Party, or any other political organization. Moreover, The Regents' Standing Order 102.1 can be construed as superseding earlier Regental resolutions prohibiting the employment of Communists. Yet by their actions The Regents have given evidence that they mean to violate Miss Davis' rights, to ignore the courts' rulings, and to force confrontation between themselves and a large portion of the University's faculty.
Up to August 20th, despite many meetings and communications between members of the Philosophy Department and the Chancellor, it was not certain whether the Administration would sign Miss Davis' Change in Employment Status Form. But on the afternoon of the 20th, after meeting with representatives of The Regents, the Chancellor informed the Philosophy Department that he had

"been directed by The Regents (by their interpretation of their action of July 11, 1969) to take no steps affecting the employment status of Miss Angela Davis pending further action by The Regents following their receipt of the information which they instructed the Administration to obtain concerning the appropriateness of her employment under the terms of the Regental policy barring appointment of members of the Communist Party."

In a letter dated August 26, 1969, the Chancellor repeated that he had been directed by The Regents to take no further steps affecting the employment status of Miss Davis. He went on to say,

"I must report to you that the investigation I am required to make includes forwarding to her a copy of the original letter sent to her on July 16, 1969, and to which you make reference in your letter of August 7, 1969."

The letter in question contained the sentence,

"I am constrained by Regental policy to request that you inform me whether or not you are a member of the Communist Party."

It was sent to Miss Davis on July 16, but it was returned undelivered and was not sent again at that time.

I, as the Chairman of the Philosophy Department, have throughout urged that Miss Davis should not be questioned regarding her alleged membership in the Communist Party. I have throughout also taken the position that the summer research employment represents a valid University obligation, and that the Change in Employment Status Form ought to be signed without delay. These positions were affirmed on August 22, 1969, in a resolution (full text attached) passed by unanimous vote of those active members of the Department who were then in Los Angeles. In the same resolution the Department also declared that it will not cooperate with any inquiry into Miss Davis' political affiliations, or any further review of her qualifications otherwise than in accordance with normal University procedures. We mean to adhere both to orderly procedure and to established law, despite higher official actions that go contrary to both.

Members of the Committees on Academic Freedom and on Privilege and Tenure of the Los Angeles Division of the Academic Senate, and officers of the American Association of University Professors, have been fully informed of these events. Since one of the allegations against Miss Davis is that she is a member of the Black Panthers, members of the Department have also been in communication with UCLA's Committee of Black Faculty and Administrators. Colleagues representing diverse viewpoints have, when informed of the matter, expressed strong agreement with the Department's position. An interested Faculty group is making plans for litigation designed to enjoin the University Administration from pursuing the path of confrontation on which they have set foot.

Donald Kalish,

Donald Kalish, Chairman
for the Department of Philosophy, UCLA
Miss Angela Davis was offered a teaching position and a special summer research appointment, both to take effect July 1, 1969. These actions were taken after full review and confirmation by appropriate agencies in accordance with established University procedures. Miss Davis was furthermore assured that a continuation of her appointments for a second year would be contingent only on the adequate performance of her duties during the first year. We therefore urge that the University's contractual obligations be honored without further delay.

Moreover, we can see no good reason why further review of Miss Davis' qualifications need be made at this time. In particular, we oppose and will not cooperate with efforts to secure any information that pertains to Miss Davis' political affiliations, nor will we cooperate with any effort to review Miss Davis' qualifications otherwise than in accordance with normal University procedures. Any political inquiry would damage the very basis on which a great university must rise; would violate first amendment protections recently affirmed by the Supreme Court (in the case of *Keyishian vs. Board of Regents*, 1967); and would be absolutely incompatible with the Regents' Standing Order 102.1, passed earlier this year, which flatly states that "No political test shall ever be considered in the appointment and promotion of any faculty member or employee".

The Soviet Union has imposed political tests on many of its most creative individuals. It is sad that a comparably illicit use of power to impose a test of political conformity must be resisted here on the Los Angeles campus of the University of California. That this illegal and immoral act is official does not make it less an intrusion on the orderly and reasoned processes by which our University has traditionally done its business. If relevant officials persist in their present course of action, the belief that the University of California is a place where reason holds sway will be proved a myth.

The above resolution was approved unanimously at a meeting of all available members of the Philosophy Department. Those present were:

- John Bennett
- Thomas Hill
- Donald Kalish
- David Kaplan
- Arnold Kaufman
- David Lewis
- Richard Montague
- John Perry
- Sandra Peterson
- Richard Wasserstrom
- Robert Yost

The following members of the Department, not present at the meeting of August 22, have since registered their approval of the resolution:

- Montgomery Furth
- Herbert Morris
- Wade Savage
To the Faculty of the University of California:

A serious violation of the academic freedom of a member of our faculty is taking place. On behalf of the Philosophy Department, UCLA, I am sending you this account of the matter.

Last April, Miss Angela Yvonne Davis* was offered, and accepted, a teaching position and a summer research appointment in the Philosophy Department at UCLA, both to take effect July 1, 1969. These decisions were made in accordance with established University procedures. Miss Davis was furthermore assured that a continuation of her appointments for a second year would depend only on the adequate performance of her duties during the first year. The UCLA Administration signed Miss Davis' Employment Form for the teaching appointment on May 9, 1969. At the request of the Academic Personnel Office the form authorizing payment of Miss Davis' summer research stipend (Change in Employment Status Form) was not submitted at this time; indeed, it was not until June 20 that the Department was informed that the Change in Employment Status form should be submitted.

On July 1, 1969, William Tulio Divale, a UCLA student, wrote a column in our campus paper, The Daily Bruin, trying to justify the fact that he had been working as an undercover agent for the FBI. In the course of his column he alleged that the Philosophy Department had hired a member of the Communist Party as an Acting Assistant Professor. He did not name the person to whom he referred.

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9/68 - Passed Ph.D. qualifying examination, Philosophy.
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- Currently working on dissertation concerning problem of violence in German Idealism under supervision of Prof. Herbert Marcuse.
of the Communist Party, but as "a known Maoist". Montgomery also alleged that Miss Davis has been "active in the SDS and the Black Panthers..." Neither the striking discrepancy between the Divale and Montgomery accounts nor the reference to other groups was explained. Nor was any substantial evidence offered for the allegations about Miss Davis.

Neither article created a public stir. We know of no other public allegations regarding Miss Davis' political affiliations.

Yet on July 11, two days after the Examiner article appeared, The Regents of the University of California, at their regular meeting, instructed the Administration to determine whether Miss Davis is a member of the Communist Party. They directed the Administration to report its findings at their meeting in mid-September. Miss Davis' Change in Employment Status Form for her summer research appointment had not, as of July 11, been signed. To this date it remains unsigned.

Certain University statutes and resolutions bear on this case, as do some recent decisions by the United States Supreme Court.

1. In 1940, and again in 1949, The Regents resolved that membership in the Communist Party shall disqualify one from becoming a member of the Faculty of the University of California.

2. In June, 1969, The Regents adopted a Standing Order reinstating their power to pass on tenure appointments in the University. However, in the course of that Order (102.1) they also stated that "No political test shall ever be considered in the appointment and promotion of any faculty member or employee."

3. In June also, the UCLA Academic Senate adopted, by vote of 596-151, a resolution of "warning to the campus administration, faculties, departments, and concerned Senate committees not to allow The Regents' recent withdrawal of campus control over academic promotions and appointments at the tenure level to result in any implicit or explicit self-censorship which permits the question of the political acceptability of candidates to intrude itself into the review process."

4. The Supreme Court, in the case of Keyishian v. Board of Regents, 385 U.S. 589 (1967), struck down New York statutes that made membership in the Communist Party grounds for disqualifying one from teaching in a public institution—in this instance, the State University of New York at Buffalo. Relying on the Keyishian and other decisions, the California
Supreme Court, in Vogel v. County of Los Angeles, 63 Cal. 2d 10, 64 Cal. Rptr. 409 (1967), invalidated a section of the California Constitution requiring public employees to sign an oath disclaiming membership in any organization that advocates the violent overthrow of the Government.

These court decisions appear to establish the legal impropriety of disqualifying anyone from university employment on grounds of membership in the Communist Party, or any other political organization. Moreover, The Regents' Standing Order 102.1 can be construed as superseding earlier Regental resolutions prohibiting the employment of Communists. Yet by their actions The Regents have set foot on a path which leads to a violation of Miss Davis' rights, to a disregard of the courts' rulings, and to a confrontation between themselves and a major portion of the University's faculty.

Up to August 20th, despite many meetings and communications between members of the Philosophy Department and the Chancellor, it was not certain whether the Administration would sign Miss Davis' Change in Employment Status Form. But on the afternoon of the 20th, after meeting with representatives of The Regents, the Chancellor informed the Philosophy Department that he had been directed by The Regents (by their interpretation of their action of July 11) to take no steps affecting the employment status of Miss Angela Davis pending further action by The Regents following their receipt of the information which they instructed the Administration to obtain concerning the appropriateness of her employment under the terms of the Regental policy barring appointment of members of the Communist Party.

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"I must report to you that the investigation I am required to make includes forwarding to her a copy of the original letter sent to her on July 16, 1969, and to which you make reference in your letter of August 7, 1969."

The letter in question contained the sentence,

"I am constrained by Regental policy to request that you inform me whether or not you are a member of the Communist Party."
It was sent to Miss Davis on July 16. Miss Davis, however, no longer resided at that address, and hence the letter was returned undelivered and was not sent again at that time.

I, as the Chairman of the Philosophy Department, have throughout urged that Miss Davis should not be questioned regarding her alleged membership in the Communist Party. I have throughout also taken the position that the summer research employment represents a valid University obligation, and that the Change in Employment Status Form ought to be signed without delay. These positions were affirmed on August 22, 1969, in a resolution (full text attached) passed by unanimous vote of those active members of the Department who were then in Los Angeles. In the same resolution the Department also declared that it will not cooperate with any inquiry into Miss Davis' political affiliations, or any further review of her qualifications otherwise than in accordance with normal University procedures. We mean to adhere both to orderly procedure and to established law, despite higher official actions that go contrary to both.

Members of the Committees on Academic Freedom and on Privilege and Tenure of the Los Angeles Division of the Academic Senate, and officers of the American Association of University Professors, have been fully informed of these events. Since Montgomery, in the Examiner article, alleged that Miss Davis is a member of the Black Panthers, members of the Department have also been in communication with UCLA's Committee of Black Faculty and Administrators. Colleagues representing diverse viewpoints have, when informed of the matter, expressed strong agreement with the Department's position. An interested faculty group is making plans for litigation designed to enjoin the University Administration from pursuing the path of confrontation on which it has set foot.

Donald Kalish, Chairman  
for the Department of Philosophy,  
UCLA
RESOLUTION OF THE DEPARTMENT OF PHILOSOPHY, AUGUST 22, 1969

Miss Angela Davis was offered a teaching position and a special summer research appointment, both to take effect July 1, 1969. These actions were taken after full review and confirmation by appropriate agencies in accordance with established University procedures. Miss Davis was furthermore assured that a continuation of her appointments for a second year would be contingent only on the adequate performance of her duties during the first year. We therefore urge that the University's contractual obligations be honored without further delay.

Moreover, we can see no good reason why further review of Miss Davis' qualifications need be made at this time. In particular, we oppose and will not cooperate with efforts to secure any information that pertains to Miss Davis' political affiliations, nor will we cooperate with any effort to review Miss Davis' qualifications otherwise than in accordance with normal University procedures.

Any political inquiry would damage the very basis on which a great university must rise; would violate first amendment protections recently affirmed by the Supreme Court (in the case of Keyishian vs. Board of Regents, 1967); and would be absolutely incompatible with the Regents' Standing Order 102.1, passed earlier this year, which flatly states that "No political test shall ever be considered in the appointment and promotion of any faculty member or employee".

The Soviet Union has imposed political tests on many of its most creative individuals. It is sad that a comparably illicit use of power to impose a test of political conformity must be resisted here on the Los Angeles campus of the University of California. That this illegal and immoral act is official does not make it less an intrusion on the orderly and reasoned processes by which our University has traditionally done its business. If relevant officials persist in their present course of action, the belief that the University of California is a place where reason holds sway will be proved a myth.

The above resolution was approved unanimously at a meeting of all available members of the Philosophy Department. Those present were:

John Bennett
Donald Kalish
Arnold Kaufman
Richard Montague
Gandra Peterson
Robert Yost

Thomas Hill
David Kaplan
David Lewis
John Perry
Richard Wasserstrom

The following members of the Department, not present at the meeting of August 22, have since registered their approval of the resolution:

Montgomery Furth
Herbert Morris
Wade Savage
Memorandum to: Friends of the Philosophy Department

Lowell Paige  
Dean's Office  
College of Letters and Science  
D. Popper - Astronomy  
M. Horowitz - Law  
L. Letwin - Law  
W. Wilcox - Journalism  
P. Thorley - English  
W. Cohen - Law  
G. Laties - Botanical Sciences  
M. Price - Law  
C. Franker - Dentistry  
H. Schwarts - Law  
K. Karst - Law  
W. Warren - Law

From: Donald Kalish, Chairman, Department of Philosophy

Subject: The Davis Matter

August 28, 1969

Attached is a copy of a letter from Chancellor Young to me which I mentioned you could expect in my note to you of August 21. Also enclosed is the text of the letter referred to in the third paragraph of the Chancellor's letter to me. Finally, I am enclosing a copy of a letter that the Department has requested the Academic Senate office to distribute to the faculty. I hope these documents give you a clear picture of where the matter is as of this day.

Again, on behalf of the Department, thanks for your continued support.
Memorandum to: Friends of the Philosophy Department

Lowell Paige
Dean's Office
College of Letters and Sciences
D. Popper - Astronomy
H. Horowitz - Law
L. Letwin - Law
W. Wilcox - Journalism

P. Thorslev - English
W. Cohen - Law
G. Laties - Botanical Sciences
M. Price - Law
C. Franker - Dentistry
H. Schwartz - Law
K. Karst - Law
W. Warren - Law

From: Donald Kalish, Chairman, Department of Philosophy

Subject: The Davis Matter

Miss Davis has returned to Los Angeles and I had the pleasure of spending the afternoon with her yesterday. She will come to the campus tomorrow (Wednesday), and perhaps will want to confer with some of you; I will be happy to handle the introductions.

The copy of the letter to the faculty which I sent you in my memo of August 28th should be treated as a draft. It is still our plan to distribute this letter through our Academic Senate office, but the final version will differ slightly from the copy I sent you both in style and one or two minor factual points, e.g., I forgot to indicate that the meeting of the Regents of July 11 was a regular meeting -- not just one to consider the Davis Matter.

Again, on behalf of the Department, thanks for your continued support.
TO:  LOWELL PAIGE, CHAIRMAN  
ACADEMIC SENATE

FROM:  PETER THORSLEV, CHAIRMAN  
COMMITTEE ON ACADEMIC FREEDOM

The Academic Freedom Committee has been requested by members of the Department of Philosophy and by yourself to investigate and report to the Senate: (1) on the possible infringement of academic freedom involved in the Administration's refusal to sign the final papers for the summer appointment of Miss Angela Davis in the Department of Philosophy; (2) on the general issue of whether or not the Regents' Resolutions of 1940 and 1949, which the Regents invoked in this case in spite of their seeming inconsistency with the Standing Order of April, 1969, are consonant with the principles of academic freedom.

First, as to the particular case of the appointment of Miss Davis: it is evident to the Committee that the Department and the Administration acted in perfect good faith and in accordance with proper academic procedures in the negotiation and signing of the contract for Miss Davis' appointment as Acting Assistant Professor. The question of her alleged political affiliations was never raised, and even had it been, it would have been irrelevant on the general grounds of academic freedom, especially in view of the reaffirmation of these principles in Standing Order 102.1, which states that "no political test shall ever be considered in the appointment or promotion of any faculty member or employee." Therefore, the Committee deems it both immoral and illegal for the administration, on direction of the Regents, to withhold Miss Davis' summer fellowship, which was understood by both parties, from the first, to be a condition of employment—an understanding expressed both orally and in writing by the Department and by the Administration.

On the more general issue of academic appointments and confessed or covert political affiliations: the Committee holds that any action in compliance with the Resolutions of 1940 and 1949 is inconsistent with the principles of academic freedom, and that these Resolutions should therefore be disavowed. Similar rules and regulations which make membership in the Communist Party in itself sufficient grounds for exclusion from University faculties have been declared unconstitutional in the courts, and have been repudiated by Academic Senates, most recently by the Los Angeles Division in the Resolution passed in June, 1969.
The only argument for such rules which might seem on the face of it to have any merit is that some political affiliations can perhaps be used as evidence that the appointee is committed to party dogma and to prejudged conclusions which might frustrate free and impartial inquiry. This is not really a matter of political affiliation, but of the qualities of mind-openness and impartiality of the prospective appointee, and such qualities are certainly legitimate considerations in matters of academic appointments. On this point, however, the Committee maintains that such attributes should be judged on the basis of the appointee's past academic performance rather than on the basis of his affiliations. To investigate into or use personal political commitments or beliefs for the purposes of academic appointment is repugnant to the basic principles of a free university. An instructor's academic performance is a matter of public record, and it is surely on the basis of his public record that he should be judged.

This Committee will therefore move the following resolutions before the next meeting of the Academic Senate:

That the Academic Senate, Los Angeles Division, request the Administration to sign the final papers for Miss Davis' appointment without further delay, and to withdraw the letter asking her to disclose her political affiliations.

That the Academic Senate request that the Regents rescind those Resolutions of 1940 and 1949 which make political affiliation a consideration in academic employment.
September 8, 1969

To: Faculty Members

From: Lowell J. Paige, Chairman
       Academic Senate, Los Angeles Division

The faculty members of the Department of Philosophy have requested that the Division distribute the enclosed letter to all members of the Academic Senate. You will also find enclosed a statement by the Committee on Academic Freedom on this matter.

I would also like to inform all Senate members that Professor Eugene Stern has resigned as Vice Chairman of the Senate effective September, 1969.

The By-Laws of the Senate require a special election to be held within two months in order to provide for a replacement. Hence, I am requesting the Secretary to proceed with a special election of a Vice Chairman as soon as possible.
A meeting of an ad hoc group interested in the issues raised in connection with the appointment of Professor Angela Davis was held on Monday, September 15, 1969.

In attendance were:

Peter Thorslev (English, Chairman, Academic Freedom Committee)
Lowell Paige* (Mathematics, Chairman, Academic Senate)
Leon Latwill (Law, Chairman, Equal Opportunity Committee)
Douglas Hobbs (Political Science)
Colin Franker (Dentistry, President A.A.U.P. Chapter)
George Laties (Botanical Sciences, Chairman, Privilege and Tenure Committee)
Robert Yost (Philosophy)
Warren Quinn (Philosophy)
Thomas Hill (Philosophy)
David Lewis (Philosophy)
Montgomery Furth (Philosophy)
Robert Singleton (Business Administration, Director, Afro-American Studies Center)
John Bennett (Philosophy)
John Perry (Philosophy)
Herbert Morris (Philosophy and Law)
Arnold Kaufman (Philosophy)
Richard Wasserman (Philosophy and Law)
Angela Davis (Philosophy)
Kenneth Karst (Law)
Michael Tiger (Law)
Harold Horowitz (Law)
David Kaplan (Philosophy)
Sandra Peterson* (Philosophy)
Wade Savage* (Philosophy)
Donald Kalish* (Philosophy)

* not present for the entire meeting

1. It was reported that Professor Davis had replied to the Chancellor's inquiry regarding her membership in the Communist Party, but that her attorney desiring that the Regents respond to the reply on its merits, advised her not to reveal its contents before the Regents' meeting. However, since the reply had been reported to members of faculty by the Chancellor's office and was thus known to a number though not all of those present, Professor Davis agreed to read her reply to the persons present, while requesting that it still not be made public before the Regents' meeting.

2. In her reply to the Chancellor, Professor Davis reports that she is presently a member of the Communist Party.

3. In response to questions, Professor Thorslev reported that the fact of Professor Davis' affirmative reply to the Chancellor's inquiry had been told to him by Vice-Chancellor Saxon by way of fore-warning that we were on a "collision course" with the Regents.

4. Professor Laties raised questions which were then discussed, concerning the nature of the authority which the Regents hold in this matter. Included in the discussion was the nature of their authority over the Chancellor on such questions.
5. It was unanimously agreed that knowledge of the contents of the reply did not affect our view of the issues in question nor would it affect the views of those faculty members with whom we were acquainted.

6. Professor Hobbs remarked that the reply seemed to make moot the call, in the first proposed resolution of the Academic Freedom Committee, for the Administration to withdraw their inquiry, and that some segments of the faculty, who were reluctant to direct their censure at the local administration, would welcome this fact.

7. Professor Karst and others reported that the fact that no faculty suit had been brought challenging the Regental regulation on Communist Party membership reflected no lack of commitment on the part of interested faculty members, but resulted from practical difficulties involved in finding a suitable law firm to handle the case. There are a number of different legal roles our group might adopt, e.g. to join with Professor Davis either as plaintiffs or Amicus Curiae in case she should file suit, or proceed in accordance with earlier plans to file suit independently. It was generally agreed that at this stage we should not lay detailed legal plans but should await the action of the Regents and the response of Professor Davis and her attorney.

8. Knowledgeable sources are reported to expect that the Regents will be convinced by the legal opinions they receive that the Communist Party resolutions are constitutionally invalid, but that they will not allow this to affect their actions.

9. Professor Franker reported that our local A.A.U.P. Chapter has already laid plans to convene all U.C. Chapter presidents preparatory to a state-wide suit should Professor Davis be dismissed. In such an eventuality it would be expected the National A.A.U.P. would enter the case. The General Counsel to the (National) A.A.U.P., William Van Aistyn, is a personal friend of a number of persons present.

10. The question of "polarization" of faculty was discussed and it was agreed that though diverse elements in the University community might view the issue of the challenges to Professor Davis' appointment from slightly different perspectives we could expect a substantial consensus on the central issues.

11. The persons present agreed to constitute ourselves an Ad Hoc Group on the Angela Davis matter. (The undersigned proposed the name; "The Ad Hoc Group for the Defense of Academic Freedom")

12. Professor Singleton suggested a number of possibilities for actions which this group could take, were Professor Davis to be dismissed, to insure that she not simply fade from sight. These suggestions included raising funds to replace her salary, arranging that her classes be continued, etc. The Organization of Black Faculty and Staff is expected to consider shortly a number of proposals for actions in response to a possible adverse action by the Regents.

13. An extended discussion took place on the wisdom of withholding the contents of Professor Davis' letter pending the Regents' meeting. It was ultimately decided that release of the letter to the press at this time would probably not, on balance, serve our interests.

14. Professor Paige reported that a regular meeting of the Academic Senate is presently planned for Oct 13. A "Special" meeting could be called a week or so earlier. Only an "Emergency" meeting could be called before early October.
15. It was decided to request representatives of certain relevant faculty organizations to write to the following persons: Chairman Paige, Chancellor Young, President Hitch, and the Chairman of the (State-wide) Assembly. (Francis Sooy, San Francisco). (The Chairmanship of the Academic Council is held ex officio by the Chairman of the (State-wide) assembly.) These letters were to document the fact that our faculties' convictions on the present matter were unaffected by knowledge of the contents of Professor Davis' letter. (The undersigned subsequently suggested to the Chairman of the Committee on Privilege and Tenure that his remarks concern only the fact that By-Law 112 of the (State-wide) Academic Senate requires that proceedings for the dismissal of officers of instruction shall be conducted before a Divisional Committee on Privilege and Tenure in accordance with certain principles and rules of procedure (e.g. charges may be filed only the the President or his designated representative).)

17. The undersigned agreed to serve as Acting Chairman of a Steering Committee and to appoint such a committee.

18. It was agreed to defer decision on proposals such as those suggested by Professor Singleton (Item 11) to the next meeting of the Ad Hoc Group.

19. The next meeting of the Ad Hoc Group will take place at 10:00 a.m., Monday, September 22, 1969 in Social Welfare 325.

David Kaplan
Acting Chairman
PROFESSOR ADMITTED COMMUNIST

Explosive Academic Freedom Case Confronts UC Regents

BY KENNETH REICH and WILLIAM TROMBLEY

Times Staff Writers

SAN FRANCISCO — The UC Board of Regents today is confronted with the most explosive academic freedom case to arise in the state since the UC loyalty oath fight of the early 1950s.

It must decide whether to fire Angela Davis, a young Negro philosophy professor at UCLA who is a member of the Communist Party.

The regents have a policy against hiring Communists. It has never been tested in court, but in similar cases in other states the U.S. Supreme Court has declared such policies and laws unconstitutional.

The dangers of the Angela Davis case are magnified by the fact that she is a militant black who has strong support from black students and faculty members at UCLA.

Case Widely Discussed

The case has been widely discussed within the university in recent weeks. However, it was not general knowledge until Robert Singleton, director of the Afro-American Studies Center at UCLA, stood up in a regents' committee meeting at the UC Extension Center here Thursday afternoon and asked permission to discuss the Davis case. Singleton was refused permission to speak, but he then held a corridor news conference in which he accused the regents of "a paternalistic effort to prescribe for the black community a political litmus test."

The regents will decide Miss Davis' fate at a closed door meeting today. It is considered probable that they will fire the young professor even though they know their 1949 policy against hiring Communists is not likely to hold up in court.

"We just couldn't stand the heat of being called 'soft on communism,'" one board member said in explaining the regents' probable course of action.

UCLA Chancellor Charles E. Young has warned that the dismissal of Angela Davis will cause a row "that will make the loyalty oath fight look like a Sunday School picnic."

Chancellor William J. McGill of UC San Diego said the firing would "cause a great deal of trouble throughout the university and nationally as well."

'Constrained by Policy'

On Aug. 26 Young, acting at the direction of the Board of Regents, wrote Miss Davis a letter that contained this sentence:

"I am constrained by regental policy to request that you inform me whether or not you are a member of the Communist Party."

On Sept. 5, Miss Davis, hired by the philosophy department last spring to teach such courses as dialectical materialism and existentialism, replied:

"... It would seem plain that you are without authority to require answers concerning mere membership in the Communist Party or to deprive me of employment on such grounds."

"However, and without waiving

Please Turn to Page 18, Col. 1
Continued from First Page

my objections to the question posed, my answer is that I am now a member of the Communist Party..."

Until Thursday UC officials thought about the Davis case largely in terms of academic freedom, but it became apparent Thursday that black students and faculty members at UCLA consider it an important racial issue as well.

When Singleton sought to speak at a meeting of the regents' educational policy committee, he said the case would have "a desperate effect on the rest of the black community at UCLA."

Later, in his corridor remarks, Singleton said "this move against a qualified black teacher raises grave doubts as to the regents' desire to encourage black participation in the university."

Lamar Lyons, vice chairman of the Black Students Union at UCLA, said, "many black leaders, to whom black people look as symbols, have been connected directly or indirectly with the Communist Party."

Henry McGee Jr., an acting professor at UCLA law school, said Communist Party membership is "a white obsession—it's not relevant to black people."

Ed Maddox, another BSU member, said blacks will consider the Angela Davis case "a threat to developing the kind of leaders we need and not the kind white people think we ought to have."

UCLA officials expressed concern that the case might lead to a coalition of black students and white radical students, an alliance that has not formed on the Westwood campus in the past.

Miss Davis went through the usual recruitment proceedings and was hired nearly two months before the possibility that she might be a Communist Party member. On June 30, the regents had adopted an appointment and promotion policy which included this declaration: "No political test shall ever be considered in the appointment and promotion of any faculty member or employee."

Who is Angela Davis?

On first meeting, she is an attractive, tall, bronze-skinned woman of 25 with a natural hair-do. She is direct, soft-spoken and self-possessed.

She majored in French literature at Brandeis University, where she did undergraduate work, taking her junior year abroad at the Sorbonne in Paris. She was graduated from Brandeis, magna cum laude and Phi Beta Kappa, in 1965.

From 1965 to 1967, she did graduate work in the field of German Idealism at the Goethe University in Frankfurt, West Germany. Later in 1967 and in 1968 she continued her studies at UC San Diego under famed "New Left" philosopher Herbert Marcuse, becoming a teaching assistant there in the 1968-69 school term.

Having been awarded a master's degree, she passed her qualifying examination for a Ph.D. in philosophy at UCSD in September, 1968.

The UCLA figure most
Continued from 18th Page

instrumental in hiring Miss Davis last spring was Prof. Donald Kalish, chairman of the school's philosophy department.

Kalish since 1965 has been extremely active in the anti-Vietnam war movement and a variety of other New Left causes. At present, he is an important organizer of militant demonstrations planned nationwide against the war on Nov. 15.

Kalish was vice chairman of the Peace Action Council which, in 1967, spearheaded a massive anti-war march at the Century Plaza where then-President Lyndon B. Johnson was appearing.

In two lengthy interviews in the last 10 days and as often as he has been asked elsewhere, Kalish has said he had no idea Miss Davis was a Communist when he hired her and that the first he heard of it was from the Divale article.

Wouldn't Matter

But even if he had known she was a Communist, the professor adds, it would have made no difference.

"If somebody had given me concrete evidence that she was a member of a political party, I would have brought that information to the whole department," he says. "But my prediction is, I know what my own feeling would be, it would have been considered irrelevant.

"It would have been brought into discussion, and it would have been considered a positive point in that she was involved and an irrelevant point in that she was a Communist."

Kalish said that pursuing a need for an instructor in the fields Miss Davis will teach, and conscious of the drive at UCLA to hire more black professors, he had immediately decided to seek her out when he had learned in a telephone conversation with the chairman of the philosophy department at Princeton University that Miss Davis was being considered for employment there.

Routine Hiring

In any case, her hiring went through routinely after discussion in the department and approval of the pertinent academic dean and administration.

The administrators, insofar as they thought about the appointment at all, were extremely pleased that such an apparently well-qualified young black teacher was being recruited in a formerly all-white department.

In interviews last week, two high-ranking administrators were asked what would have happened if they had known about Miss Davis' Communist Party affiliation. Would they have tried to sidetrack the appointment?

Both gave vague answers. One said that by the time such an issue got to the chancellor's office it would be "non-trivial" and it would have been almost impossible for the administration to act against Miss Davis without sparking a serious kind of campus row.

"There'd be no problem (getting her accepted) and yet I'd be a lot more concerned if she were a Maoist," he said. "Hell, she's pretty conservative."

This point was brought up in several interviews on the campus.

A law school professor of a square organization like the Communist Party."

This summer, as the issue over Miss Davis' appointment slowly gathered steam, the members of the philosophy department successfully sought aid in her behalf from leaders of the UCLA Academic Senate, the American Assn. of University Professors (AAUP) chapter on campus and other interested faculty members.

Administrators and other observers believe an impressive consensus has gathered behind her.

Most of these professors are very forceful in their expression of support, last week's interviews indicated.

Miss Davis, on the advice of her attorney, would not agree to an interview on the dispute surrounding her.

However, a copy of her letter to the chancellor was obtained from an independent source.

In the letter, Miss Davis gives a brief explanation of why she is a member of the Communist Party, saying:

"While I think this membership requires no justification here, I want you to know that as a black woman, I feel an urgent need to find radical solutions to the problems of racial and national minorities in white capitalist United States."

Widens Horizons

"I feel that my membership in the Communist Party has widened my horizons and expanded my opportunities for perceiving such solutions and working for their effectuation. The problems to which I refer have lasted too long and wreaked devastation too appalling to permit complacency or half-measures in their resolution."

"It goes without saying, of course, that the advocacy of the Communist Party during my period of membership in it has, to my knowledge, fallen well within the guarantees of the First Amendment (to the U.S. Constitution)."

"Nor does my membership in the Communist Party involve me in any commitment to principle or position governing such
what my own feeling would be, it would have been considered irrelevant. "It would have been brought into discussion, and it would have been considered a positive point in that she was involved and an irrelevant point in that she was a Communist."

Kalis said that pursuing a need for an instructor in the fields Miss Davis will teach, and conscious of the drive at UCLA to hire more black professors, he had immediately decided to seek her out when he had learned in a telephone conversation with the chairman of the philosophy department at Princeton University that Miss Davis was being considered for employment there.

Swarthmore Offer

Princeton eventually decided that Miss Davis was not far enough along in her work to be hired. But Swarthmore College in Pennsylvania did make her an offer. The chairman of that school's philosophy department, Daniel Bennett, said last week that she had impressed him as "a first-rate intellect."

There appears to be a general agreement at UCLA that she is well qualified academically for the $9,684-a-year temporary appointment she has received.

Kalis said the first person he had called for a recommendation on Miss Davis was Marcuse, who not only was her mentor at San Diego but also had instructed her at Brandeis.

The other said, "I've tried to work that through in my mind ... What would my own position have been at the time if I'd known, I don't know."

The administrator explained that he had to balance off his knowledge that the regents and the people of the state would not approve of such an appointment with the consciousness of changing attitudes toward Communists, attitudes on the campus and moral, legal and practical questions of many varieties.

He went on to point out that important court decisions in recent years had ruled out tests of Communist Party membership as

ship in the Communist Party has widened my horizons and expanded my opportunities for perceiving such solutions and working for their effectuation. The problems to which I refer have lasted too long and wreaked devastation too appalling to permit complacency or half-measures in their resolution.

"It goes without saying, of course, that the advocacy of the Communist Party during my period of membership in it was, to my knowledge, fallen well within the guarantees of the First Amendment (to the U.S. Constitution).

"Nor does my membership in the Communist Party involve me in any commitment to principle or position governing either my scholarship or my responsibilities as a teacher."

She did not say how long she had been in the party or what activities she had participated in there.
September 23, 1969

TO WHOM IT MAY CONCERN:

Enclosed is a copy of a resolution approved by the Student Legislative Council during its meeting of September 22, 1969.

We hope that you will consider this matter in light of the resolution and the sociological problems which prompted it.

Thank you.

Student Legislative Council
Undergraduate Students Association, UCLA
RESOLUTION

TO: Academic Senate at UCLA
    Black Studies Center at UCLA
    Board of Regents of the University of California
    News Media
    Governor Ronald Reagan
    Chancellor Charles E. Young

WHEREAS, in flagrant contradiction to the Constitution of the United States (Keysihan versus the Board of Regents, State of New York), their own stated policy of rejecting political considerations in faculty matters, and the honored principles of academic integrity, the Board of Regents of the University of California did, on Friday, September 19, 1969, dismiss Angela Davis from the faculty of the University of California at Los Angeles; and

WHEREAS, this action can, therefore, only be construed as an attack upon Miss Davis for reason of her race and her efforts toward Black liberation; and

WHEREAS, such undeniably racist action is morally and intellectually repugnant and encroaches upon the human freedoms of all:

NOW, THEREFORE, BE IT RESOLVED that the members of the Student Legislative Council of the Undergraduate Students Association of the University of California at Los Angeles demand that the Board of Regents of the University of California rescind their action of September 19, 1969, concerning Angela Davis, and reinstate her in her rightful position as Acting Assistant Professor of Philosophy with all the rights and privileges therein contained.

Sponsored by:

Thomas M. Norminton
Student Body President, UCLA

Co-Sponsored by:

Mark Bookman
Administrative Vice President, UCLA

Mrs. Toni Cook
General Representative, UCLA
PRESS RELEASE issued by Miss Angela Y. Davis, Acting Assistant Professor of Philosophy, UCLA
September 23, 1969

Joseph McCarthy's irrational attacks on the basic rights of man are explained away by many Americans as an unfortunate scar in the past history of this country. They do not realize that we may now be embarking upon an era marked by far greater destruction of human rights. The first target will continue to be the Black and Brown people active in the movement for their liberation in the community and on the campus.

The Regents seem intent on meting out punishments which concur with the fascist tendencies of the times. The sole reason they give for their intention to fire me is my membership in the Communist Party. They have not questioned my qualifications, my academic training, or my ability to teach.

In defying the Constitution and in contradicting their own resolution prohibiting the use of political tests as criteria for employment by the University, the Regents have clearly overstepped the limits of their authority. This cynical action is only an example of the decadent character of American politics.

Their action is a blatant violation of the principle of academic freedom. Yet it is far more than this. The Regents have demonstrated that they are accomplices in the calculated effort to root out from public arenas individuals who are critical of the very fabric of American society and who will back up their criticism with action. These overt acts of repression must be met with an opposition which makes clear this reactionary intention. This is why I did not attempt to hide my political affiliation -- I am a member of the Che-Lumumbia Club, an all Black collective of the Communist Party of Southern California.

Let there be no doubt -- my stand is forthright. As a Black woman, my politics and political affiliation are bound up with and flow from participation in my people's struggle for liberation, and with the fight of oppressed people all over the world against American Imperialism.

The fascist encroachments of Boards of Regents, Governors, and Presidents upon the rights guaranteed by the Constitution of the United States are designed to perpetuate and increase that oppression.

As a Black woman, I am used to fighting and I will continue fighting now.
I am an Associate Professor of Philosophy and the Vice-Chairman of the Philosophy Department. In addition I served as Chairman of an Ad Hoc Group set up to temporarily coordinate activities in defense of Professor Davis. We now expect Professor Singleton and the staff of the Afro-American Studies Center to take over the job of coordinating activities. At the present time a number of organizations including the Academic Senate, The Black Faculty and Staff, the Committee on Academic Freedom, and other faculty organizations are aware of the problem and are preparing their responses.

This morning I would like to speak to just one of the issues involved in the Regent's attempt to break Professor Davis' contract. That issue is academic freedom.

It is very important that everyone understand that faculty members can not properly fulfill their obligations of scholarship and teaching without the freedom to follow the dictates of their own intellects in the free pursuit of truth and its free exposition. A point often overlooked, which may help to explain the almost universal sense of outrage by the faculty at the Regents attempt to dismiss Professor Davis, is that the search for truth often proceeds in a trial and error fashion. A theory is proposed, subjected to critical examination and then either accepted, discarded or mollified. We thus depend very heavily on the criticism of our colleagues for the validation of our own theories. If we are deprived of "dissenting" voices we cannot properly proceed to deepen our understanding of the phenomena we study.

Does this mean that my colleagues in the Department of Earth Science and Interplanitary Geophysics should rush right out and hire someone who believes that the sun goes around the Earth? No. Because, of course, they should only hire a qualified scholar. But scholarly qualifications are compatible with an astoundingly wide variety of views on controversial issues and even with a diversity of views on issues we thought non-controversial. My point is that if certain views are to be proscribed, and if our, scholarly community is to be denied the presence of forceful exponents of those views, then we cannot fully test our own theories and in fact cannot effectively demonstrate that the forbidden views are indeed incorrect.

Academic freedom is not a license for irresponsible behavior. Indeed the academic profession has its own code of professional ethics, and one which many would find quite demanding. Among the primary responsibilities is intellectual
honesty—to seek and state the truth as one sees it, free from the hypocrisy of compromise with external pressures. I believe that Professor Davis gives every evidence of having the courage of her convictions.

A second responsibility, as a teacher, is to encourage the free pursuit of learning—not to indoctrinate but to provide for discussion and questioning, to refer to alternative views, and perhaps among the most important features, to candidly discuss one's own special perspectives. As between those who openly proclaim an unpopular view and those who would suppress its exposition, it is clear to me who are the supporters of indoctrination.

A final responsibility of academics is to show a decent respect for the opinions of others. Once again I must say that I detect no intolerance in Professor Davis for opinions with which she does not agree.

Professor Davis was employed because in the judgment of those best qualified to make the determination, she had the personal attributes and the scholarly training which prepare her to make a significant contribution to the teaching and research functions of the University. The attempt to dismiss her on the sole basis of her political affiliations, is a direct violation of her academic freedom and that of her colleagues and potential students.

The principles of academic freedom are so central to the life of an academic community that in their statement of professional ethics the American Association of University Professors explicitly places adherence to that principle even above compliance with the regulations of the University.

Before acting the Regents were made fully cognizant of the universal and deeply felt sentiment on campus regarding the principles of academic freedom. They were aware that the contemplated action was prohibited by their own recently adopted Standing Order which reads in part, "No political test shall ever be considered in the appointment and promotion of any faculty member or employee". They were also aware on the advice of many legal authorities that the contemplated action was clearly unconstitutional. Yet they chose to go ahead in knowing violation of academic practice, announced Regental policy, and legal principle. It is my view that the Regents acted irresponsibly and in a way inconsistent with the well-being of the University.
"...interviews with several participants in the executive session of the UC Regents Sept. 19th when they voted to fire Angela Davis, a newly hired UCLA philosophy professor indicated that a majority of the 24 board members agreed with this proposition:

That the taxpayers in a capitalistic, democratic society should not pay the salaries of professors, or the bills of students, who want to change that system.

'Once you start down that road it is very difficult to turn back,' commented one professor who has been active in many academic-freedom cases.

'For example, will the regents adopt policies to bar members of the Maoist Progressive Labor Party, the Vietnamese National Liberation Front, Students for a Democratic Society, the Black Panthers and other organizations that advocate change, sometimes violent change, in American life?'

'I think there would be a majority on the board to broaden the policy to cover all these groups, one regent said...

'Until recently, however, the conservatives were in a minority and the board always backed away from actions that might have precipitated major academic-freedom battles.

'For instance, an effort to refuse an over-scale salary to a Berkeley mathematician who was active in protests against the Vietnam War was defeated by one or two votes in the last days of Kerr's presidency.

'In this case and at least half a dozen others in recent years, the board has indicated that it did not want to add an academic-freedom fight to the university's long list of troubles.

'But now there is a new, conservative majority on the board, composed of Gov. Reagan's appointees and some longtime conservative members, and these men see it as their duty, as one of them said, 'to stop this grab for complete freedom' by the faculty...

'There were indications at last week's meeting that, beyond the Angela Davis case, conservative regents might begin a general purge of faculty and student dissidents and demonstrators.

'The tenure appointments of two UC Berkeley professors were challenged because they had signed a petition opposing the Vietnam war and for other anti-war actions and statements. After a strong defense of the two men by Berkeley acting Chancellor Robert Connick, however, the appointments were approved.

'In another case that has ominous signs for the future, State Supt. of Public Instruction Max Rafferty launched a campaign to dismiss Mike Krisman, a former SDS member who has been named to a student-faculty liaison job in the dean of students office at UC Irvine.

'There was also an effort to censure Irvine Chancellor Daniel G. Aldrich Jr. for permitting Krisman to be hired...

'According to reports of the closed-door discussions, the move to fire Krisman and censure Aldrich failed after a surprisingly strong defense of the Irvine chancellor by Robert O. Reynolds, president of the California Angels baseball team and a Reagan appointee to the board...

'But most regents interviewed, whether cheerful or fearful about the prospect, were certain that, as one said, 'This is just the beginning of a wave of these political cases."

'There may not be many Angela Davises, since Communist Party membership is passe among today's activists, but there will be plenty of Mike Krismans.

'How the Board of Regents reacts to these cases will go far toward determining the future of the University of California.'"
THE CASE OF ANGELA DAVIS

ISSUE: Will this obvious Communist effort to provoke disruption get the public and university support it needs to succeed?

What smells unmistakably like a carefully contrived plot aimed at provoking new tensions between the university and the public is now unfolding at UCLA in the case of Angela Davis, the admitted Communist Party member and philosophy teacher.

How successful this shrewd but transparent effort at confrontation politics will be depends to a great extent on the political sophistication and calm good sense of the UCLA community, the University of California Regents, and the general public.

If reason and perception on the part of all these concerned groups prevail, then the revolutionaries who are stage-managing the Davis case will be defeated. But if emotions are permitted to become dominant and dictate responses, then the purposes of the Communists and their allies will be served.

The facts in the Davis case can be related briefly.

Miss Davis, who apparently has proper academic qualifications, was hired last spring to teach in the UCLA philosophy department. In June word began to circulate that she is a Communist Party member, a fact now freely acknowledged. In view of later developments it can be safely inferred that neither Miss Davis nor her supporters were at all unhappy that this information became known.

Since 1940 a university regulation has prohibited the employment of Communist Party members. Given the well-orchestrated publicity about Miss Davis' membership, and on the basis of that rule, the Regents voted to fire her.

Miss Davis says through her attorney that she will fight the regulation through the courts. That is her right. But the Davis affair quite clearly is intended to be far more than a test case of the university's ban on hiring Communists.

What is involved instead is an attempt to enlist energies and emotions in a cause whose real purpose is the disruption of the university and, as the New Leftists put it, the "radicalization of the masses." This is to be achieved by placing UCLA between the hammer of a public opinion angered by the employment of a militant Communist and the anvil of faculty-student-liberal alarm over a supposed assault on the university by reactionary forces.

All that became evident when Miss Davis and her supporters charged this week that her firing is due to "racism" (Miss Davis is a Negro) and "fascism" on the part of the Regents. What there is no basis in fact for these cheap allegations matters little. The point is that in the university context they are highly evocative words. Their use is meant to convey the impression that Miss Davis is a victim of ugly persecution, deserving of sympathy and support from all right-thinking persons. Or so at least the revolutionaries hope.

(cont'd)
The Davis case, in fact, smacks of being a set-up from beginning to end, engineered by Communists and their sympathizers, and involving a predictable effort to polarize opinion and incite disruption by confusing the real issue with phony charges. The aim can be achieved only if the Communists get the unwitting cooperation of others. This is a point conservatives and liberals alike, among the public and within the university community, must keep in mind.
RESOLUTION

TO: Academic Senate at UCLA
   Black Studies Center at UCLA
   Board of Regents of the University of California
   News Media
   Governor Ronald Reagan
   Chancellor Charles L. Young

WHEREAS, in flagrant contradiction to the Constitution of the United Stated (Keysihan versus the Board of Regents, State of New York), their own stated policy of rejecting political considerations in faculty matters, and the honored principles of academic integrity, the Board of Regents of the University of California did, on Friday, September 19, 1969, dismiss Angela Davis from the faculty of the University of California at Los Angeles; and

WHEREAS, this action can, therefore, only be construed as an attack upon Miss Davis for reason of her race and her efforts toward Black liberation; and

WHEREAS, such undeniably racist action is morally and intellectually repugnant and encroaches upon the human freedoms of all:

NOW, THEREFORE, BE IT RESOLVED that the members of the Student Legislative Council of the Undergraduate Students Association of the University of California at Los Angeles demand that the Board of Regents of the University of California rescind their action of September 19, 1969, concerning Angela Davis, and reinstate her in her rightful position as Acting Assistant Professor of Philosophy with all the rights and privileges therein contained.

Sponsored by:

Thomas M. Norminton
Student Body President, UCLA

Co-sponsored by:

Mark Bookman
Administrative Vice-President, UCLA

Mrs. Toni Cook
General Representative, UCLA

NOTE: Passed by the Student Legislative Council during its meeting of Sept. 22, 1969.
September 25, 1969

Letters to the Editor
LOS ANGELES TIMES

To the Editor:

At the request of the Cabinet of the UCLA Graduate Students Association, I am writing to express our concern over the latest threat to academic freedom represented by the Regents firing of Philosophy Assistant Professor Angela Davis.

Even after the courts probably decide the case in favor of Miss Davis (an outcome fully understood and anticipated by the Regents), several issues will remain which have caused that community to question further the integrity and leadership of the Board of Regents and the Governor of the State.

To enumerate our concern:

1. Miss Davis had not broken the law. Neither had she made any attempt to conceal her membership in the Communist Party. (Indeed one could infer from the Times editorial (Sept. 25) that it would have been preferable for her to evade disclosure of such membership.) Comments she had made concerning her teaching philosophy and her encouragement of in-class questioning are evidence of her lack of subversive intent.

2. On the other hand, the Regents action is indeed official anarchy. They have applied a political test (membership in an organization that is not illegal) which is illegal in the light of recent court tests and also in violation of their own Standing Orders 102.1 which states in part "no political test shall ever be considered in the appointment and promotion of any faculty member or employee." The Regents have abrogated their constitutional responsibility of keeping the University free from political influence. The Regents violation of the letter and spirit of the law and their own Standing Orders comes at a time when the Regents are asking others in the academic community to show restraint and respect for the law.

3. It must be clearly understood by the Regents, the Press and the Public that the call for academic freedom is not an appeal for special privileges for those on campus but an extension of basic constitutionally-given human rights which exist in the community at large. No political belief or membership in any organization should in itself disqualify a person as a member of the academic community. The free access to an exchange of ideas and expression of belief is a right held by faculty and students as citizens, not as members of a select community. This freedom is as necessary to a free society and a free university as they are to a free press.

4. The firing of Professor Davis is an additional example of the systematic exclusion of black radical leaders from public forums of any sort.

In my own opinion (not necessarily that of the Cabinet or the GSA), the Times metaphor of the anvil is partially correct. However, it is the faculty-student-liberal such as myself who is impaled between the anvil of regental irresponsibility and public misunderstanding and the hammer of the threat of disruption. I can only ask my colleagues to show greater respect than the Regents for campus civility -- in despair I cannot give evidence why they should.

A. WILLIAM DAKAN
President, UCLA Graduate Students Association
Statement issued by the Steering Committee of the COMMITTEE OF CONCERNED FACULTY

The Regents say that they have fired Miss Angela Davis solely because of her membership in the Communist Party. It is clear that the real motivation is an attempt on their part to curb freedom of thought and expression within the University. Recently the tenure appointments of two UCB faculty were challenged by the Regents because of their having signed a petition opposing the Vietnam war. There has also been Regental opposition to the appointment of a former SDS member in the Dean of Students Office at UC Irvine. Because Miss Davis is a militant black and a member of the Communist Party, she is a dramatic and convenient target. But the real target is academic and political freedom.

We are witnessing the beginning of a political purge in the University of California, an attempt to remove or at least silence University faculty and students who hold liberal views on such problems as the Vietnam war, the militarization of American government, racism in America, student participation in the university, and so on. Who will be next? Someone who opposes atomic testing? Someone in the fight against offshore oil companies who have polluted the Santa Barbara coast? Such purges are the instruments of totalitarian governments: they cannot be tolerated in our free society.

The imposition of a political test on a faculty member is prohibited by the California Constitution. The Regents know this, and they know that the courts will reverse their dismissal of Miss Davis. Why then have they taken this action? It can only be because they need an instrument to silence societal criticism. They were not forced to fire Miss Davis. They deliberately sought this confrontation. And they may very well destroy the University. No self respecting faculty member can teach in an institution in which he can hold only those views which the Regents and the Governor allow him to hold.

The faculty of UCLA recently recorded their opposition to the imposition of political tests on its members in a resolution of the Academic Senate. Such a test has been employed on Miss Davis, and may be employed in some form on other faculty. We believe that our survival as an independent, free institution of learning is at stake. We intend to defend that institution.
To the Editor:

Your editorial of Thursday, September 25 is an outrage. You ignore the generally fair and accurate accounts of the Angela Davis affair reported in your own news columns, and in an inexplicable attempt to avoid the real issue, focus on a series of events that have never happened.

In your Preview Edition, you state that the origin of the "leak" that reported Miss Davis' membership in the Communist Party is not known; you state that it can be "inferred" that it was a "deliberate move by those involved in the plot" to provide a confrontation. But the origin of this information is known to those who read the L.A. Times: an FBI informer, William Tulio Divale, first reported Miss Davis' membership, without identifying her by name, in the UCLA Daily Bruin. She was first mentioned by name by Ed Montgomery of the San Francisco Examiner on July 9. Does the Times really believe that the FBI and Mr. Montgomery are Communist plotters or Communist dupes?

The "plot" to which you refer is, you say, to provoke new tensions at UCLA; you suggest that the Davis case was engineered from beginning to end by Communists and their sympathizers. Do you mean that the majority of the Philosophy Department at UCLA, who initiated the hiring of Miss Davis after a full investigation of her qualifications as a teacher and scholar, are Communists or Communist dupes? If this is the untruth you wish your readers to believe, why do you not have the courage to state it and document it? Do you mean that the UCLA administration, who hired Miss Davis, are stage-managed by Communists? If this malarky is the Times' position on this matter, why not state it explicitly and support your case with facts?

The real facts are simple; no theory of conspiracy, no postulation of furtive leaks, no denigration of the faculty or students at UCLA is needed to explain them. Angela Davis was hired because she had the intellectual and academic qualifications to teach certain philosophy courses. It later was reported, and even later confirmed, that she was a member of the Communist Party. It is not illegal to be a member of the Communist Party. No allegations have been made, much less proven, that her membership in the Party is other than the legitimate expression of her political opinions—as is the right of every American. She was nevertheless dismissed by the Board of Regents, in what, as one must infer from William Trombley's article in the Times of September 22nd, is the first step in a purge by the Regents of all dissident elements of the University. Such a move by the Regents is a larger threat to the University of California than student unrest; larger even than the presence of police or troops on campus; for no university can be great, or even be rightly called a university, if appointment, retention, and promotion in it are subject to political tests.

The Times editorial is right about one thing. Something smells about the Angela Davis matter. Even a cursory reading of the Times' own news columns, with a supplementary glance at the first amendment to the Constitution of the United States, reveals the source of this odor. The Governor of the State of California and the Board of Regents would rather have a crisis at UCLA than risk being called soft on Communism. Although they know Miss Davis' case is indistinguishable from others in which the United States Supreme Court has held that mere membership in the Communist Party cannot disqualify one from teaching
in a public institution, they chose to fire Miss Davis and let the Courts take
the criticism. Such a stance calls to mind the image of Governor Barnett in
the door of the Administration Building at the University of Mississippi,
begging the Attorney General to have someone draw a gun so that his "reputation"
would not be tarnished. The Times' use of a fantastic series of nonevents to
avoid stating the plain if bitter truth of this matter is a shock.

Signed:  
John Perry  John Bennett  Michael Green
John Taurek  Richard L. Smith  Charlotte Elise Gluck
Warren Quinn  Rickie Avrutin  Linda Jangaard
Louise Bennett

A CALENDAR OF EVENTS IN THE ANGELA DAVIS CASE
UCLA Committee of Concerned Faculty
April – Sept. 29, 1969

April: Miss Angela Yvonne Davis appointed Acting Assistant Professor of Phil-
osophy, with a summer research appointment, as part of general UCLA
effort to recruit qualified black faculty.

July 1: William Divale, UCLA student and undercover FBI agent, asserts in Daily
Bruin philosophy dept. had hired a Communist Party member, unnamed.

July 9: Ed Montgomery in San Francisco Examiner describes Miss Davis as "known
Maoist" and "active" in SDS and Black Panthers, and person referred to
by Divale.

July 11: Regents direct UCLA Chancellor to determine whether Miss Davis is
Communist Party member.

July 16: Letter from Vice-Chancellor Saxon to Miss Davis asking her whether she
was a Party member, sent by registered mail and returned because Miss
Davis was not in Los Angeles.

July 28: Miss Davis' Change in Employment Status Form remains unsigned for her
summer research appointment.

After series of urgent communications between philosophy dept. and
Chancellor's office, dept. urges Vice-Chancellor Saxon to sign Miss
Davis' summer employment form on grounds that not signing was inconsis-
tent with Regental Regulation 102.1 and proposition B of UCLA Senate,
June 2, 1969.

Chairmen of UCLA Senate Academic Freedom Committee, Privilege and Ten-
ure Committee, and AAUP chapter informed of the case.

Aug. 4: Philosophy dept. informed by Regents' legal counsel that 1940 and 1949
resolutions barring Communists were probably invalid, but some Regents
want judicial action on them.

Aug. 7: UCLA AAUP chapter expresses concern to Vice-Chancellor Saxon, urging
him to sign Miss Davis' summer employment form.
Calendar of Events - contd.

Aug. 8: Senate Privilege and Tenure Committee does the same.

Aug. 11: Senate Academic Freedom Committee does the same.

Many meetings and communications now between philosophy dept. members and the Chancellor.

Aug. 20: After meeting with Regents' representatives, Chancellor Young informs philosophy dept. Regents interpret their July 11 action as directing him to take no steps affecting employment status of Miss Davis until they had further acted following receipt of information concerning her Party membership from his office.

Aug. 22: Philosophy dept. notifies Chancellor its refusal to cooperate with efforts to secure information on Miss Davis' politics, and with any effort to review her qualifications except through normal University procedures.

Aug. 26: Chancellor Young notifies philosophy dept. he was forwarding original letter of July 16 to Miss Davis telling her "I am constrained by Regental policy to request that you inform me whether or not you are a member of the Communist Party."

Sept. 9: Philosophy dept. resolution of Aug. 22 and fact sheet of Aug. 27 circulated to UCLA faculty with report from Academic Freedom Committee dated Sept. 4 which asserts the dept. and Administration acted "in perfect good faith and in accordance with the proper academic procedures" in Miss Davis' appointment, and that her political affiliations were "irrelevant on the general grounds of academic freedom." The Committee charged it was "both immoral and illegal for the administration, on direction of the Regents, to withhold Miss Davis' summer fellowship. . ."

Sept. 5: Miss Davis responds to Chancellor Young claiming question of Party membership is "impermissible," but admitting without waiving objections that she is "now a member of the Communist Party." Miss Davis also denies her membership involves her "in any commitment to principle or position governing either my scholarship or my responsibilities as a teacher."

Holding out hope Regents would be impressed by opposition to dismissing Miss Davis, philosophy dept. refrains from public statements pending Regents' meeting Sept. 19-20.

Sept. 19: Regents vote to dismiss Miss Davis citing resolutions of Oct. 11, 1940 and June 24, 1949 barring Party members, and concurrence by Northern and Southern sections of Academic Senate March 1950.

Sept. 20: Letter from Pres. Hitch informing Miss Davis of her dismissal, and her right to hearing before Privilege and Tenure Committee. Final action not to be taken until conclusion of committee proceedings.


Sept. 22: Meeting of Ad Hoc Group with UCLA black faculty, students and administrators to discuss formation of Angela Davis Defense Committee & other matters.

Sept. 23: In press conference Miss Davis charges Regents with "blatant violation" of academic freedom and names them "accomplices in the calculated effort
to root out from public arenas individuals who are critical of the very fabric of American society and who will back up their criticism with action."

Charge of racism made by Robert Singleton, acting director of the Afro-American Studies Center at UCLA who joined Miss Davis at news conference.

Sept. 23- Gov. Reagan and others deny their action against Miss Davis was racist, 25: saying it was based solely on her membership in the Communist Party.

Sept. 25: Call for emergency meeting of the Los Angeles Division Academic Senate, Oct. 1, 2 P.M., Royce Hall.

Prof. Kalish notifies Vice-Chancellor Saxon that Miss Davis, at her request, has been assigned to teach Philosophy 99 in the fall quarter instead of spring quarter as originally planned, giving as her reason her belief that she could not profitably utilize a free fall quarter under present circumstances, and her desire to demonstrate her academic competence and teaching ability, to thereby refute charge she would indoctrinate or otherwise mis-use her position.

Sept. 26: Meeting of Angela Davis Defense Committee with representatives of other interested campus groups to organize coordination of activities related to the Davis case. Davis Defense Fund announced for paying Miss Davis' salary and other expenses related to her defense.

Miss Davis requests hearing before Committee on Privilege and Tenure from Chairman G. Laties. She will have 14 days within which to answer charges made against her.

Sept. 27: Convocation Committee meets, calls for university-wide convocation on October 15, 11 A.M. in Royce.

Sept. 29: Meeting of UCLA Committee of Concerned Faculty.
UCLA Red Lays Ouster
Proceedings to Racism

Black Teacher Says
Stand for 'Liberation'
Made Regents Act

BY KENNETH REICH
Times Staff Writer

Angela Davis — the assistant UCLA philosophy professor ordered dismissed because she is a member of the Communist Party — said Tuesday that racism as much as communism underlies the move to oust her.

Miss Davis, who is black, announced that she will ask for a hearing by a faculty committee on the dismissal decision made by the UC Board of Regents last Friday. She will retain her office and salary at UCLA pending the hearing.

She added that she plans no court action challenging the constitutionality of the planned dismissal until after the hearing.

Breaking her public silence in a news conference and a series of interviews, the 23-year-old Miss Davis said her role in the "struggle for black liberation" had marked her as a special target for the regents. She accused them of "fascist encroachments" on her rights.

The young professor identified herself as a member of the Che-Lumumba Club, an all-black collective of the Communist Party of Southern California. She added she was formerly active in the Black Panther Party.

Milder Than Colleague

Miss Davis did not go as far on the racism charge as Robert Singleton, acting director of the Afro-American Studies Center at UCLA, who joined her at the news conference.

Singleton, after declaring that "racism is the overriding issue in this case" and that Miss Davis' dismissal is being prompted by "her affiliation with militant black organizations," added:

"It can be documented that there are white Communists teaching at the university who are not being harassed as she is being harassed now."

Asked, however, to document his statement, Singleton declined, telling his questioner, "What would happen if I did document it, you and I both know."

A high UCLA administrative source commented later that any implication that known white Communists are being allowed to teach at the university is false.

"I know of no member of the Communist Party employed at UCLA with the exception of Angela Davis," the administrator said.

In a 35-minute interview after the news conference, Miss Davis said at some points that her black militant activities had a lot to do with her dismissal. However, at another point she speculated that if she had been willing to conceal her Communist Party membership, the regents would not have taken action against her.

Miss Davis supported Singleton's statement about other Communists teaching at the university and said there was a tacit "right to remain obscure" recognized by university authorities.

"That's nonsense," the UCLA administrator commented later.

Miss Davis was accompanied during the interview by a young black woman identifying herself as Kendra Alexander who said she was in charge of youth work in the Southland for the Communist Party.

Just before the interview, Miss Davis was asked if she could be seen alone. She had not had time to respond when a man who did not identify himself insisted that at least one of his group of four persons sit in on the interview.

The man explained that "we're all in this together" and said it would

Please Turn to Page 30, Col. 1
Firing Effort
in UCLA Case
Called Racist

Continued from Third Page

be better if Miss Davis did not speak alone. She agreed.

Mrs. Alexander and Miss Davis said that their Che-
Lumumba Communist youth group was "very
intensely involved in all levels of black activity" in
Los Angeles. They did not elaborate.

Miss Davis, who had acknowledged mem-
bership in the Communist Party in a letter to UCLA
Chancellor Charles E. Young on Sept. 5, said in
the interview that she had belonged to the party about a year and a half.
During that time, she has gradually eased out of her activities in the Black
Panthers in Los Angeles and San Diego, she said.

Miss Davis said she had believed in Marxism long before joining the party.
Her interest in it dates to her days as a child in
Birmingham, Ala., when she was friendly with
many other children whose parents were in the Communist Party, she said.

In the course of the interview, Miss Davis de-
nied a report published in the San Francisco Examiner that she was a mem-
ber of the Students for a Democratic Society. She said she did not believe
many black people were active in the SDS.

Miss Davis said that no one had asked her and she saw no reason to volunteer
mention of her Communist Party membership when she was recruited for a two-year, non-tenure
appointment on the UCLA faculty last spring.

She insisted that belonging to the party would in no way impair her
ability to teach in an unbiased manner.

At Tuesday's news conference, it was made clear that the Angela Davis case
will be a major issue at UCLA for a long time and will afford militant groups
a frequent chance to be heard.

Long Delay Seen

The hearing process
which now begins is likely
to delay matters more
than a month, and there
is the prospect of lengthy
litigation in the courts
after that.

Appearing with Single-
ton and Miss Davis at the
news conference was Prof.
David Kaplan, assistant
chairman of the philoso-
phy department, and tem-
porary head of an ad hoc
committee formed on cam-
pus to fight Miss Davis'
ouster.

Kaplan delivered a
statement which was
mainly a defense of acade-
mic freedom in the case.
But most of the attention
at the news conference was
focused on Singleton and
Miss Davis.

In her prepared state-
ment, Miss Davis said,
"As a black woman, my politics and polit-
tical affiliation are bound
up with and flow from
participation in my peo-
ple's struggle for libera-
tion, and with the fight of
oppressed people all over
the world against Ameri-
can Imperialism.

"The Fascist encroach-
ments of boards of re-
gents, governors and pres-
idents upon the rights
guaranteed by the Consti-
tution of the United States
are designed to perpe-
tuate and increase that oppres-
sion . . ."

About 20 persons in the
room strongly applauded Miss Davis' statement when she had finished
reading it. Among those applauding was Prof. Don-
ald Kallish, the Philoso-
phy Department chairman
who was chiefly involved
in hiring her.

Earlier, a student had
handed out a resolution
adopted Monday night by
the Student Legislative
Council, a principal arm of
the UCLA student govern-
ment. It urged that the regents rescind their ac-
tion ordering the dismissal
of Miss Davis and de-
scribed the action as "un-
deniably racist."
Reagan and Regent Deny Race Is Issue in UCLA Firing Case

Gov. Reagan and the chairman of the UC Board of Regents both denied Wednesday that the dismissal order of a Negro UCLA professor had anything to do with her race.

Angela Davis, 25, was ordered dismissed as an assistant professor of philosophy after she admitted her membership in the Communist Party.

She claimed at a news conference Tuesday that racism had as much to do with her ouster as communism.

Reagan told newsmen before a meeting of the State College Board of Trustees here that the action of the UC Regents in recommending that Miss Davis be fired was based solely on her membership in the Communist Party.

He said such membership violated rules of the university approved by the faculty senate.

"We could back down and change the policy, or we have to obey the rules," Reagan said.

In Berkeley, DeWitt A. Higgs, chairman of the regents, issued a statement saying "it is absolutely untrue that the regents' action was related to race in any form or manner."

He quoted from the resolution adopted by the regents concerning Miss Davis as saying that "no member of the Communist Party shall be employed by the university."

He said Miss Davis had informed the university in writing that she was a member of the party.

BOARD FILES SUIT OVER POEM CASE

Trustees of the Los Angeles City Community Colleges filed suit in Superior Court Wednesday asking the court to uphold their decision to fire a teacher accused of immoral conduct.

Mrs. Deena Metzger, 32, was suspended Sept. 16 from her post as a Valley College instructor after she read an allegedly pornographic poem to her English class. She appealed her suspension, thus forcing the board to ask the court to rule on the charges.

She is charged with immoral conduct and unfitness for service.

No date has been set for the hearing.
The Case of Angela Davis

ISSUE: Will this obvious Communist effort to provoke disruption get the public and university support it needs to succeed?

What smells unmistakably like a carefully contrived plot aimed at provoking new tensions between the university and the public is now unfolding at UCLA in the case of Angela Davis, the admitted Communist Party member and philosophy teacher.

How successful this shrewd but transparent effort at confrontation politics will depend to a great extent on the political sophistication and calm good sense of the UCLA community, the University of California Regents, and the general public.

If reason and perception on the part of all these concerned groups prevail, then the revolutionaries who are stage-managing the Davis case will be defeated. But if emotions are permitted to become dominant and dictate responses, then the purposes of the Communists and their allies will be served.

The facts in the Davis case can be related briefly.

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Since 1940 a university regulation has prohibited the employment of Communist Party members. Given the well-orchestrated publicity about Miss Davis' membership, and on the basis of that rule, the Regents voted to fire her.

Miss Davis says through her attorney that she will fight the regulation through the courts. That is her right. But the Davis affair quite clearly is intended to be far more than a test case of the university's ban on hiring Communists.

What is involved instead is an attempt to enlist energies and emotions in a cause whose real purpose is the disruption of the university and, as the New Leftists put it, the "radicalization of the masses." This is to be achieved by placing UCLA between the hammer of a public opinion angered by the employment of a militant Communist and the anvil of faculty-student-liberal alarm over a supposed assault on the university by reactionary forces.

All that became evident when Miss Davis and her supporters charged this week that her firing is due to "racism" (Miss Davis is a Negro) and "fascism" on the part of the Regents. That there is no basis in fact for these cheap allegations matters little. The point is that in the university context they are highly evocative words. Their use is meant to convey the impression that Miss Davis is a victim of ugly persecution, deserving of sympathy and support from all right-thinking persons. Or so at least the revolutionaries hope.

The Davis case, in fact, smacks of being a set-up from beginning to end, engineered by Communists and their sympathizers, and involving a predictable effort to polarize opinion and incite disruption by confusing the real issue with phony charges. The aim can be achieved only if the Communists get the unwitting cooperation of others. That is a point conservatives and liberals alike, among the public and within the university community, must keep in mind.

LETTER:

Li'l He'  

We must use the terms available and judgment and, in many cases, entirely unrelated to the comic strip (Sept. 21).

The cartoon is devoid of humor, significant content and dialogue, composed of thousands of words. It involved students and, in many cases, people with no ties to the university. The cartoon involved by the Regents is a familiar political cartoon that resists a complex message.
UNIVERSITY OF CALIFORNIA

To..............................................................................................................................................

Date................................................. Time.................................................. A.M. ......................................... P.M.

WHILE YOU WERE OUT

Mr. ..............................................................................................................................................

Mrs. ..............................................................................................................................................

Miss ..............................................................................................................................................

From..............................................................................................................................................

☐ Telephoned  ☐ Will phone again  ☐ Please phone
☐ Came to see you  ☐ Will come again  ☐ Rush

MESSAGE

The origin of the leak is not known, but in view of later developments, it can be safely inferred that it was deliberate move by those involved in the

Phone party at 7 p.m. to face the issue.

Taken by........................................................................................................................................

Telephone Call Slip—Series 22
The following statement has been endorsed by five of the members of the faculties of the University of California School of Law at Berkeley, Davis, and Los Angeles.

The proceedings instituted by the Board of Regents for the dismissal of Professor Angela Davis on the ground that she is a member of the Communist Party are a violation by the Regents of the United States Constitution and the Constitution and laws of the State of California, as repeatedly interpreted by the highest courts of the State and Nation.

This violation is particularly grave because it was apparently knowing and deliberate. According to reports in the news media at least some Regents acknowledged the high probability that their action would be declared unlawful, but that they would not act legally until ordered to do so by a court of law. At a time when the Regents are calling on others in the University community to demonstrate respect for law, the Regents themselves have displayed an official disdain for law, in violation of their oaths to support and defend the Constitutions and laws of the United States and the State of California.

We submit that on this ground alone the Regents should reconsider and reverse their action.

* * * * *
* * * *
* *

If you wish to sign this statement and have not already done so, please return a signed copy to me by noon Friday, September 26. The other copy is for your records.

Harold Horowitz
September 26, 1969

Please note a correction to the 1st paragraph of Resolution I in the Call to the Emergency Meeting of October 1, 1969. The underlined should be inserted:

Recent action by the Board of Regents, instituting dismissal proceedings against Professor Angela Davis, is based on two Regental resolutions of 1940 and 1949, disqualifying members of the Communist Party from membership in the University faculty. No illegal conduct is charged; the only ground for the dismissal is membership in a political organization that is not illegal.
On March 24, 1969 Miss Angela Yvonne Davis* was offered a teaching position in the Philosophy Department of UCLA. Miss Davis' appointment was at the rank of Acting Assistant Professor, Step II, and the letter of invitation stated, in part: "The appointment is intended for two years (University regulations require that acting appointments be renewed each year, but this is a technicality). The question of a continued position at UCLA beyond the second year is left open now and will be considered when you are here."

In addition to this regular appointment, on April 21, 1969 Miss Davis was offered a two-ninths salary supplement for her off (summer) quarter in each of the academic years 1969-70 and 1970-71, the supplement for the second year being contingent on "the results of a review of Miss Davis' first-year effort."

Miss Davis' regular appointment was authorized by the Office of the Dean of the College of Letters and Science. The Employment Form was signed by Miss Davis on April 23; it was signed by the Department Chairman and submitted to the Dean's office on May 2; and it was signed for the Administration on May 9 by Dean Philip Levine. Miss Davis was formally invited to accept her appointment by Dean Levine in a letter of June 3.

Professor Davis' summer salary supplement was authorized through the Faculty Development Program by Assistant Vice-Chancellor Charles Wilson in a letter of April 16, 1969. The required Change in Employment Form was submitted by the Department on June 20, but has never been signed by the Administration; consequently, Professor Davis has not received her summer salary supplement. Her regular salary has been paid for the months of July and August, and is expected to be paid for the month of September. The Department understands that she continues to be a member of the Faculty of the University of California, Los Angeles, pending her hearing before the UCLA Committee on Privilege and Tenure (see the September 20th letter from President Hitch to Professor Davis below).

Professor Davis' appointment was part of a general UCLA effort to make University posts available to qualified persons from ethnic minorities. It in no way departed from the regular departmental and administrative procedures for an academic appointment. Her interest in a teaching position was brought to the Department's attention

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*Miss Davis' curriculum vitae is as follows:

**Born:** January 26, 1944.

1961-63 - Brandeis University, Waltham, Massachusetts.
1963-64 - The Sorbonne. Certificat de la Littérature Française Contemporaine.
9/67-12/68 - University of California, San Diego, M.A., Philosophy.
5/68 - Passed Ph.D. qualifying examination in Philosophy, University of California, San Diego.
10/68-6/69 - Teaching Assistant, University of California, San Diego.
Currently - Working on dissertation concerning the problem of violence in German Idealism under supervision of Professor Herbert Marcuse.
by the chairman of the Princeton department of philosophy, who said that his department and that of Swarthmore College had considered her record sufficiently impressive to bring her to the East Coast for interviews. After receiving this information, the Philosophy Department of UCLA obtained letters of reference covering every part of Professor Davis' educational experience, and supplemented these letters by a personal interview with her on the UCLA campus.

No mention of Professor Davis' political affiliation was made in any of the letters of reference received. No question concerning her political affiliation was raised by any member of the Department in communications with her or in discussions of her appointment; nor did any information whatsoever, even by rumor, concerning Professor Davis' political affiliation come to the attention of the Department until three months after the initial offer of March 24. It is, and in the memory of current members has always been, the policy of the Philosophy Department of UCLA to consider political affiliation completely irrelevant to a candidate's qualifications for appointment.

On July 1, 1969, William Divale, an undercover agent for the FBI, asserted in a column of the UCLA Daily Bruin that the UCLA Philosophy Department "has recently made a two-year appointment of an acting assistant professor. The person is well qualified for the post, and is also a member of the Communist Party." The person was not named. On July 2, a San Francisco Examiner article named Professor Davis as the person referred to in the Bruin column, and alleged that she was a "known Maoist, according to U.S. intelligence reports, and active in the SDS and the Black Panthers." It was in these two articles that the Philosophy Department first heard any mention of Professor Davis' political affiliation. Neither article was given further notice in the news media, and neither created any stir in the general public. The Department made no attempt at this or any later time to determine Professor Davis' political affiliation.

At some point prior to July 16, either at their meeting of July 11 or possibly earlier, The Regents of the University of California directed the UCLA Chancellor's Office to determine whether Professor Davis was a member of the Communist Party, and not to sign any contracts with her pending receipt of this information. On July 16 a letter was sent to Professor Davis from the Chancellor's office which referred to the two newspaper articles mentioned above, and which read, in part: "I am constrained by Regental policy to request that you inform me whether or not you are a member of the Communist Party." Professor Davis was asked to reply by July 25. The letter was sent by registered mail and was returned to the Chancellor's office unreceived. Professor Davis no longer resided at the address to which the letter was sent and she was not in Los Angeles at the time.
The letter to Professor Davis initiated a series of urgent communications between the Philosophy Department, the Chancellor, and members of his staff. In a letter of July 28 the Department urged Vice Chancellor Saxon to sign Professor Davis' Change in Employment Form granting her summer salary supplement. As grounds for its request, the Department referred to Standing Order of The Regents 102.1 (June 30, 1969), which states, in part: "No political test shall ever be considered in the appointment and promotion of any faculty member or employee," and also to Proposition B recently adopted by the UCLA Academic Senate (June 2, 1969), which warns all campus agencies to avoid "any implicit or explicit self-censorship which permits the question of the political acceptability of candidates to intrude itself into the review process."

On July 28 the Department also informed the chairman of the UCLA Committee on Academic Freedom and the chairman of the UCLA Chapter of the American Association of University Professors, of the issue that had arisen. The Department also solicited from Professor K. L. Karst of the UCLA School of Law a legal memorandum which was received on August 4 (the memorandum is reprinted in the Call of the Emergency Academic Senate meeting of October 1, 1969). This memorandum was made available to the Chancellor's office. The Department was careful to release information concerning the problem only to the above mentioned committees and to selected members of the UCLA Faculty and Administration, in the hope that the problem could be settled in Professor Davis' favor without becoming a damaging public issue.

During this period the Department was informed that the legal counsel of the Regents had informed them that their 1940 and 1949 resolutions barring employment of members of the Communist Party were constitutionally invalid, but that some Regents were nevertheless determined to seek a judicial ruling on those resolutions by taking some action concerning Professor Davis.

Concern over failure to sign the Change in Employment Form granting Professor Davis her summer salary supplement was expressed to Vice Chancellor Saxon on August 7 by the Chairman of the AAUP Chapter, on August 11 by the Chairman of the Committee on Academic Freedom, and at other times during this period by other Senate officials. On August 12, the Chairman of the Philosophy Department sent to the Chancellor's Office a letter which reads, in part: "If our campus community is divided, our cause is lost. Somehow, find a rationale for signing the Change of Employment Status and a means for having the letter concerning political affiliation, if it must be sent, come from some office other than that of the UCLA Administration."
On August 20, after meeting with representatives of the Regents, Chancellor Young informed the Philosophy Department that he had "been directed by The Regents (by their interpretation of their action of July 11, 1969), to take no steps affecting the employment status of Miss Angela Davis pending further action by The Regents following their receipt of the information which they instructed the Administration to obtain concerning the appropriateness of her employment under the terms of the Regental policy barring appointment of members of the Communist Party." 

On August 22 the Philosophy Department adopted and sent to the Chancellor a resolution which states, in part: "We oppose and will not cooperate with efforts to secure any information that pertains to Miss Davis' political affiliations, nor will we cooperate with any effort to review Miss Davis' qualifications otherwise than in accordance with normal University procedures." The resolution also urged that "the University's contractual obligations [to Professor Davis] be honored without further delay."

On August 26 the Chancellor's office again sent to Professor Davis the letter of July 16 asking about membership in the Communist Party.

A Department fact sheet (dated August 27) together with the Department resolution of August 22 were distributed to the entire UCLA Faculty on September 8. Distributed in the same packet was a report from the UCLA Committee on Academic Freedom (dated September 4) stating, in part: "it is evident to the Committee that the Department and the Administration acted in perfect good faith and in accordance with the proper academic procedures in the negotiation and signing of the contract for Miss Davis' appointment as Acting Assistant Professor. The question of alleged political affiliations was never raised, and even had it been, it would have been irrelevant on the general grounds of academic freedom....Therefore the Committee deems it both immoral and illegal for the administration, on direction of the Regents, to withhold Miss Davis' summer fellowship...."

On September 5 Professor Davis responded to the letter asking about membership in the Communist Party. Her letter states, in part: "At the outset let me say that I think the question posed...is impermissable. This, on grounds of constitutional freedom as well as academic policy....However, and without waiving my objections to the question posed, my answer is that I am now a member of the Communist Party. While I think this membership requires no justification here, I want you to know that..."
as a black woman I feel an urgent need to find radical solutions to the problems of racial and national minorities in white capitalist United States. I feel that my membership in the Communist Party has widened my horizons and expanded my opportunities for perceiving such solutions and working for their effectuation. The problems to which I refer have lasted too long and wreaked devastation too appalling to permit complacency or half-measures in their resolution. It goes without saying, of course, that the advocacy of the Communist Party during my period of membership in it has, to my knowledge, fallen well within the guarantees of the First Amendment. For does my membership in the Communist Party involve me in any commitment to principle or position governing either my scholarship or my responsibilities as a teacher."

"By this time it was known to the Department that the continuation of Professor Davis' appointment would be on the agenda of the Regents' meetings of September 19-20, that an attempt would be made to dismiss her, and that the attempt might be successful. The Department's information at this point was that some Regents were determined to dismiss Professor Davis and that many others were reluctant to resist this move for fear of political criticism. Despite this information, the Department still held some hope that the Regents would ultimately decide against dismissing Professor Davis, both because of the clear unconstitutionality of such an act (see Karst memo), and in addition, because of opposition from the University community, which by this time was well known to then. The Department therefore continued to refrain from making any public statements on the matter.

On September 19 the Regents adopted a resolution directing President Hitch to take steps to terminate Professor Davis' University appointment. This resolution reads, in full: "WHEREAS, on October 11, 1949, the Regents adopted a resolution stating that membership in the Communist Party is incompatible with membership in the faculty of a State University; and WHEREAS, on June 24, 1949, the Regents reaffirmed and amplified that policy with a resolution stating, in part, "pursuant to this policy, the Regents direct that no member of the Communist Party shall be employed by the University"; and WHEREAS, in an action reported March 22, 1950, the Academic Senate, Northern and Southern Sections, concurred in the foregoing policy by adopting a resolution that proved members of the Communist Party are not acceptable as members of the faculty; and WHEREAS, on April 21, 1950, the Regents adopted a resolution confirming and emphasizing their policy statements of October 11, 1949, and June 24, 1949; and WHEREAS, it has been reported to the Regents that Anna L. Davis was recently appointed as a member of the University faculty, and subsequently she informed the University Administration by letter, stating, among other things, that she is a member of the Communist Party; THEREFORE, the Regents direct the President to take steps to terminate Miss Davis' University appointment in accordance with regular procedures as prescribed in the Standing Orders of the Regents."

In a letter dated September 20, 1950, Professor Davis was notified by President Hitch of the Regental resolution of September 19. Professor Davis received the letter on September 22. The letter reads, in part: "The Standing Orders provide that the termination of the appointment of a member of the faculty before the expiration of his contract shall be only for good cause after the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate. In your case, the appropriate committee would be the Privilege and Tenure Committee
of the Los Angeles Division of the Academic Senate. This is to notify you that your University appointment will be terminated as of September 29, 1969 unless prior to that date you submit to Professor George G. Laties, Chairman of the Los Angeles Privilege and Tenure Committee, with a copy to me, a request for a hearing before that Committee. In the event you request such a hearing, this letter will serve as a statement of charges, and you will have 14 days within which to file with the Committee a written answer to the charges. Final action then would not be taken until the conclusion of proceedings before the Committee."

On September 26 Professor Davis submitted to Professor Laties, Chairman of the Committee on Privilege and Tenure, her request for a hearing before the Committee, and forwarded a copy to President Hitch, thereby guaranteeing her status as a Faculty member of the University of California, Los Angeles until her hearing is concluded.

Several days before the Regents meeting of September 19, the Chairman of the Philosophy Department sent to Vice Chancellor Saxon, at the latter's request, a letter concerning the teaching pattern in the Department and, specifically, Professor Davis' course load (the letter is dated September 11). The letter stated that four quarter courses is the normal load carried by a member of the Department; and that Professor Davis had the following course assignment: no courses in the Fall Quarter of 1969-70, two courses in the Winter Quarter (Philosophy 180---"Dialectical Materialism" and Philosophy 108---"Kant and Idealism"), and two courses in the Spring Quarter (Philosophy 99---"Recurring Philosophical Themes in Black Literature" and Philosophy 176---"Existentialism and Phenomenology").

On September 25 the Chairman sent Vice Chancellor Saxon another letter on the matter of Professor Davis' courses, which reads, in part: "On September 22, Professor Davis received from President Hitch a letter informing her that her 'University appointment will be terminated as of September 29, 1969 unless prior to that date' she requests a hearing before the Privilege and Tenure Committee. After receiving this letter Miss Davis asked me if she could make a change in the pattern of her teaching assignment; specifically, she requested that she be allowed to teach Philosophy 99 in the Fall Quarter (already scheduled and pre-enrolled but lacking an instructor) rather than in the Spring Quarter. The reasons she gave me for her request were that (a) she wanted the earliest opportunity to demonstrate to the University community her general academic competence and her ability to teach, and to refute by her conduct the charge that she would use the classroom to indoctrinate or for any other purpose inconsistent with the ethics of the academic profession, and that (b) she could not, under the present circumstances, utilize a Fall Quarter free of classroom responsibilities for intensive work on her dissertation. I granted Miss Davis' request, as I have invariably granted, during my five years as Chairman, similar requests from other members of our Department. To have done otherwise would have been to discriminate against Miss Davis in an unjustifiable and and unpardonable manner."
September 30, 1969

Mr. Donald L. Reidhaar, Assistant Counsel
Office of the General Council
550 University Hall
University of California
Berkeley, California

Dear Mr. Reidhaar:

I have this day notified Professor Angela Davis that should it prove convenient to all parties involved I am setting Friday, October 17 at 2:00 p.m. as the date and time of her hearing before the Privilege and Tenure Committee apropos of the charges made against her by the Board of Regents in connection with the Board's initiation of proceedings to dismiss Miss Davis from the University.

So that we may fully evaluate the charges and the University's position in regard to them I will welcome comprehensive written statements from you concerning the following points, should you be willing to offer same:

1) The University's (Board of Regents') conception regarding the purview of the Committee on Privilege and Tenure in relation to the charges lodged against Professor Davis.

2) The University's (Board of Regents') view of the stand the Committee should take in the light of Professor Davis' response to the charges.

The statements I am soliciting may originate with you directly, or may be submitted by appropriate parties in behalf of the University (Board of Regents). I will be thankful for receipt of such statements by October 13 at the latest so that they may be distributed among Committee members for full study.

Sincerely yours,

George G. Laties, Chairman
Committee on Privilege and Tenure

cc: Professor Angela Davis
    Mr. John McTernan
    Mr. William Cohen
    Members, Committee on Privilege and Tenure
HELP US SAVE YOUR UNIVERSITY

UCLA and its community have long enjoyed a warm and mutually beneficial relationship. Recent action by Governor Reagan and the Regents of the University of California in attempting to dismiss a philosophy teacher because of her opinions is doing serious damage to UCLA and therefore to the community it serves. We turn to you, the people of Los Angeles, the people of California, and supporters of the University throughout the nation, to help us save the vitality, the integrity, and perhaps the very existence of UCLA. Read this list of charges and the enclosed literature, and then ACT to save YOUR University.

WE CHARGE THAT GOVERNOR REAGAN AND THE UC BOARD OF REGENTS HAVE ACTED ILLEGALLY

They have moved to dismiss Miss Angela Davis, an Acting Assistant Professor in the Philosophy Department at UCLA, in spite of the fact that she has a valid and binding contract; they are forcing her to go to court to collect what the University has legally bound itself to give her. Professor Davis has not in any sense failed to live up to her part of the contract, nor do the Regents charge that she has. She is being fired for the OPINIONS she holds; no illegal or immoral ACTION, no neglect of duty or unsatisfactory performance of duty has even been charged.

The ONLY reason given for Professor Davis' dismissal is her membership in the Communist Party. The Regents offer no evidence, nor do they even explicitly allege that this membership is other than political in nature—the expression, by membership in a legal organization, of her political views, as is the right of every American. The Constitution of the United States of America, as interpreted by the highest court in the land, and by the Supreme Court of California, forbids disqualification of teachers from public universities for mere membership in the Communist Party, and the UC Board of Regents' own standing orders explicitly state that "No political test shall ever be considered in the appointment and promotion of any faculty member or employee." (June 30, 1969;102.1(a).)

PROVOCATIVELY

Under the leadership of Chancellor Charles Young, the administration, faculty, and students of UCLA have been struggling with the difficult and emotionally charged problem of achieving equality of educational opportunity for minorities on the Westwood campus. These efforts have met with some success; Professor Davis was hired after Chancellor Young and the Academic Senate urged departments to seek out qualified black professors. THE ACTION OF THE REGENTS WILL UNDO ALL OF THIS EFFORT—and more; it has deeply offended the black community at UCLA; in the words of Professor Robert Singleton, director of the Afro-American Studies Center at UCLA, it is "a paternalistic effort to prescribe for the black community a political litmus test," which may lead to a "holocaust," Chancellor Young has stated the Regents' action will cause a row that "will make the Loyalty Oath fight look like a Sunday School picnic."

IRRESPONSIBLY

The Regents know that their resolution against hiring Communists is unconstitutional, violated their own standing orders, and will not stand up in court. Yet, they choose to spend large sums of the taxpayers' money in court simply because, in the words of one Regent: "We just couldn't stand the heat of being called 'soft on Communism'" (LOS ANGELES TIMES, Sept. 19, 1969).

The friends and supporters of Miss Davis are thus being required to make a costly legal effort to obtain justice JUST SO THE REGENTS CAN ESCAPE CRITICISM. In their cowardly action, the Regents impose great burdens on a young woman just out of graduate school, and cause more turmoil in a University system that hardly needs it. By interfering in the decision reached by the UCLA faculty and administration to hire Miss Davis, they risk unparalleled disruption on a campus that has distinguished itself by its ability to cope in a peaceful way with its problems—WHEN LEFT ALONE.

AND AGAINST YOUR INTERESTS.

The attempted dismissal of Miss Davis is no isolated incident; it may be the first move in a purge of all elements of the University who radically disagree with the Governor's political views. In the September 22 LOS ANGELES TIMES, William Trombley reports that the Regents may be prepared to ban members of almost any group that advocates radical change in our society; the tenure appointments of two UC Berkeley professors were challenged "because they had signed a petition opposing the Vietnam War and for other anti-war actions and statements." "A majority of the board members," reports Trombley, "agreed... that the taxpayers in a capitalist, democratic society should not pay the salaries of professors, or the bills of students, who want to change that system."

Political tests are one of the gravest dangers to the survival of a university, as great as student disruptions or the presence of police or troops on campus. No university can be great, or even first-rate, unless it is respected in the academic world. No university will be respected in the academic world if appointment, retention, and promotion in it are subject to political tests. It will, rather, be a laughingstock or an object of pity.

Those who have faith in their own principles need not fear the free exchange of ideas. Such an exchange is a necessary condition of a free society; the University must be one forum for this exchange. In their attempt to determine what is an 'unacceptable' view for a professor to hold, the Regents have undertaken a task for which they do not have the qualifications. The victims of such intrusions will be not only the faculty and students of UCLA, but everyone who values life in a free society.
RACISM IN THE ANGELA DAVIS AFFAIR

• I THOUGHT THE ISSUE IN THE ANGELA DAVIS AFFAIR WAS ACADEMIC FREEDOM—WHAT IS ALL THIS ABOUT RACISM?

Academic freedom is important in this case, of course, but it is also important to see the issues raised because Professor Davis is Black. Because of the unequal treatment given Blacks for years in our society, they are always the most vulnerable when attacks are made against human rights. Black people have always been the last hired and the first fired when there are hard times, and universities have not been an exception to this rule. There are few Black teachers in our University. Most of them have not been teaching long enough to have acquired tenure or the security that comes from national reputation. Since Black people who are qualified to teach at the University are of necessity intelligent and articulate, they are very likely to have had some involvement in the struggle for racial justice. More often than not, this means that they have had connection with political groups that the Regents do not approve of and would like to eliminate. So when an attack comes on the University and academic freedom, the Black people—especially militant black people—will be harder hit than white people. If the Regents go on to purge the University of everyone they consider politically undesirable, then the Afro-American Studies Center, on the other hand, could be wiped out, leaving few or no Black people in the University.

• WHY IS IT SO IMPORTANT TO HAVE BLACK PEOPLE ON THE FACULTY OF THE UNIVERSITY?

Perhaps in an ideal world, we could conduct the affairs of the University without paying attention to people’s skin color. But the world we live in is not an ideal world: it is a world in which racial discrimination, racial hatred, racial fear and racial tension are among our most pressing problems. In the words of the Kerner Commission on Civil Disorders, we are fast becoming “two societies, one black, one white—separate and unequal.” Under these conditions, if the University is to perform adequately its traditional services to society—education and research—it is absolutely vital that Black people be on the staff. Black students need Black teachers if they are not to find themselves alone in an alien society. White students need to be exposed to the special perspective that only Black teachers can provide. Our attempts to seek a deeper understanding of the problem of race in our society would certainly be disastrously undercut without the presence of Black researchers at the University. Any interference with the recruitment of qualified Black faculty makes it much harder for the University to meet the needs of these troubled times.

• HOW IS THE BLACK COMMUNITY REACTING TO THE FIRING?

The Black community, naturally, is very angry. They see the Regents going out of their way to fire a Black faculty member (the first public action of the Regents to dismiss a faculty member in nineteen years) and they understand well the threat this poses to Black faculty members throughout the University. For Professor Davis and many others in the Black community, political affiliation and commitment are inseparable from and a consequence of participation in the struggle for racial justice. As a result, it is readily understandable that attacks on their political affiliations would be difficult to distinguish from racial repression. For Black people, familiar with the history of racial injustice in America, it cannot appear accidental that Professor Davis is Black. Black people are prepared to fight the issue in every way possible.

• GOVERNOR REAGAN AND SOME OF THE REGENTS HAVE SAID THAT THEY PLAN TO REPLACE PROFESSOR DAVIS WITH ANOTHER BLACK PERSON. WHY AREN'T THE BLACK PEOPLE SATISFIED WITH THIS?

Of course, it is not clear that the Regents could do this even if they intend to, unless they propose to take over all hiring and firing decisions and go out and recruit a qualified Black person. But in any case, the Black people could not be satisfied with this answer. What the Regents are doing is to set up political tests which Black people must pass if they are to be considered respectable enough to teach at the universities. The Regents are, in effect, trying to influence the sort of leaders the Black community will choose by denying respectability to those they consider unsuitable. They have fired a Communist, and an unidentified Regents said to the LOS ANGELES TIMES that he thought a majority of the Regents would like to extend this action to include Maoists, Black Panthers and other militant groups. They seem to be saying to the Black Community, “We know better than you what sort of Black people are to be allowed to teach Black students and to present Black perspectives to the University.” The reply to this, given by Professor Robert Singleton, Director of the Afro-American Studies Center at UCLA, is that the Regents are engaged in a “paternalistic effort to prescribe for the Black community a political litmus test.”

• THE BLACK PEOPLE HAVE TALKED ABOUT A HOLOCAUST—DOES THAT MEAN THEY WANT TO BURN DOWN THE UNIVERSITY OVER THIS ISSUE?

Most Black people—just like most white people—want an orderly university in which teachers can teach and students can learn without irrelevant interruptions. But the fears and mistrust which exist in our society penetrate the University too, and all the conditions which lead to conflict outside the University are present within it. When the Regents stage an attack in which they attempt to deny Professor Davis her Constitutional rights, an attack which is all the more serious because this violation is knowing and deliberate, and when this attack is aimed at an admittedly qualified Black person, naturally Black people are outraged. Such attacks provoke trouble and conflict which can make it difficult for anyone to get an education at the University of California.

(Con't on 3)
-3-

• WHAT EFFECT WILL THE FIRING HAVE ON RELATIONS BETWEEN BLACK PEOPLE AND THE UNIVERSITY?

Obviously, this explosive issue can only exacerbate already existing tensions between Black people and the University. The University has been making some progress in dealing peacefully with the difficult problems posed by racial tension and racial discrimination in our society. No one thinks that the University’s sincere efforts are correct in every detail, but some progress is being made. All this is jeopardized by actions like that of the Regents in firing Professor Davis. If the Regents, in the course of a political purge, fire the Black faculty members the University has been attempting to hire, then the University will find it increasingly difficult to recruit Black faculty, and Black people will come more and more to mistrust the University, and with good reason. This could make any orderly and peaceful solution of the problems of the University impossible. The effects of the Regents’ actions are not limited to the University. Black people all over California, and all over the United States, are aware of what happens at the University of California, and an unjustified firing of a Black faculty member by the Regents can only increase racial tensions throughout our society.

• WHAT CAN BE DONE ABOUT THE SITUATION?

The most important thing to be done is for men of good will everywhere to do everything they can to oppose the attacks of the Regents on the University. The people of California must not let the University become a political football in a game in which the immediate losers could be the Black people, and the long run losers all the people of California. Black people must not stand alone in opposing the political attacks of the Regents on the University. Everyone who cares about freedom and a free university must work together to defend Professor Angela Davis and to stop the Regents from taking similar actions in the future.

THE FOLLOWING STATEMENT HAS BEEN ENDORSED BY 74 MEMBERS OF THE FACULTIES OF THE UNIVERSITY OF CALIFORNIA SCHOOLS OF LAW AT BERKELEY, DAVIS AND LOS ANGELES.

The proceedings instituted by the Board of Regents for the dismissal of Professor Angela Davis on the sole ground that she is a member of the Communist Party are a violation by the Regents of the United States Constitution and the Constitution and laws of the State of California, as repeatedly interpreted by the highest courts of the State and Nation.

This violation is particularly grave because it was apparently knowing and deliberate. According to reports in the news media, at least some Regents acknowledged the high probability that their action would be declared unlawful, but said that they would not act legally until ordered to do so by a court of law. At a time when the Regents are calling on others in the University community to demonstrate respect for law, the Regents themselves have displayed an official disdain for law, in violation of their oaths to support and defend the Constitutions and laws of the United States and the State of California.

We submit that on this ground, the Regents should reconsider and reverse their action.

WHY NOT BAN COMMUNISTS FROM THE UNIVERSITY?

The firing of Angela Davis was an illegal act, has serious racial implications, and has created an explosive situation at UCLA. But it must also be opposed as a flagrant violation of the principles of academic freedom which are the foundation of any viable university.

• WHAT IS “ACADEMIC FREEDOM”?

The United States Constitution guarantees to everyone basic freedoms of speech, press and religion. Academic freedom is simply an extension of these ideas to our universities in a democratic society. A fundamental principle of academic freedom is that members of the university or college community must be allowed to pursue the truth and to express their conclusions without interference from kings, governors, or any other ruling agency, no matter how well-intentioned these may be. To ensure this, it is necessary that decisions about a person’s fitness to teach should be made, not by distant authorities with political concerns, but by those best able to judge academic competence and responsibility. When a governing board of a university expels a professor from the faculty simply because of his views or his political, racial, or religious identifications, then that board is dictating to the public what they can hear and even what ideas they can entertain and question. Such censorship has no place in any part of a free society, but it is especially dangerous within a university. This is because a university is a community of scholars, teachers and students whose traditions and facilities give it a unique opportunity to test new ideas and to re-examine
old dogmas in intelligent, open discussion. History shows that whenever universities are restricted to the spokesmen of officially acceptable points of view, freedom of thought and discussion for individuals cannot survive long.

- ISN’T "ACADEMIC FREEDOM" JUST A SLOGAN FOR IRRESPONSIBLE BEHAVIOR?

Academic freedom is not a license for irresponsible behavior. The academic profession has its own code of professional ethics, and one which is quite demanding. A primary responsibility of faculty members is intellectual honesty—to seek and state the truth as one sees it, free from the hypocrisy of compromise with external pressures. A special responsibility of teachers is to encourage the free pursuit of learning—not to indoctrinate but to provide for discussion and questioning, to refer to alternative views. Among the most important requirements is to discuss candidly one's own special perspectives. A third responsibility of academics is to show a decent respect for the opinions of others.

In each of these regards, Professor Davis has given evidence that she is a responsible teacher and faculty member. In her honest response to the Regents, she has proven that she has the courage of her convictions. She has publicly expressed her desire for critical discussion with students. Indeed, as between Professor Davis, who openly proclaims an unpopular view, and the Regents, who would suppress its exposition, it should be clear who are the supporters of indoctrination. Moreover, no one has accused Professor Davis of intolerance for opinions with which she does not agree. She was appointed to her teaching position through regular University procedures by those best able to judge her qualifications. In fact, the Regents did not challenge her academic competence or responsibility, but cited her membership in the Communist Party as their sole ground for firing her.

- DON'T ALL COMMUNISTS HAVE RIGID, CLOSED MINDS?

Even friends of the free, open university sometimes will accept a ban on Communists without raising any objections. They reason that anyone who could join the Communist Party must be so closed-minded, so controlled by others, that he could not meet the responsibilities of a university position. Now surely, we all agree with the aim of keeping doctrinaire, unthinking people from teaching in our universities. If there is ample evidence that a certain Communist has this sort of rigid mind, then he (or she) ought to be prevented from teaching. The same is true, of course, for closed-minded Democrats, Republicans, Protestants, Catholics, or whatever. No one, however, should be judged as fit or unfit to teach simply by the group he identifies with. It is central to our democratic values that each individual should be judged on his own merits, not by his associations. If there are doubts about Angela Davis's intellectual ability or integrity, let them be directed to the proper subject, Professor Davis, herself. Whatever her affiliations and ideals, she remains an individual with the same human rights as anyone else.

- AREN'T COMMUNISTS HOSTILE TO BASIC AMERICAN INSTITUTIONS?

According to a recent LOS ANGELES TIMES report, some Regents have raised this objection quite explicitly. Why, they ask, should taxpayers in a democratic, capitalistic society pay the salaries of teachers who want to change that system?

There is no doubt that many of our institutions and policies in the United States are rejected by the Communist Party and by most party members. The question, then, is whether this is sufficient grounds for excluding them from positions in our universities.

Consider first the fairly simple case of a Communist Party member who teaches subjects (or does other jobs) completely unrelated to his ideological beliefs. For example, he is a dish-washer or a professor of mathematics. Here, surely, each person should be treated according to his merits. If the person is engaged, on the side, in criminal activities, then he should be accused of THAT. There is no need to consider his party membership. Now suppose the Communist teaches subjects, such as Philosophy, in which Marxism is an appropriate topic of discussion. Here, again, there is no reason to exclude the Communist, provided he meets the standards of academic competence and responsibility. If he does not, then let him be barred on those grounds and not because he is a Communist. No doubt even the most responsible Communists will interpret history and philosophy from a perspective different in some degree from ours. In fact, no one, whatever his political views, completely succeeds in escaping the limitations of his intellectual framework and in freeing himself from biases. In a university, however, progress towards achieving truth and correcting errors is made not solely by individual efforts but also by the cancellation of prejudices in open, respectful exchange of opinion. Moreover, anyone who supposes that a university professor today could indoctrinate his students does not have a realistic picture of what university students and classes are like. A professor who tried to foist a package of dogmas upon his class is likely to be hooted off the podium. And rightly so. We do not need faculties of single-minded professors, and we cannot afford to graduate a generation of students unprepared to cope with ideas that challenge their basic beliefs. We do need to encourage autonomous, thinking citizens and leaders, who know what Communism is, what Communist Party members advocate, and why. It is hard to see how banning all Communist Party members from the University can help in this task.

• • • • •
THE TRUTH ABOUT ANGELA DAVIS

WHO IS ANGELA DAVIS?

Angela Davis is a young black woman hired by the Department of Philosophy at UCLA in a two-year, non-tenured position. The courses she will teach include Nineteenth Century Philosophy, Dialectical Materialism, and Philosophical Themes in Black Literature. Miss Davis graduated magna cum laude from Brandeis University in 1965. She studied at the Sorbonne in 1963-64, receiving a Certificate de la Literature Francaise Contemporaine. From 1965 to 1967, she studied at the Johann Wolfgang von Goethe Universität in Frankfurt, Germany. She is currently finishing work on her Ph.D. dissertation on German Idealism under the supervision of Professor Herbert Marcuse at the University of California, San Diego.

The hiring of Miss Davis was initiated by the Department of Philosophy after an investigation of Miss Davis’ scholarly and pedagogical qualifications, which included a personal interview. The Department neither had nor sought information about Miss Davis’ political affiliations. Subsequent to being hired at UCLA, a report in the UCLA DAILY BRUIN stated that a new member of the Philosophy Department was a member of the Communist Party. Later, the SAN FRANCISCO EXAMINER identified the subject of the BRUIN article as Miss Davis. In a reply to a letter from Chancellor Charles Young of UCLA asking if she was a member, Miss Davis stated, “It would seem plain that you are without authority to require answers concerning mere membership in the Communist Party or to deprive me of employment on such grounds... However, and without waiving my objections to the question posed, my answer is that I am now a member of the Communist Party.”

ISN'T IT ILLEGAL FOR A COMMUNIST TO TEACH AT A PUBLIC UNIVERSITY?

Clear. The United States Supreme Court, in the case of KEYISHIAN vs. BOARD OF REGENTS, 385 U.S. 589 (1967), struck down New York statutes that made membership in the Communist Party grounds for disqualification for teaching in a public institution. The UC Board of Regents, in June 1969, adopted a standing order that states “No political test shall ever be considered in the appointment and promotion of any faculty member or employee.”

HOW CAN THE REGENTS IGNORE MISS DAVIS’ CONTRACT?

Professor Davis has a valid and binding contract with the University of California. The Regents have not charged that she has failed to discharge her contractual obligations. However, by ordering that her salary not be paid, the Regents can force her to go to the courts to collect what is rightfully owed her.

ISN'T THERE ANY WAY THE REGENTS CAN FIRE THOSE WHO ARE UNFIT TO TEACH?

There would be no constitutional block to firing a faculty member if the charges that the Governor and Regents have suggested—but not explicitly made—could be proven of that faculty member. The abuse of the classroom for purposes of indoctrination or intellectual coercion, is an example of one such charge. But there is no evidence that any such charge could be rightfully lodged against Miss Davis. The Department of Philosophy at UCLA—a department with an international reputation for rigorous intellectual standards in teaching and scholarship—initiated the hiring of Miss Davis only after a thorough examination of her qualifications as a teacher and scholar.

ARE RADICAL AND COMMUNIST POINTS OF VIEW THE ONLY ONES OFFERED BY THE PHILOSOPHY DEPARTMENT AT UCLA?

The Philosophy Department at UCLA will include in any given year persons with a wide variety of philosophical and political positions. For example, the Department chose for its prestigious Flint Professorship in 1968-69, Professor Freidrich von Hayek, the author of THE ROAD TO SERFDOM, and the world’s foremost philosophical champion of political conservatism.

ISN'T MISS DAVIS SUPPORTED ONLY BY THE RADICALS AT UCLA?

In a vigorous university, deep differences of opinion are commonplace. But the attempt to dismis Professor Davis has received an almost unanimous condemnation from all elements of the UCLA community, including many distinguished faculty members with moderate and conservative political views.

THE LOS ANGELES TIMES CHARGED IN AN EDITORIAL THAT THE HIRING OF MISS DAVIS AND THE SUBSEQUENT DISCLOSURE OF HER COMMunist PARTY MEMBERSHIP WAS A PLOT, STAGE-MANAGED BY COMMUNISTS, TO PROVOKE TROUBLE AT UCLA. IS THERE ANY TRUTH IN THIS?

The facts of the matter as stated herein (or in the TIMES newscolumns) leave no room for a theory of conspiracy. Miss Davis’ hiring was initiated by the Philosophy Department and approved by the Administration of UCLA before any member of either group had any knowledge of Miss Davis’ political affiliation. So, it is unclear how the TIMES imagines that the Communist Party was able to stage-manage this appointment. The disclosure in the UCLA DAILY BRUIN of Miss Davis’ membership in the Communist Party was made by William Tulee Davis, an FBI informer. Again, it is difficult to see this as an event controlled by the Communist Party.

The TIMES did not state in its editorial that Miss Davis was in any way unqualified to teach, nor did they express approval of the Regents’ action in attempting to dismiss her.
YOU CAN HELP

Write. The Regents meet again in October. Write and urge them to rescind their attempt at dismissal.

Governor Ronald Reagan
State Capitol
Sacramento, California

Charles J. Hitch
President of the University
714 University Hall
University of California
2200 University Avenue
Berkeley, California 94720

Dewitt A. Higgs
Chairman of the Board of Regents
1700 Home Tower
707 Broadway
San Diego, California 92101

Contribute. Help us reach every person in the state with the truth about the Angela Davis affair. Send contributions to:

The Committee For an Orderly University
P. O. Box 149
308 Westwood Plaza
Los Angeles, California 90024

Help. Help us distribute this information. Write to the Committee For an Orderly University for copies to distribute.

Join. Join the Committee For an Orderly University and help support the truth. Send $2.00.

Donate To help meet legal and other expenses of Miss Davis' defense, send donations to:

Angela Davis Fund
Suite 725
9665 Wilshire Blvd.
Beverly Hills, California 90212

This leaflet prepared by THE COMMITTEE FOR AN ORDERLY UNIVERSITY.
Co-chairmen: John Bennett, Tom Hill, John Perry. Photo of Angela Davis by Gilbert B. Weingourt; courtesy of the L. A. FREE PRESS.
Printed by TEC-ART & PEACE PRESS, a group of people involved in the struggle.
The faculty of the Department of Business Administration in a meeting on September 30, 1969 adopted the following resolutions:

I. We oppose the violation of constitutional liberties represented by the dismissal proceedings against Angela Davis.

II. We support the efforts to establish the illegality of the Regents’ actions of September 19, 1969 and to reinstate the constitutional liberties of the individual.

III. Consistent with the above principles, we express our admiration for the act of conscience of Associate Dean Frederic Meyers in resigning his administrative post in protest.

In addition, the following faculty members of the Graduate School of Business Administration have individually endorsed the above resolutions:

Robert Andrews  Richard Goodman  Fred Schmidt
Warren Schmidt  Donald Ratsajczak  Archie Kleingartner
Fred Weston  Hans Schollhammer  Robert Singleton
Paul Prasow  Michael Quinn  Lee G. Cooper
R. Clay Sprowls  John Mc Donough  Daniel J.B. Mitchell
John Morse  Donald Erlenkutter  Charlotte Georgi
Peter Vaill  John Burt, Jr.  Thad Spratlen
Walter Fogel  James Dyer  Steven Lippman
Rosser Nelson  Harold Kassarjian  Richard Mason
David Peters  William McKelvey  Erwin Keithley
Arthur Shedlin  Fred Massarik  James Jackson
James Warren  Kenneth Thomas  Burt Zwick
Glenn Graves  David Eiteman  William H. McWhinney
Michael Yoshino  James Bettman
EMERGENCY MEETING OF THE ACADEMIC SENATE, LOS ANGELES DIVISION

Wednesday, October 1, 1969 at 2:00 p.m.

Royce Hall

1. Minutes of the meeting of May 28, 1969 and of the recessed meeting of June 4, 1969

2. The special business of the occasion

The action taken by the Board of Regents relative to the employment of Professor Angela Y. Davis, has led many faculty members to request a meeting of the Los Angeles Division as soon as possible. Enclosed are Resolutions of the Committee on Academic Freedom and various other Resolutions which I have received in the Senate Office.

Upon the recommendation of my Advisory Committee I am extending an invitation to Acting Assistant Professors to attend the Senate meeting.

Lowell J. Paige, Chairman

Committee on Academic Freedom - P. Thorslev
Other Resolutions
Memorandum from Kenneth Karst

3. Any other business authorized by unanimous consent of the voting members present.

Michael D. Intriligator, Secretary
Academic Senate, Los Angeles Division

September 25, 1969
COMMITTEE ON ACADEMIC FREEDOM

To the Academic Senate, Los Angeles Division

On the request of Chairman Lowell J. Paige, the Committee on Academic Freedom has met to consider the case of Professor Angela Davis, and has unanimously agreed upon the following report to the Academic Senate, Los Angeles Division:

The action of the Regents at their meeting on September 19, 1969, terminating the appointment of Professor Angela Davis, in effect imposes a political test for appointment to the faculty of the University. The Committee believes that this action is not only in grave violation of principles of academic freedom and of privilege and tenure, but that it also impinges upon the individual and collective rights of all of the Faculty under the laws and constitutions of the state of California and of the United States. Because no great university can long survive the imposition of a political test for faculty membership, the Regents' action also does a grave disservice to the welfare of the people of California.

A. Therefore the Academic Senate, Los Angeles Division:

1. Directs its Chairman to institute or to intervene in appropriate legal action on behalf of the members of the Division to seek a judicial declaration that this infringement upon our rights of privilege and tenure and upon our constitutional rights is unlawful and void.

2. Directs the Chairman to make this resolution known to the other Divisions of the Senate and to invite their participation in the legal action we bring or intervene in.

3. Authorizes the Chairman to retain counsel on behalf of the members of the Division for purposes of the litigation contemplated; to invite all members of the Division to contribute to the expenses of litigation brought on their behalf; and to establish a suggested schedule for such contributions.

B. Further, the Academic Senate, Los Angeles Division, proposes the following Memorial to the Regents:

[See Resolution I which has been unanimously endorsed by the Chairman's Advisory Committee.]

N. S. Assali
D. Kivelson
A. Rosett
R. Yost
P. Thorslev, Chairman
Recent action by the Board of Regents, instituting dismissal proceedings against Professor Angela Davis, is disqualifying members of the Communist Party from membership in the University faculty. No illegal conduct is charged; the only ground for the dismissal is membership in a political organization that is not illegal.

Guilt in our society is an individual matter. A faculty member's fitness to teach is to be judged by his professional qualifications and his own conduct, not the conduct of his political associates. The University simply cannot be placed in the position of screening present and prospective members of its faculty to eliminate persons who belong to a party whose positions are unpopular.

The Regents, in ordering these dismissal proceedings, have asserted that their 1940 and 1949 resolutions are supported by resolutions of the former Northern and Southern Section of the Academic Senate, adopted in 1950. These Senate resolutions, along with the Regents' 1940 and 1949 resolutions, have since been rendered void (because unconstitutional) by decisions of the United States Supreme Court and the Supreme Court of California. Furthermore, the Los Angeles Division has taken seriously the language of Standing Order 102.1 of the Board of Regents, that "no political test shall ever be considered in the appointment and promotion of any faculty member or employee." It was an effort to make that policy statement a reality that led this Division, last June, to adopt a resolution of

"warning to the campus administration, faculties, departments, and concerned Senate committees not to allow the Regents' recent withdrawal of campus control over academic appointments at the tenure level to result in any implicit or explicit self-censorship which permits the question of the political acceptability of candidates to intrude itself into the review process."

The most recent action of the Regents makes necessary further clarification of this Division's position. Therefore, the Los Angeles Division of the Academic Senate resolves,

(a) That lawful political affiliation, including membership in the Communist Party, cannot legitimately be made the basis for disqualification for membership in the University faculty;

(b) That any contrary impression of the Senate's position, based on Senate resolutions of 1950, is repudiated, and the officers of this Division are instructed to take all steps necessary to secure the formal repudiation by the Statewide Academic Senate of any suggestion of support for a political disqualification for membership in the University faculty; and

(c) That this Division calls upon the Regents to honor the University's commitment to academic freedom, contained in the promise of Standing Order 102.1 that "no political test shall ever be considered in the appointment and promotion of any faculty member or employee," by abandoning their adherence to the discredited and unconstitutional resolutions of 1940 and 1949.

K. L. Karst  School of Law  Richard Longaker  Political Science
H. W. Horowitz  School of Law  Earl Miner  English
Douglas Hobbs  Political Science  R. R. O'Neill  Engineering
David Kaplan  Philosophy  Dean J. Swift  Mathematics
G. 0.  Abell  Astronomy  Robert Vosper  Library
Vade Savage  Philosophy  D. Villarejo  Physics
Resolved, that the Los Angeles Division condemns the action of the Board of Regents instituting proceedings for the dismissal of Angela Davis from membership in this faculty on the ground that she is a member of the Communist Party,

First, because these dismissal proceedings are a deliberate assault on a central principle of academic freedom that one's fitness to be a member of the faculty is to be determined by his professional qualifications and his conduct, not by his lawful political associations;

Second, because these dismissal proceedings are a violation by the Regents of the United States Constitution and the Constitution of the State of California, as those Constitutions have been repeatedly interpreted by the highest courts of the State and Nation; this violation is particularly grave because it is knowing and deliberate; and

Third, because these dismissal proceedings make a mockery of the Regent's own Standing Order, adopted only three months before its recent action, forbidding political tests in the selection of members of the faculty.

Resolved further, that this Division is dismayed and outraged at the statements attributed to some Regents that they knew the high probability that their action would be declared unconstitutional, but that they would not act legally until ordered to do so by a court of law. At a time when the Regents are calling on others in the University community to demonstrate respect for law, this official anarchy is the height of irresponsibility. The University has a contractual commitment to Angela Davis; its officers, including the Regents, are sworn to defend the Constitution of the United States and the State of California; it is time for these officers to demonstrate their respect for law.

K. L. Karst
H. W. Horowitz
Douglas Hobbs
David Kaplan
G. O. Abell
W. F. Brown
Wade Savage

School of Law
School of Law
Political Science
Philosophy
Astronomy
Business Admin.
Philosophy

Richard Longaker
Earl ii ner
R. R. O'Neill
Dean J. Swift
Robert Vosper
D. A. Wilson
D. Villarejo

Political Science
English
Engineering
Mathematics
Library
Political Science
Physics

* * * * * * * * *

Resolution 3

Resolved, that the Los Angeles Division calls upon the other Divisions of the Academic Senate and upon the Statewide Assembly and the Academic Council to join in this Division's repudiation of political tests for membership in the University faculty and its condemnation of the Regent's action instituting proceedings for the dismissal of Professor Angela Davis.

K. L. Karst
H. W. Horowitz
Douglas Hobbs
David Kaplan

School of Law
School of Law
Political Science
Philosophy
Resolution 4

Resolved, that the officers of this Division are instructed to appoint an advocate to seek to appear on behalf of the Division as a "friend of the court" in any hearing the Committee on Privilege and Tenure may hold in connection with the proceedings for the dismissal of Professor Angela Davis, to argue against application of the Regents' resolutions of 1940 and 1949 disqualifying members of the Communist Party for membership in the University faculty.

K. L. Karst School of Law  Richard Longaker Political Science
H. W. Horowitz School of Law  Earl Miner English
Douglas Hobbs Political Science  R. R. O'Neill Engineering
David Kaplan Philosophy  Dean J. Swift Mathematics
G. O. Abell Astronomy  Robert Vesper Library
Wade Savage Philosophy  D. Villarejo Physics

* * * * * * * * * * * *

Resolution 5

Resolved, that the Chairman of the Division appoint an ad hoc committee charged with continuing consideration of the legal aspects of the proceedings for the dismissal of Professor Angela Davis and the validity of the Regents' resolutions of 1940 and 1949 disqualifying members of the Communist Party for membership in the University faculty. This committee, shall, among other functions, advise members of the faculty of the Division on the desirability, timing, and conduct of litigation to declare the invalidity of the Regents' resolutions.

K. L. Karst School of Law  Richard Longaker Political Science
H. W. Horowitz School of Law  Earl Miner English
Douglas Hobbs Political Science  R. R. O'Neill Engineering
David Kaplan Philosophy  Dean J. Swift Mathematics
G. O. Abell Astronomy  Robert Vesper Library
Wade Savage Philosophy  D. Villarejo Physics
Professor David Kaplan has asked that this memorandum be made available to faculty members.

Lowell J. Paige

To: Professor David Kaplan
   Vice-Chairman, Department of Philosophy

From: Kenneth L. Karst

Re: The constitutional validity of the Regents’ resolutions of 1940 and 1949 prohibiting the University’s employment of members of the Community Party

Introduction

This memorandum responds to your request of July 30, 1969, on behalf of the Philosophy Department, for an opinion on the validity of two resolutions of the Board of Regents, as those resolutions are stated on page 37 of the Handbook for Faculty Members of the University of California:

(1) The 1940 resolution is quoted in the Handbook. Its operative language is: "...membership in the Communist Party is incompatible with membership in the faculty of a State University."

(2) The 1949 resolution is paraphrased in the Handbook as saying "that no member of the Communist Party shall be employed by the University."

In 1969, the Regents adopted an amendment to Standing Order 102.1(a):

"No political test shall ever be considered in the appointment and promotion of any faculty member or employee."

The 1969 amendment appears, on its face, to supersede both the 1940 and the 1949 policies. However, the Regents might in the future choose to rescind their most recent declaration of policy, or to adopt an exception for the case of membership in the Communist Party. In this memorandum, I shall assume for purposes of argument that the 1969 amendment makes no change in the 1940 and 1949 resolutions, and that those resolutions continue to represent Regental policy.

Summary of Conclusions

I. The power to impose qualifications for employment relating to loyalty (or to membership in an organization said to be subversive) rests with the Legislature if it rests anywhere. Such a power does not rest with the Regents. Even if the Regents did have such power under the California Constitution, however,

II. The 1940 and 1949 resolutions of the Regents violate the First and Fourteenth

-5-
Amendments to the United States Constitution. There are a number of other federal constitutional infirmities in the two resolutions (e.g., the denial of due process of law for want of a hearing on the employee's fitness, the unconstitutionality of the resolutions as bills of attainder), but the First Amendment issue is such an easy one that I shall limit the federal constitutional discussion to that subject.

I. The Regents lack power, under the Constitution of the State of California, to impose employment qualifications relating to loyalty or to membership in political organizations.

The Regents of the University of California are a constitutional department of the government of the State. California Constitution article IX, section 9. Their orders have the force of statutes governing the University. See, e.g., Hamilton v. Regents of the University of California, 293 U.S. 243 (1934). Thus there are some areas of University affairs in which the Legislature cannot act. However, there are also areas of legislation that are outside the jurisdiction of the Regents. In Tolman v. Underhill, 39 Cal. 2d 706 (1952), the Supreme Court of California dealt with such an issue: the University of California loyalty oath. In its opinion striking down the Regents' requirement of such an oath for faculty members, the Court drew the controlling distinction between "matter[s] involving the internal affairs" of the University and "subject[s] of general statewide concern." The first category falls within the legislative province of the Regents; the second falls within that of the Legislature. As the Court said in the Tolman opinion:

"There can be no question that the loyalty of teachers at the University is not merely a matter involving the internal affairs of that institution but is a subject of general statewide concern. Constitutional limitations upon the Legislature's powers are to be strictly construed, and any doubt as to its paramount authority to require University of California employees to take an oath of loyalty to the state and federal constitutions will be resolved in favor of its action."

Thus it is the Legislature and not the Regents who are empowered to set loyalty tests and their equivalent in employment qualifications - if any such tests may be required at all. In the next section, this memorandum demonstrates how the California Supreme Court has now held that even the California Legislature's efforts in this field are invalid violations of the freedoms of political association. But the principle of separation of powers that was enunciated in the Tolman decision remains the law of the California Constitution.

II. The 1940 and 1949 resolutions violate the freedoms of political association guaranteed by the First and Fourteenth Amendments to the United States Constitution.

Beginning in the early 1960's, the United States Supreme Court has consistently held invalid state and federal legislation either (a) forbidding employment of members of the Communist Party or other organizations described as subversive or dedicated to the violent overthrow of the Government, or (b) requiring, as conditions to employment, oaths or declarations of non-membership in such organizations. The Supreme Court of the State of California, following this line of decisions, has held invalid the "Levering oath" that was embodied in the California Constitution. I shall outline three decisions of the U.S. Supreme Court, and the California decision just
Professor David Kaplan - 3

mentioned. Then I shall comment on the relevance of these decisions to the Regents' 1940 and 1946 resolutions.

(1) Elfbrandt v. Russell, 384 U.S. 11 (1966), struck down an Arizona statute that made it a crime (perjury) for a public employee (in this case, a school teacher) to take the state's general oath of allegiance while knowingly being a member of the Communist Party or other organization dedicated to violent overthrow of the Government. The Court's opinion makes clear that 'proscription of mere knowing membership, without any showing of specific intent' [intent to assist in achieving some unlawful purpose of the organization], would run afoul of the Constitution..." The law, said the Court, imposed, "in effect, a conclusive presumption that the member shares the unlawful aims of the organization." Thus the law's coverage was too broad in its infringement on constitutionally protected freedoms of political association. For a thorough discussion of the implications of this decision, see Israel, Elfbrandt v. Russell: The Demise of the Oath?, 156(, Supreme Court Review 193.

(2) Professor Israel's prediction, implicit in the title of his article, was confirmed in Keyishian v. Board of Regents, 385 U.S. 589 (1967), which held invalid several New York statutes governing the qualifications for employment as a teacher in a public school or in the State University of New York. (The parties in this case were members of the faculty of SUNY, Buffalo.) One of the statutes struck down made membership in the Communist Party prima facie evidence of disqualification to teach in the University. The Court's opinion paraphrased the Elfbrandt opinion, saying:

Mere knowing membership without a specific intent to further the unlawful aims of an organization is not a constitutionally adequate basis for exclusion from such positions as those held by appellants.

While under the law it was possible for the presumption of disqualification to be overcome by an employee, the presumption would stand unless the employee could show (a) that he was not a member of the Communist Party, or (b) that the Party did not advocate the violent overthrow of the Government, or (c) that the employee had no knowledge of such advocacy by the Party.

Thus proof of nonactive membership or a showing of the absence of intent to further unlawful aims will not rebut the presumption and defeat dismissal...Thus [this statute and a parallel statute] suffer from impermissible 'everbreadth.' They seek to bar employment both for association which is intimately may be sanctioned and for association which may not be sanctioned consistently with First Amendment rights.

(3) The U.S. Supreme Court followed these two decisions with United States v. Robel, 369 U.S. 258 (1967), which struck down a portion of the (Federal) Subversive Activities Control Act of 1959 making it a crime for a member of a Communist-action organization that is under a final registration order (here, the Communist Party) to be employed in a defense facility (here, a shipyard).
The Court's opinion uses language much like the language quoted from the Elfbrandt and Keyishian cases: "It is made irrelevant to the statute's operation that an individual may be a passive or inactive member of a designated organization, that he may be unaware of the organization's unlawful aims, or that he may disagree with those unlawful aims." While Congress does have the power to protect against espionage and sabotage, it must do so in narrowly-drawn legislation that does not bar from defense-facility employment persons whose political associations cannot be "proscribed consistently with First Amendment standards."

(4) On the basis of the Elfbrandt and Keyishian decisions, the California Supreme Court, in Vogel v. County of Los Angeles, 60 Cal. 2d 10, 64 Cal. Eptr. 409 (1967), held invalid section 3 of article XX of the California Constitution. This section required of public employees to sign an oath disclaiming membership in any organization that advocates the violent overthrow of the Government. This was a suit by a taxpayer to enjoin the spending of public funds on the enforcement of the requirement of the challenged oath. The Court discussed the Elfbrandt and Keyishian decisions in detail, and specifically in reliance on those two decisions reversed its 1952 decision that upheld a similar oath that was prescribed in the Levering Act of 1950.

The four cited decisions make these points clear:

(1) Membership in the Communist Party cannot constitutionally be made a disqualification for employment, including public employment, and specifically including employment as a member of a state university's faculty. More specifically,

(2) A prospective employee of the University of California cannot be required to disclaim membership in the Communist Party as a condition on his being employed.

The Elfbrandt decision set the basic rule for constitutional validity in this area: Disqualification for employment cannot rest solely on the prospective employee's membership in the Communist Party, absent any showing of active and purposeful forwarding by the prospective employee of aims of the Communist Party that are demonstrated to be unlawful. (Other court decisions make clear that the Party's illegal activity must itself be proved in each such case. See, e.g., Ioto v. United States, 367 U.S. 290 (1961).) But the Elfbrandt decision dealt with a criminal statute, punishing one who took the oath of allegiance while he was a member of the Communist Party. The 1940 and 1949 resolutions of the Regents, it might be argued, do not impose punishment, but merely forbid the employment of a member of the Party. Here the Keyishian and Robel decisions are conclusive, making clear that the denial of employment on the basis of mere membership in the Communist Party is unconstitutional. (Robel did involve a criminal statute, but the language of the opinion also covers our situation: the statute, said the Court, "contains the fatal defect of overbreadth because it seeks to bar employment both for association which may be proscribed and for association which may not be proscribed consistently with First Amendment rights."
The 1940 and 1949 resolutions of the Regents are even more clearly unconstitutional than was the statute in the Keyishian case that dealt with membership in the Communist Party. Under the New York statute, party membership was only prima facie evidence of disqualification for the prospective faculty member; under the Regents' resolutions, such membership is conclusive on the issue of disqualification.

The California Supreme Court's Vogel decision quite clearly applies to all public employees. Since the suit in question was a taxpayer's suit, challenging the spending of any County money on the enforcement of the oath, the decision does not rest on the peculiarities of one or another type of public employment. The oath in the Vogel case was held invalid on its face, not in any particular application.
EMERGENCY MEETING OF THE LOS ANGELES DIVISION OF THE ACADEMIC SENATE

October 1, 1969 at 2:00 p.m.

ROYCE HALL

In order to expedite consideration of this serious issue and in the light of recent developments, I have consulted with members of my Advisory Committee and supporters of the various resolutions. Out of this consultation it has been possible to combine and/or eliminate certain resolutions and to adopt a more logical order of business.

This outline is keyed to the Call to the meeting and the addenda which have been distributed.

ORDER OF BUSINESS

1. Remarks by Chancellor Young.

2. Additional remarks as authorized by the Chairman.

3. Recognition of Academic Freedom Committee Chairman Peter Thorslev for the introduction of Part B of the Committee's report, Resolution #1. (See Page 2 of the Call).

4. Recognition of Professor Kenneth Karst for the introduction of Resolution #2. (See Page 3 of the Call).

5. Recognition of Equal Opportunity Committee Chairman Leon Letwin for the introduction of Resolution #6. (See Addendum to the Call).

6. Recognition of Professor Peter Thorslev for introduction of Part A of the report of the Committee on Academic Freedom. (See Page 1 of the Call).

Amendment to Part A: After Sections 1, 2, and 3, add the following Section 4 (essentially Resolution #5, Page 4 of the Call; Resolution #5 has been dropped):

4. authorizes the Chairman of the Division to appoint an ad hoc committee charged with continuing consideration of the judicial aspects of the proceedings for dismissal of Professor Angela Davis and the validity of the Regents' resolutions of 1940 and 1945 disqualifying members of the Communist Party for membership in the University faculty.

7. Recognition of Professor McCue for the introduction of Resolutions 6 and 7. (See Addendum to the Call).

8. Recognition of Professor Hobbs for the introduction of Resolution #4. (See Page 4 of the Call).

9. Recognition of Professor Abell for the introduction of Resolution #3. (See Page 3 of the Call).

Lowell J. Paige, Chairman
Academic Senate, Los Angeles Division
Resolution 6

To the Academic Senate, Los Angeles Division:

The illegal action taken by the Board of Regents of the University of California against Professor Angela Davis is of grave concern in all sectors of the UCLA community. Though the implications of the repressive moves against Professor Davis are perceived in different ways by administrators, faculty, staff and students, there is near unanimity on the proposition that the Regents have dealt a severe blow to the entire system of higher education in this state. Because of widespread concern on this campus and because of deeply felt need in all quarters of UCLA that a thoughtful, rational and constructive defense be mounted to this reckless assault upon the integrity of this academic community, there is a need for organized campus discussion and study of the many issues raised by the disruptive and lawless action of the Regents. The Academic Senate is pleased that the Angela Davis Defense Committee, which is sponsoring and supporting other activity on behalf of Professor Davis, has called a campus-wide convocation for October 14 which will provide a much needed opportunity for organized study, reflection and discussion of the threat to UCLA constituted by the Regents' action.

THEREFORE, the Los Angeles Division of the Academic Senate resolves to support the convocation sponsored by the Angela Davis Defense Committee and calls upon the entire campus to attend and participate in all of the sessions of the Convocation.

Submitted by
Henry V. Mcgee, Jr.
Acting Professor of Law

Resolution 7

To the Academic Senate, Los Angeles Division

Research funds due and owing Angela Davis have wrongfully been withheld from her by the University. There is the possibility that the Regents will take some additional action to deprive her of her salary. To guard against the possibility that Professor Davis may be severed from the University payroll, to restore the money illegally withheld from her, and to assist in the payment of her legal fees and costs to oppose the wilful action of the Regents, the Angela Davis Defense Committee has established the Angela Davis Fund.

Accordingly, the Academic Senate resolves that full support should be given by all members of the University community to the Angela Davis Fund and calls upon all of the people of the State of California to contribute to the Fund, first, for reasons of humanity, and second, as a visible and tangible means of protest against this serious threat to academic freedom.

Submitted by
Henry V. Mcgee, Jr.
Acting Professor of Law
To the Academic Senate, Los Angeles Division, Emergency Meeting, October 1, 1969:

Resolved that the following statement on Racial Issues and the case of Professor Angela Davis be adopted as the sense of this Division:

The claim has been made by members of the black community and others that the Regents' efforts to dismiss Professor Angela Davis have been based, at least in part, on Professor Davis's race. Many commentators, including some Regents, have responded that the Regents' decision would have been no different if Professor Davis had been white, and therefore that racism is not an issue in her case. We have no desire to dispute this response in the sense of debating the motives of the Regents at the time that they made their decision; for that question—though by no means closed—seems to us to avoid more important issues.

We are convinced that there do exist critical issues relating to race which are involved in the present case. For Professor Davis, and may others in the black community, political affiliation and commitment are inseparable from and a consequence of participation in the struggle for racial justice. As a result, it is readily understandable that attacks on their political affiliations would be difficult to distinguish from racial repression. That the inseparability of the concerns is a crucial factor in the present tense situation has been repeatedly emphasized by the black and other minority communities.

It would be neither practical nor appropriate for this body to attempt here to resolve this deep and complex problem in its entirety. Our immediate concern must be for the University and its future, where the potential for total and disastrous division is great.

The action of the Regents in attempting to dismiss Professor Davis clearly and critically threatens efforts mandated by this body to increase minority involvement in the University in ways relevant to both the minority communities and the University generally. One such commitment was made in the Resolution of the Los Angeles Division of January 1969, calling for major efforts to expand our minority faculty. It said,

"In vital areas, minority group faculty members will bring unique attributes to their posts—stemming from their very lives' experiences, and encompassing insights into minority group problems—which would be unattainable in faculty recruited from traditional sources. The infusion of minority faculty into the university community will foster cultural diversity; it will make available the divergent attitudes and perceptions of ethnic minorities; it will allow the University to adequately perform its crucial task of assessing contemporary values; and it will better enable the University to come to grips with problems generated by a history of racial discrimination in this country."

Any serious effort to implement this policy requires acceptance of the fact that minority candidates will, with some frequency, come with unconventional political backgrounds and views as judged from majority perspectives. Regentally imposed political tests which assault the academic freedom of all will fall upon such candidates with unusual severity. If a faculty member can be fired for entertaining radically divergent views about the structure of our society and the solutions to its problems, this recruitment program will become a mockery, as will our general claims to academic integrity.

Leon Letwin, Chairman

September 26, 1969
On the request of Chairman Lowell Paige, the Committee on Academic Freedom has met to consider the case of Professor Angela Davis, and has unanimously agreed upon the following report to the Academic Senate, Los Angeles Division:

The action of the Regents at their meeting on Sept. 19, 1969, terminating the appointment of Professor Angela Davis, in effect imposes a political test for appointment to the faculty of the University. The Committee believes that this action is not only in grave violation of principles of academic freedom and of privilege and tenure, but that it also impinges upon the individual and collective rights of all of the Faculty under the laws and constitutions of the state of California and of the United States. Furthermore, because no great university can long survive the imposition of a political test for faculty membership, the Regents' action does a grave disservice to the welfare of the people of California.

A. Therefore the Academic M Senate, Los Angeles Division:

1. Directs its Chairman to institute or to intervene in appropriate legal action on behalf of the members of the Division to seek a judicial declaration that this infringement upon our rights of privilege and tenure and upon our constitutional rights is unlawful and void.

2. Directs the Chairman to make this resolution known to the other Divisions of the Senate and to invite their participation in the legal action we bring or intervene in.

3. Authorizes the Chairman to retain counsel on behalf of the members of the Division for purposes of the litigation contemplated; to invite all members of the Division to contribute to the expenses of litigation brought on their behalf; and to establish a suggested schedule for such contributions.
B. Further, the Academic Senate, Los Angeles Division, proposes the following
Memorial to the Regents:

1. The Academic Senate of the University of California condemns the action
of the Regents in terminating the appointment of Professor Angela Davis.

2. The Senate declares its opposition to any test oath or provision
that political belief or membership in any organization should in itself
disqualify a person for membership in the faculty of the University, and
rescinds or disavows any resolutions of the Senate or its predecessor bodies
inconsistent with this principle.

3. The Senate respectfully reminds the Regents of the oath of office which
they, as well as the members of the Senate, have solemnly taken, to obey
the Constitution and the laws of the nation and the state. At a time when
some persons question the obligation to obey the law, it is extremely dangerous
for public officers, sworn to uphold the law, to knowingly disregard it.

The Senate therefore calls upon the Regents to rescind their action
and to continue Professor Davis in her position.
Resolution I

Recent action by the Board of Regents, instituting dismissal proceedings against Professor Angela Davis, is based on two Regental resolutions of 1960 and 1969, disqualifying members of the Communist Party from membership in the University faculty. No illegal conduct is charged; the only ground for the dismissal is membership in a political organization that is not illegal.

Guilt in our society is an individual matter. A faculty member's fitness to teach is to be judged by his professional qualifications and his own conduct, not the conduct of his political associates. The University simply cannot be placed in the position of screening present and prospective members of its faculty to eliminate persons who belong to a party whose positions are unpopular.

The Regents, in ordering these dismissal proceedings, have asserted that their 1960 and 1969 resolutions are supported by resolutions of the former Northern and Southern [Sect~ of the Academic Senate, adopted in 1950. These Senate resolutions, along with the Regents' 1960 and 1969 resolutions, have since been rendered invalid (because unconstitutional) by decisions of the United States Supreme Court and the Supreme Court of California. Furthermore, the Los Angeles Division has taken seriously the language of Standing Order 102.1 of the Board of Regents, that "No political test shall ever be considered in the appointment and promotion of any faculty member or employee." It was an effort to make that policy statement a reality that led this Division, last June, to adopt a resolution of

"warning to the campus administration, faculties, departments, and concerned Senate committees not to allow the Regents' recent withdrawal of campus control over academic appointments at the tenure level to result in any implicit or explicit self-censorship which permits the question of the political acceptability of candidates to intrude itself into the review process."

The most recent action of the Regents makes necessary further clarification of this Division's position. Therefore, the Los Angeles Division of the Academic Senate resolves,

(a) That lawful political affiliation, including membership in the Communist Party, cannot legitimately be made the basis for disqualification for membership in the University faculty;

(b) That any contrary impression of the Senate's position, based on Senate resolutions of 1950, is repudiated, and the officers of this Division are instructed to take all steps necessary to secure the formal repudiation by the Statewide Academic Senate of any suggestion of support for a political disqualification for membership in the University faculty; and
Resolved, that the Los Angeles Division condemns the action of the Board of Regents instituting proceedings for the dismissal of Angela Davis from membership in this faculty on the ground that she is a member of the Communist Party,

First, because these dismissal proceedings are a deliberate assault on a central principle of academic freedom: that one's fitness to be a member of the faculty is to be determined by his professional qualifications and his conduct, not by his lawful political associations;

Second, because these dismissal proceedings are a violation by the Regents of the United States Constitution and the Constitution of the State of California, a violation that is particularly grave because it is knowing and deliberate; and

Third, because these dismissal proceedings make a mockery of the Regents' own Standing Order, adopted only three months before its recent action, forbidding political tests in the selection of members of the faculty.

Resolved further, that this Division is dismayed and outraged at the statements attributed to some Regents that they knew their action is unconstitutional but that they will not act legally until ordered to do so by a court of law. At a time when the Regents and others are calling on others in the University community to demonstrate respect for law, this official anarchy is the height of irresponsibility. The University has a contractual commitment to Angela Davis; its officers, including the Regents, are sworn to defend the Constitutions of the United States and the State of California; it is time for these officers to demonstrate their respect for law.

* * * * * * * *

The undersigned plan to move the adoption of this resolution by the Los Angeles Division of the Academic Senate at its next meeting. (Please print)

Names can be continued on the reverse side. Please file signed copies in the Academic Senate office by
Resolution 3

Resolved, that the Los Angeles Division calls upon the other Divisions of the Academic Senate and upon the Statewide Assembly and the Academic Council to join in this Division's repudiation of political tests for membership in the University faculty and its condemnation of the Regent's action instituting proceedings for the dismissal of Professor Angela Davis.

* * * * * *

The undersigned plan to move the adoption of this resolution by the Los Angeles Division of the Academic Senate at its next meeting: (Please print)

Please file signed copies in the Academic Senate office by
Resolution 4.

Resolved, that the officers of this Division are instructed to appoint an advocate to seek to appear on behalf of the Division as a "friend of the court" in any hearing the Committee on Privilege and Tenure may hold in connection with the proceedings for the dismissal of Professor Angela Davis, to argue against application of the Regents' resolutions of 1940 and 1949 disqualifying members of the Communist Party for membership in the University faculty.

* * * * * *

The undersigned plan to move the adoption of this resolution by the Los Angeles Division of the Academic Senate at its next meeting: (Please print)

Please file signed copies in the Academic Senate office
Resolution 5

Resolved, that the Chairman of the Division appoint an ad hoc committee charged with continuing consideration of the legal aspects of the proceedings for the dismissal of Professor Angela Davis and the validity of the Regents' resolutions of 1940 and 1949 disqualifying members of the Communist Party for membership in the University faculty. This committee, shall, among other functions, advise members of the faculty of the and conduct Division on the desirability and timing of litigation to declare the invalidity of the Regents' resolutions.

* * * * * * *

The undersigned plan to move the adoption of this resolution by the Los Angeles Division of the Academic Senate at its next meeting: (Please print)
AN APPEAL FOR CONTRIBUTIONS TO
THE ANGELA DAVIS FUND

The Angela Davis Fund has been established for the purpose of paying any lost salary and promised summer stipend to Prof. Angela Davis, whose dismissal as Acting Assistant Professor of Philosophy, U.C.L.A., has been directed by the Board of Regents on the sole charge that she is a member of the Communist Party. In addition, it will pay her legal expenses and those incurred by or in behalf of the Academic Senate, Los Angeles Division, pursuant to resolutions passed by the Division on October 1, 1969. The Senate, on that same date, resolved that "...full support be given by all members of the university community to the Angela Davis Fund..."

The undersigned Board of Trustees earnestly solicits your contribution. Prof. Davis has agreed to return to the Fund any payments she may receive as a result of Court Order or settlement of the case.

You may elect one of the following two options with respect to any moneys that may remain in the Fund at the conclusion of the Angela Davis matter:

Option 1: Your proportionate share of moneys remaining will be returned to you, provided you keep the Fund informed of a valid mailing address.

Option 2: You may leave your money in the Fund to pay lost salary and legal expenses for any member of the University who may be terminated and whose termination, in the judgment of the Board of Trustees, raises issues similar to those in the Angela Davis matter. If, after five years from the conclusion of the Angela Davis matter any moneys remain, they shall be divided equally between:
The N.A.A.C.P. Legal Defense Fund

The American Civil Liberties Union

The American Association of University Professors

Please make your check payable to the Angela Davis Fund, complete the form below and send to:

The Angela Davis Fund
Suite 725, 9465 Wilshire Boulevard
Beverly Hills, California 90212

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I enclose $______; and/or, I pledge $______ (monthly, quarterly).

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If you elect no option, your contribution will be accepted under Option 2.
UC Regents Expected to Order Immediate Ban on Red Teacher

BY KENNETH REICH and WILLIAM TROMBLEY

When the University of California Board of Regents meets in San Francisco today it is likely to choose one of three courses of action concerning Angela Davis, the Communist Party member who is scheduled to start teaching at UCLA next week:

—Permit Miss Davis, an acting assistant philosophy professor, to teach while awaiting the outcome of a campus hearing procedure on her fitness for the post.

—Allow Miss Davis to teach but not give credit to students who take her course.

—Order UC President Charles J. Hitch and UCLA Chancellor Charles E. Young to bar her from the classroom.

Interviews with several regents Thursday indicated that the board would choose the third course of action, barring Miss Davis from teaching her scheduled fall-quarter course in Recurring Philosophical Themes in Black Literature.

The class is to meet for the first time at 3 p.m. Monday in Dickson Hall on the Westwood campus and 169 students have registered for the course, so far.

Regent John E. Canaday, who initiated today's special meeting, said he expected the regents to "re-affirm the action we took at the last meeting, and we will let it be known it was only because we were led to"

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THE WEATHER

Light smog today.


Complete weather information in Part 2, Page 4.
Regents Expected to Bar Teaching by Red

Continued from First Page

believe she would not teach that we didn't specifically say she couldn't teach." On Sept. 19, the regents instituted termination proceedings against the 25-year-old black woman because of her acknowledged membership in the Communist Party.

At the time, Miss Davis was not scheduled to teach during the fall quarter, but shortly after the regents' action she was assigned to teach a black literature course when the scheduled instructor received an unexpected research grant.

Canaday and other regents, who contend that Miss Davis must not be allowed to appear in a UCLA classroom, then called for the special board meeting.

Other Regents

Several other regents agreed with Canaday's forecast that the regents will specifically bar Miss Davis from teaching when they meet today, including some who disapprove of the course.

"I think the majority of the board is determined not to let her teach and will use police or whatever force is necessary to prevent it," said Frederick G. Dutton, one of two regents who opposed the firing of Miss Davis.

Canaday said force should be used to keep Miss Davis out of the classroom if necessary.

"I am sure it could lead to a very difficult and possibly violent situation but that gets down to the fundamental question of who decides what is done with the property of the university," he said in an interview.

Speculation centered on what Young will do if he is ordered to keep Miss Davis from teaching.

Opposed Firing

He told the UCLA Academic Senate Wednesday he opposed the firing of Miss Davis and would not "initiate" any action against her. But he left unclear whether he would carry out regental orders to bar her.

Some regents and other observers believe Young will carry out the regents' orders, while others think he will resign rather than use force to keep Miss Davis from teaching.

Meanwhile, in Sacramento 34 legislators—31 Republicans and three Democrats — supported the firing in a wire to the UC San Diego faculty in voting to rescind a 1950 endorsement of a ban on hiring Communist Party members as professors.

The voice vote by about 190 professors attending a meeting of the UC San Diego Academic Senate was unanimous. Later, by a vote of 125 to 8, the professors voted to condemn the regents' action against Miss Davis "without qualification."

Miss Davis, who was a teaching assistant at UC San Diego last year while she pursued a doctorate in philosophy, was scheduled to address noon rally on campus today, the first in a series of statewide appearances.

UCLA philosophy department chairman Donald Kalish said he expects more than the 169 students who have registered for Miss Davis' course to turn up for the first class Monday.

Arrangements Made

He has arranged for a room in Dickson Hall that seats 450 and also will televise the lecture into a second classroom seating 150 if necessary.

In an interview Thursday Miss Davis expressed concern lest her course develop into a "circus."

"I want it to be a good course," she said. "Students won't learn in an atmosphere that becomes a circus."

Miss Davis expressed surprise that her assignment to teach a course in the fall had provoked "such a ruckus."

"I completely overestimated the rationality of the regents," she declared.

Miss Davis said that...
UCLA: A Time for Moderation

ISSUE: The Angela Davis case is a challenge to the University of California Regents' authority. How should they respond?

The battle lines have been drawn in what is emerging now as a test of values between the UCLA faculty and the UC Board of Regents over the case of philosophy teacher Angela Davis, an admitted Communist Party member.

As a result a dangerous and potentially destructive confrontation looms which could do major damage to the entire university. We believe there is still time to head off this clash, if the Regents act with prudent concern for the larger considerations involved in this unfortunate affair.

On the basis of a 1940 regulation prohibiting employment of Communist Party members, the Regents have ordered that Miss Davis be fired. There are provisions for her to appeal this order, and while doing so she is entitled to remain on the payroll. The question that has added explosiveness to the controversy, and prompted today's special Regents' meeting, is whether she should also be permitted to teach during this period.

Some, perhaps most, of the Regents think not. But last week the chairman of the philosophy department, Prof. Donald Kalish, announced that Miss Davis will begin teaching next Monday, instead of waiting until the winter term as was originally planned.

UCLA Chancellor Charles Young says that "about 80% of the faculty is sorry and disgusted" with Kalish for taking this step. However, the faculty has voted in effect to support the action, meanwhile condemning the Regents for ordering Miss Davis' dismissal in the first place.

For the faculty the essential issue is one of academic freedom. Some are known to have doubts about Miss Davis' qualifications, others about whether a committed Communist can also be a scholar dedicated to an objective search for the truth. But the traditional fear of political interference with academic freedom is greater than these doubts, and this fear has served to unify the faculty, or so it appears.

For the Regents the essential issue is compliance with their order, which by implication at least is supposed to keep Miss Davis out of the classroom. Enforcement of this order is what the Regents will consider today.

Technically, the Regents have the legal right to use even police power if they choose to implement their order. In the existing emotional climate at UCLA, that would be the worst thing that could happen, for surely it would bring chaos to the campus. Nothing would do greater harm to the interests of the university, or better serve the purposes of the revolutionaries involved in the Davis affair.

Some Regents feel that their obligation to the people of California and the cause of upholding the law requires that there be no equivocation in the enforcement of the existing rule. But we believe there is a larger obligation facing the Regents: to avoid being provoked into any action which—while it might be technically supportable—would serve further to divide the university.

Sooner or later the courts will be asked to rule on the constitutionality of the 1940 ban on Communists. We urge that every effort be made to get a decision on this matter as rapidly as possible. And while the decision is being awaited, we urge that the Regents proceed with the moderation and responsibility that an awareness of realities on the UCLA campus dictates.
"... Circle the buses...!"
NO ACADEMIC CREDIT

Regents Approve
Lectures by Red

SAN FRANCISCO — Communist Angela Davis may lecture Monday at UCLA, but her listeners will get no academic credit. UC Regents decided here Friday in an emergency session.

After four hours of debate behind closed doors, the regents approved 4 to 6 a resolution introduced by Regent John Canaday which said, in its key section:

"...therefore, be it resolved, that the regents instruct the president that during the full quarter of 1969 Miss Davis shall be assigned no teaching duties and that she shall not be authorized to give instructions in any course under the jurisdiction of any school, department or other academic agency approved by the regents."

Most Regents in Accord

Although the resolution was open to various interpretations, most regents contacted after the meeting agreed that Miss Davis will be allowed to lecture on the campus.

The regents did not suspend Miss Davis from the faculty nor did they threaten to use force to keep her out of a UCLA classroom, as some members of the board had threatened to do before the meeting.

Thus, the action generally was considered to be restrained.

UCLA Chancellor Charles E. Young said he would decide by today 'how to interpret the regents' decision. He scheduled a press conference for this morning.

"I want to test what this means. I want to talk with some people about it. I'll decide late tonight or early tomorrow morning," he told The Times.

Young said the order to bar the 25-year-old black philosophy teacher from teaching for credit was "better than I expected last (Thursday) night."

He said at that time he felt the regents would suspend Miss Davis from any teaching responsibilities until they reach a final decision on whether to fire her for being a Communist.

In Los Angeles, philosophy department chairman Donald Kalish said: "I am waiting to hear from my chancellor whether he is going to order me to remove her from a teaching assignment and whether he is going to withdraw credit from her course." Kalish said he expects to meet with Young today.

Asked whether Miss Davis will be permitted to offer a noncredit course, Kalish replied:

"Our department doesn't offer any noncredit courses. It would be up to Miss Davis. She can give any lecture she wants, to whatever students might want to hear her."

Pressure From Faculty

Young is under great pressure from his faculty to permit Miss Davis to teach. About a third of some 1,750 eligible faculty members voted Wednesday to condemn the regents for initiating termination proceedings against her.

How the faculty will react to the regents' compromise of letting the self-avowed Communist teach a noncredit course is difficult to predict.

Lowell Page, chairman of the UCLA Academic Senate, obviously shaken by the regents' decision, commented:

"I'm too discouraged to discuss it. I thought someone would get through to them on what this is going to cause. It certainly will demoralize the faculty."

Please Turn to Page 13, Col. 1
Teacher to Lecture

Continued from First Page

Not so pessimistic was Addison Mueller, vice chairman of the statewide Academic Council.

"I would have preferred an action that would not have restricted her even to this extent," Mueller, a UCLA law professor said.

"The restriction, on the other hand, is a very limited one. And since she is being given full privilege as a member of the faculty, and this includes her right to be assigned space, to give noncredit lectures and to give seminars for noncredit, this is a reasonable position to take."

Expected discussion of dismissing Young never came up at Friday's regents meeting, despite a comment by Lt. Gov. Ed Reinecke before the session that the chancellor appeared to be "insubordinate" in not refusing Miss Davis the right to teach this semester.

Reinecke, however, added that he wanted to hear all the facts before recommending any action regarding Young.

The regents, on Sept. 19, initiated termination proceedings against Miss Davis, and it generally was understood she would not teach this semester.

But Kalish then gave her an immediate teaching assignment.

Kalish Hit

The Times learned that most criticism during the regents' meeting was reserved for Kalish, whose principal goal many regents thought was to promote controversy.

Although the regents' decision was more moderate than some had expected, several board members attacked the decision.

Regent Frederick G. Dutton of Sausalito called other regents "a bunch of dirty old men raising old issues to avoid having to face up to things."

"Those "things, Dutton said, included "budgetary needs and political and social changes going on right now."

Although he used more moderate language, Regent William M. Roth of Ross agreed that focusing on issues such as the Angela Davis case "is a very convenient way to sweep under the rug the really critical problems of the University of California."

The principal problem, Roth said, is that "there is not enough money proposed to run the university and educate the people of this state."

Regent William Coblenz of San Francisco, who appeared with Roth and Dutton after the meeting, said he was "shocked, disgusted and fearful" over the decision on the Davis case.

He said he was shocked that the board would make a decision which he considers unconstitutional. He was disgusted that the board had not heard Miss Davis and was, in his opinion, denying her due process.

And Coblenz said he was fearful of what the regents' "basic procedures" of the future may be.

When asked what student reaction he expected, Coblenz replied, "I think we're going to have a confrontation. I hope it's not too serious."

Regents Meeting

Other regents quickly left the meeting at UC Extension Center in San Francisco without official comment, except for board Chairman DeWitt A. Higgs of San Diego, who read the regents' resolution but refused to answer questions about it.

(In Los Angeles, Assembly Democratic Leader Jess Unruh, a former regent, said, "The governor and the Board of Regents have flouted the law in the Davis action."

(UNruh said Gov. Reagan "seems intent" on bringing about campus disorders. The Democratic leader said action in the Davis case should await a court ruling in the matter.)

SCHOLARLY PICKET—Dr. Owen Chamberlain, Nobel Prize-winning UC physicist, joins picket line outside the UC regents meeting in San Francisco.

UC President Charles J. Hitch, who Thursday said he regretted the calling of the regents' emergency session, said after the private meeting that "nothing has happened since to make me change my opinion one bit."

The Davis case is due to come before a UCLA faculty committee Oct. 17, the day the regents meet in Los Angeles.

Recommendations of the committee will then be considered before a final regental decision on whether to fire Miss Davis for being a Communist.

The regents' resolution recalled a similar action taken to circumcribe the conditions under which Black Panther leader Eldridge Cleaver could lecture on the UC Berkeley campus last year. Cleaver also was permitted to lecture only in noncredit courses.

However, Kalish pointed out what he called "an important difference between this case and the Cleaver case."

The Cleaver course was experimental, whereas the course Miss Davis was to have taught—Recurring Philosophical Themes in Black Literature—"is part of the regular curriculum" and has been approved by the Committee on Undergraduate Courses, Kalish said.

"The regents are striking at a much more central part of the university," he added. "They are interfering with the central academic process."

The regents' vote Friday was not formally made public. But The Times learned that the six regents voting against the resolution because they
reit it was uncalled for.

were David Kaplan, vice chairman of the UCLA philosophy department, and Douglas Glasgow, acting associate professor of social welfare.

The students are Webster Moore and Harry Deutsch.

She accused the regents of "plotting" to create a reaction among students that would be of political advantage to Reagan. She said the regents had acted "in utter disdain of the Constitution and contradicted their own ideas and resolutions" by firing her.
Young Bows to Regents, Bans Credit Course for Red Teacher

BY KENNETH REICH
Times Staff Writer

UCLA Chancellor Charles E. Young Saturday bowed reluctantly to an order of the UC Board of Regents and informed the school's philosophy department that Communist Party member Angela Davis will not be allowed to teach a course for credit in the fall term.

However, Young—declaring at a news conference that in all other respects Miss Davis will be "a member of the faculty of this university"—said he expected her to show up in the classroom Monday.

The 25-year-old assistant philosophy professor will be "engaging in an activity" not prohibited by the regents' Friday order, the chancellor said.

Indications were that this would include lecturing. A spokesman for Miss Davis said she "intends to meet her class on Monday at the slated hour and will ask the class to decide what it thinks ought to be done."

"Whether she lectures will depend on the class," the spokesman said. "She will be prepared to lecture."

Meanwhile, Prof. Donald Kalish, the philosophy department chairman who assigned Miss Davis to teach the course in Recurring Philosophical Themes in Black Literature, issued a statement refusing to recognize what he termed an illegal regental action.

"It was the position of the UCLA Academic Senate in its meeting of Oct. 1 that Philosophy 99, whose instructor for the fall quarter is Prof. Angela Davis, is a duly authorized course for credit at UCLA," Kalish said. "I support that position."

Young, however, said students going into Miss Davis' classroom "will understand that by virtue of the regents' action that will not be a credit course."

The resolution adopted by the regents on a vote of 14 to 6 Friday at an emergency meeting in San Francisco said:

"Now, therefore, be it resolved that the regents instruct the president (of the university) that during the fall quarter of 1969 Miss Davis shall be assigned no teaching duties and that she shall not be authorized to give instructions in any course under the jurisdiction of any school, department or other academic agency approved by the regents."

Although this appears to be a prohibition against teaching by Miss Davis pending regular dismissal proceedings that have been ordered against her, the regents also quietly agreed on the side not to bar non-credit lectures or other activities by her.

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Credit Course Banned for Red Instructor

Continued from Page B

Although Pauley said the majority of the regents do not approve of Miss Davis lecturing on the campus, it had been felt there was no justification for moving to ban her by force.

The regents originally voted Sept. 19 by a margin of 19 to 2 to begin dismissal proceedings against Miss Davis under their 29-year-old policy barring Communists from employment at UC.

Under the proceedings, there will first be a hearing by the Privilege and Tenure Committee of the UCLA Academic Senate. This committee will report back to the university administration and then the regents will reach a final decision.

Originally, the hearing was set for Oct. 17, but the faculty committee chairman, botany Prof. George G. Laties, said Saturday it might be moved up at Miss Davis' request.

The young woman is anxious to take a constitutional challenge of the regents' anti-Communist policy to court but first believes she must exhaust her administrative remedies.

Originally, Miss Davis had not been scheduled to teach a course in the fall term but, following the regents' Sept. 19 decision, Kalish assigned her to one at her request.

At his news conference Saturday, Young again strongly took issue with the regents' actions against Miss Davis.

He said he believed the regents' Friday meeting should not have been held and that he had argued along with several other university administrators and UC President Charles J. Hitch against removing Miss Davis as teacher of the credit course.

But Young also said he thought that the crisis surrounding Miss Davis had "eased off a little."

In comparison to what the regents might have done, "the situation is better than it might have been," the chancellor said.

This was a reference to the possibility that the regents might have decided to bar Miss Davis from the classroom completely.

Many observers at UCLA believed this would have required the use of police and led to a possibly violent clash on campus.
Black UCLA Teachers May Withhold Grades

Threaten Action if Regents Don't Grant Davis Course Credit

BY WILLIAM J. DRUMMOND
Times Staff Writer

Twenty black faculty members at UCLA threatened Sunday to withhold grades in all their classes unless the UC Board of Regents restores full credit to the course taught by Angela Davis.

Robert Singleton, director of the Afro-American Studies Center at the Westwood campus, told The Times, "We will not accept first-class citizenship when one of us is forced to accept second-class status."

He said letters would be sent to all the faculty in the UC system urging them to join in the plan to withhold grades over the Davis issue.

Miss Davis, a 25-year-old black philosopher, is scheduled to meet at 3 p.m. today in a lecture hall of the Dickson Art Center with students who signed up for her course in Recurring Philosophical Themes in Black Literature.

Admits Communist Ties

The regents first voted to initiate dismissal procedures against Miss Davis because she admitted she belonged to the Communist Party. And when the philosophy department chairman, Donald Kalish, gave her the literature course to teach while she was going through appeals procedure, the regents then voted, in effect, to strip the course of credit.

Singleton said that the Angela Davis Defense Committee was formed Sept. 20 after the regents made their first ruling regarding her. He said the committee represented three-fourths of all black faculty members at UCLA.

The black faculty members decided to make a move, Singleton said, in an effort "to toss the ball back into the hands of the regents. The chancellor has not done this... The regents' action has jeopardized not only Angela, but all faculty."

He said that when the regents meet later this month, "we will present ourselves to them asking them to reconsider on the basis of the turmoil that is being created."

Earlier Sunday, Kalish hinted there would be a student attempt to circumvent the regents' order against Miss Davis.

As for Miss Davis herself, she has indicated that she will be prepared to lecture today if that is what her students want her to do. However, through a spokesman she has also indicated tacit acceptance of the regents' order that the course be non-credit.

Please Turn to Page 17, Col. 1
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Continued from Third Page

But, in a statement given in an interview Sunday, Kalish declared: "Students are very skillful in organizing themselves and in keeping their plans out of the eye of the public and of a 50-year-old professor."

In mentioning a 50-year-old professor, Kalish apparently was referring to himself. He originally assigned Miss Davis to teach the course while regular dismissal proceedings against her ordered by the regents were pending.

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Young said that he believed one reason for the strong feeling on the campus against the regents' moves to oust Miss Davis is the fear that her firing would only be the first in a series of actions against dissidents.
Profs may challenge credit ban

By Jeff Weiner
DB Editorial Director

Chancellor Charles E. Young has reluctantly taken steps to insure that no credit be given for any course taught by Angela Davis in complying with the UC Board of Regents decision last Friday.

In a letter to registrar William T. Puckett, Young said that "as a result of the board's action, and despite my continued opposition to this action, as well as previous actions taken by the board in this matter, I am constrained to inform you that no enrollment may be accepted which would result in credit for any course being offered by her." 

Emergency meeting set

In related developments yesterday, Academic Senate Chairman Lowell J. Paige announced that he will call an emergency meeting of the Academic Senate for this week at the request of Andrew Charwat, chairman of the Senate's undergraduate course committee.

The sole purpose of the meeting will be to consider a resolution by the undergraduate course committee, Paige said. The committee will probably meet to draft the resolution.

Paige declined to speculate about the content of the resolution but it is evident that it will concern the accreditation of Philosophy 99.

By their action the Regents have intruded into an area that has traditionally been the exclusive domain of faculty committees (in this case the undergraduate course committee) on each campus—the power to accredit courses.

It appears that the faculty might challenge the Regents' authority to rule in this area by ordering the registrar to restore credit for the course which was authorized by the proper procedures.

The resolution would then be forced to choose between the orders of the chancellor and those of the faculty.

The emergency senate meeting will probably be held this Thursday, Paige said.

In his letter to registrar Puckett, the chancellor said that except for not being able to teach a course for credit, "Professor Davis remains a regular member of the faculty and should be accorded the same privileges and courtesies afforded to all other faculty members."

In other action, 35 members of the Academic Senate requested in writing a mail ballot on a resolution passed by a voice vote at the Senate meeting of October 1.

In other developments in the Davis case, a mail ballot has gone out to Senate members on whether the Senate will support a convocation planned for Oct. 15.

Resolution approved

The resolution was passed at the last Senate meeting of Oct. 1, 178-120. However, 35 Senate members (the number required) signed a petition requesting that the issue of Senate support for the convocation be placed before all Senate members.

The convocation is being sponsored by the Angela Davis Defense Committee which consists of the 18 faculty and staff serving as the Advisory Committee to the Afro-American Studies Center, according to the "pro" argument attached to the resolution on the mail ballot.

Convocation planned

A one and a half hour meeting of the entire campus community is planned for 11 a.m. Oct. 15 as well as "discussions and meetings held within academic units, preferably on a department-wide basis."

Responsibility for initiating and conducting such programs rests entirely with the faculty and students in the various academic units although the Angela Davis Defense Committee is prepared to provide assistance if representatives of the black community are requested for panel discussions or similar programs. 

According to the "pro" argument, the convocation is designed "to permit the voluntary participation of the faculty and students in orderly educational activities." A "no" vote on the resolution does not obligate the faculty member to call off his class or take any other action.

The arguments against having the convocation are that no agenda has been provided, no speakers have been announced or what views are to be expressed and that the convocation may take the form of a large-scale demonstration or violence.

(Continued on Page 3)

Did not provoke confrontation

Donald Kalish, philosophy department chairman, told the Daily Bruin yesterday that he avoided rather than provoked a probable confrontation by granting Angela Davis' request to teach Philosophy 99 in the fall quarter.

Though several prominent members of the academic community earlier disapproved of Kalish's action, Kalish believes that the majority of faculty members and administrators now agree that he made the right decision in the matter.

Confrontations in the philosophy department, so far limited, could be brought about only if the UC Board of Regents order Miss Davis formally removed from the classroom.

Kalish does have one regret—he neglected to inform the administration of the change in teaching assignment in advance of his action.

In a letter to the Dean of the College of Letters and Science, Franklin P. Rolfe, Kalish apologized "for what I now recognize as a breakdown in communications...thereby preventing myself from hearing your views on the matter before I acted and from giving you the background and reasons for my intended action."

Kalish said that such a breakdown will not occur again. He did emphasize, though, that he could not think of any argument that would have persuaded him to act otherwise.

In a statement issued by the philosophy dept. on Sept. 29, Kalish quotes from a letter to Vice Chancellor David Sexton saying that he "granted Miss Davis' request as I have in the past on the understanding that the issue of Senate support for the convocation be placed before all Senate members."

The philosophy department chairman plans to speak at the convocation on Oct. 15.

Kalish says faculty supports him

By Jeff Perlman
DB City Editor

SAN FRANCISCO—Angela Davis will teach "Recurring Philosophical Themes in Black Literature" at 3 p.m. today in Dickson Art Center, but the more than 200 registered for the class will not receive academic credit pending court action.

A spokesman for Miss Davis said over the weekend that the 25-year-old black philosophy professor will devote her first class meeting to a discussion of the controversy surrounding her membership in the Communist Party and to asking students what they want to do.

Miss Davis was barred from teaching any class for credit pending the outcome of dismissal proceedings and court action in a 14-5 vote by the UC Board of Regents here Friday at the UC Extension Center.

The Regents said Miss Davis would remain a member of the University faculty and receive her paycheck, but she "shall be assigned no teaching duties" or be authorized to "give instructions in any course under the jurisdiction of any school, department or other academic agency approved by the Regents."

Chancellor Charles E. Young said in a press conference Saturday that this means Miss Davis can lecture in a classroom without credit. Several regents wanted her suspended from the faculty altogether pending a hearing, which would have included even non-credit lectures.
Uniprep orients 2,000 frosh

By Nick Restoff
Staff Writer

Uniprep, a week orientation program this summer that handled over 2,000 of the incoming freshmen, was a "worthwhile experience," according to director Glenn Leichman.

"I don’t know whether we were successful in anything other than getting people counseled and persuaded," Leichman said, "but we tried to get them involved with the University and other people."

He said that this year’s Uniprep program accomplished the same goals of last year’s sessions, of which he was also editor, but that there was less structure and more flexibility this time.

It’s up to you

The program followed a two-and-one-half-half schedule of activities which included discussions of study skills and campus activities. When the students arrived, they were told that the program’s direction was largely up to you, and that the schedule would be followed only if required.

"We let them flounder a while before we helped them," Leichman said. "They’ve already gone through some of the freshman drama."

He said there were some complaints during evaluation sessions that not enough social activity had been planned, and that counselors weren’t telling them enough. Leichman explained that the counselors intended to leave the freshmen more alone than they were accustomed.

Generally, the counselors advised and participated in tours throughout the campus, trying not to let them degenerate into "guided tours. There were also rap sessions, one or two sensitivity groups, a fingers-painting session, parties and many late-night trips to the "inverted" fountain.

Continual remodeling

Counselors, Leichman noted, were continually remodeling and re-evaluating the program. "When we decided not to follow a schedule, we produced instant involvement," Leichman said. "We kept together. None of us will stay together."

C Doll said that the parents’ program, which lasted only one day in each of the 14 sessions, "had a high priority. Parents met with people from the counseling center, the current activities of fitting students, and student leaders.

"We were critical of the University," Leichman said. "We didn’t butt up the parents. We tried to let them understand the frustrations of students and why they’re doing what they’re doing."

"We’d be interested, for instance, why students were demonstrating and employing violence. We said, ‘Because they’re your children.’"

Changes of attitude

Leichman added that the parent program was at times very successful. One girl told him that, on the result of the program, her parents were going to get her off campus, something she had been trying to persuade them to do for two years.

Leichman noted that the overall message to the parent was, "Your child is coming to the University, you’re not. Let him alone."

Uniprep also handled slightly more than 100 students in the Educational Opportunities Program. The $80,000 program was housed in Hodrick Hall for the first part of the summer and in Dykstra Hall later on.

"It was an experience," Leichman said. "Some enjoyed it some didn’t."

Davies speaks

Angela Davies will speak at noon Wednesday in Pavley Pavilion.

According to Mark Greenfield, chairman of the Associated Students Speakers’ Program, Miss Davies is expected to comment on her position in the University and on last weekend’s events concerning her case.

Walk-out dramatizes Chicano-black relations

UNIPRESS - A Chicano walk-out at the Aug. 14 meeting of the California Conference for Interracial Opportunity at UC Santa Barbara may have marked a turning point in the struggle for educational opportunity for minority students.

Chicano students and administrators walked out of the workshop when black participants refused to support a resolution that emphasized the Chicano minority among California’s minority group members.

Chicanos walked out after blacks refused to accept a proposal which stated that each EOF program must have a Chicano professional responsible for Chicano recruitment and admissions.

"When the blacks refused to walk out, they refused to support the proposal because they were not representatives of all black people."

Split analyzed

The split, which dramatized the increasingly cool relations between blacks and Chicano, was analyzed by Kenneth Washington, a black participant at the conference.

Washington said, "The greatest hazard of an advanced black-brown breach is the potential black-brown split."

Generally, efforts, if combined, are stronger.

"The creating existing programs, the authority for budgetary decisions is forced one step above the program. This moves a crucial decision level out of the hands of the program personnel itself."

Washington added, however, that the breach may have positive effects.

"In fact, blacks and brownes should split," he said, "there can no longer be charges of coast-tailing of one group on the benef- its of another."

"Chicano will stipulate their own needs, develop their own leadership and exploit their own potential. Two forces moving against the inhibitors of change can be more effective than one."

Electioon Board

Applications for membership on the College of Elections are now being accepted by chairman Steve Hubler.

Forms are available in Keykoff 384 and must be returned there by tomorrow at 4 p.m.

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Fire Kalish, Not Davis!

Kalish, SDS derided at rally

By Alice Cross

Young Americans for Freedom (YAF) demanded the firing of philosophy department chairman Donald Kalish at a sparsely attended noon rally on Friday.

"Angela Davis should be allowed to remain," and daily explain, the bankrupt philosophy which has justified the oppressions of fascists like Stalin and the rape of nations like Czechoslovakia," YAF speakers Rod Van Dusen and John Dutton said.

"Donald Kalish, the man who hired them and had neither the foresight to investigate nor the courage to fire them, should be fired -- not because of his political convictions or lack ofßputer," Van Dusen said. "But because of his incompetence and lack of courage," he added.

Ed Butler, leader of the Square movement and a self-styled "professional revolutionary," agreed that a trial was in order on the basis of "sociology as a philosophy -- what we have to fear is cop out people like Kalish."

Students called "cows"

Asserting that Kalish has called students "cows," Butler believes that Kalish "wanted to be cowherd together and get them down" at the Century City demonstration in 1967.

A YAF press release stated that Kalish "deemed uncultured when the going got tough. He has dishonored the honorable name of UCLA with activities private and public, which have endangered the very academic freedom they were proclaimed to preserve."

Lee Gibling Kalish supporters' "Kow-Korps," Van Orden insisted, "Down with the KKCK at UCLA."

YAF has organized a "Fast Squad" to patrol Kalish's classes. "It is vital that the check card of Kalish be known to students who might else have courses under the impression that it was objective and honest," Van Orden said.

Campus Gustapo

At a press conference before the rally, he described the Coalition as a "red fascist campus Gustapo."

Van Orden noted that "we don't want to see any more persons disgraced by campus militants. We want to win this revolution."

SNAFU of the fear is cop out people like Kalish. Students endange red the very academic freedom they wished strongly to the Regents.

Van Orden noted.

"Fire Kalish, Not Davis"

StUdents endange red the very academic freedom they wished strongly to the Regents.

Van Orden pointed out that the Regents are rejecting Davis firing, but because of his incompetence and lack of courage, they say.

But the furor generated by the San Diego Philipines and the administration's role in the investigation continues. The controversy centers on three points:

* The grand jury transcripts document that the UC Riverside administration used its own funds, not only to hire a narcotics agent, but to provide him with cash to bribe others.
* The administration tacitly approved the way the investigation was conducted, described by one student as "essentially frame-ups."
* The administration's behavior toward students following the busts.

More investigations

The investigation of the incident are intensified by off the record statements by campus administrators that more investigations are being planned and indicating the strong possibility that the University itself will decide to remain directly involved in on-campus narcotics investigations.

Vice Chancellor of Administration Stuart Edmonds, whose office worked with the unit cops, released a statement last week claiming the administration became involved after Royden with the investigation rather allow outside law enforcement agencies to come on campus. Riverside Chancellor Ivan H. Rennaker has made no official comment but is expected to outline his administration's drug policy in his state of the campus address on Oct. 8.

Special Agent

In the grand jury transcript, John Hansen testifies to having been employed for several months by the UC Riverside police department in the capacity of "special agent." Hansen claims he was being used to obtain the control of the law enforcement agencies here in Riverside County and specifically several detectives at the UC Riverside police department.

Hansen also testifies that he used S.U.'s of the University's funds to purchase LSD from one of the students indicted.

Hansen was working with a student at the University of California, Riverside, a demand and former resident hall adviser treasurer. Greenburg would make friends with students who were interested in buying or selling drugs, then make the arrest and Hansen in turn was working with two Uni-cops, Ron Willis and Carl Vald row according to the transcripts.

The evidence compiled by these agents provided the basis for the 29 grand jury indictments.

Standard procedure

According to one local expert interviewed by the Highlander, the campus newspaper, this is standard operating procedure for narcotics agents.

"The question here revolves obviously around a fine distinction between legality and equity," the legal expert said. "Students may have been indicted legally but the range of their activities seems to have to win this revolution."

Administration behavior throughout the investigation and following the arrests has been criticized by student groups who have made arrests made to make bail arrangements.

One student arrested and held in the Riverside jail is a "questioned" and severely beaten by a kangaroo court of officials. The University officially acknowledged no responsibility for the beating.

BSU says racism caused Davis firing

Charges leveled against Black Communist Angela Davis are grounded on racism and political repression, according to Black Student Union (BSU) members here.

"We feel that the issue is academic freedom," said BSU member Webster Moore. "It's another move by Reagan, by the state, by the political machine in trying to discredit the movement and against free thinking."

A BSU position paper stated that "this political attack upon a young, black, female professor highlights the perennial political forces being made to destroy anyone whose political ideas are not in line with the Regents."

"Describing Miss Davis as "another oppressed person like all black students on this campus," BSU members noted that firing the assistant philosophy professor "is not divorced from other acts of overt political repression."

He added that "this is a move by pig Ronald Reagan to disrupt our university. By his firing of Angela, we feel as if he's trying to disrupt and bring to a halt relevant education."

Reagan and "the rest of the power elite that runs the educational institutions in California" are entitled to win, Davis.

BSU says over Miss Davis' appointment is "one more step in the development of political repression by the white, western, upper class elite."

Another BSU spokesperson had said that "this is a move to further political repression by representatives of the white upper class."

"This is the ultimate in a long series of acts of political repression by the state against the people of this country."

Citing Fred Ahmed Harris ending death sentence "for his political ideas," the member, who asked to remain unidentified, said, "We view Angela's case and Angela's case and Miss Davis' as being the same."

"We say the same thing is an example of the growing suppression of political ideas by the white elites to try to destroy them, through the educational institutions in the country and particularly the California educational system."

He added that the word racism is revealed in Miss Davis' situation is "in the sense of the old example of the slaveowner.
New engineering triad set

By Nick Brestoff
DB Science Editor

A new course for science and non-science students will be offered this quarter by the School of Engineering and Applied Science. Engineering 11, “Patterns of Problem Solving,” aims at the process of collecting and using information which is necessary in problem solving and design activities.

Engineering professor Moshe Rubinstein, who will undertake the summer shaping the course, will lecture from 3:30 to 5 p.m. Tuesdays and Thursdays in Boelter Hall 5440, exam code 18. It is not listed in the college stable of classes.

He said he would have class notes prepared to minimize note taking. The course is one of a triad being offered by the School in an effort to bridge the gap between scientists and humanities. The other two are “Introduction to Computing” and “Computers in the Modern World.” The latter is to be given next quarter.

Decision-making

“Patterns of Problem Solving,” according to the course description, will be an introduction to patterns of reasoning in the process of problem solution and decision-making—exposure to concepts, theories and techniques in the analysis and synthesis of total systems in our complex technological civilization.

“Today we are facing problems of unprecedented scope and size in the cities, in space, in government and in industry,” Rubinstein said. “We’re not going to pretend to solve these crimes in a single course.

“We will, however, study the basic tools we can use to begin tackling complex problems, in a rational way, in any field from theater and politics to social unrest and traffic jams.”

He noted that there are no prerequisites to the course and that any mathematics required will be explained “from scratch.”

Ask relevant questions

Rubinstein said that perhaps the hardest part in approaching a tough problem is to ask the relevant questions and then to rank the questions in order of importance and priority.

“We realize that almost every problem contains purely subjective factors, where the psychologist or artist intuitively knows more than the system analyst,” he noted. “But one point we will try to prove is that the part of a problem that can be done rationally and objectively is much larger and goes much deeper than most people are willing to admit.”

He said that the problem solver has to analyze the obstacles and constraints and eventually try out some simplified version of the real problem to approach the best possible solution under different test conditions.

Role of computers

The course on computing will offer “a basic grasp of the function and role of computers,” according to engineering professor Bertram Bussel.

“Just as the industrial revolution has extended man’s brain, the computer revolution is extending man’s brain power,” Bussel said. “One of the major goals of our course will be to dispel the mysteries associated with this complex engineering device which, even in its infancy, is altering the course of mankind.”

The courses are part of an effort to reach out to the rest of campus.

Technological literacy

“In our present-day society, every person, regardless of his future job, must be literate in technological matters,” according to Chairman Paul McCall of the school, “just as we require knowledge of humanities and behavioral sciences.

“A truly liberal education in the modern world requires an understanding of technology and its relation to social change.”

Starr said that other courses stressing the history and social impact of technology over the centuries are planned for the future.

New lit course opens

The first course in comparative literature to be offered here begins this week and is an introduction to a six-course series.

Comparative Literature 200 will deal with the problem of let the liberal comparative literature and its functionary. It is open to both undergraduates and graduates who plan to specialize in comparative literature. Students from all departments will be eligible for enrollment.

For further information, students are invited to program chairman Arnold J. Bard at extension 51644 or course instructor Rose Shleider at extension 5396.

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Nixon’s new jet poses noise pollution threat

By Gary Green
DB Science Writer

The new $120 million, 144-seater Anglo-American SST (Super Sonic Transport) has made its first flight from Palmdale, Calif., the Boeing plant near Los Angeles.

He added that the SST will make a lot of noise over the areas surrounding airports. Despite research into the causes and effects of sonic booms, there was no way to eliminate the problem in the near future. He said it would take a breakthrough in acoustics.

Airports already are having serious difficulty controlling aircraft noise. At Los Angeles International Airport the noise from departing and arriving jets have forced two schools in the Westchester area to close.

Palmdale protests filed

The SST will mainly use the Palmdale International Airport, now in the planning stage. Citizens of Antelope Valley already have filed protests against the location of the airport here.

Starr predicted that the public will tolerate the sonic boom just as they learned to accept freeways and increased noise on city streets.

The SST has two foreign competitors, both of whom are at least four years in the lead. The Soviet TU 144 has flown at subsonic speeds, and the Anglo-French Concorde broke the sound barrier Wednesday.

(Continued on Page 28)
UCLA, four others aim for air pollution program

By Nick Restoff
DB Science Editor

A proposal to form a consortium for air pollution research and training is being jointly worked out by participants from here and USC, UC Irvine, UC Riverside and Cal Tech.

The consortium is seeking funding for a one-year pilot project from the National Air Pollution Control Administration (NAPCA).

The first subcommittee meeting was held last Thursday at the Air Pollution Control Institute at USC. Frank King, chairman of the subcommittee and director of the Institute, called the meeting "to move ahead with plans" and noted that he had recently received a copy of the proposed Triangle Universities Consortium on Air Pollution (Duke, North Carolina, North Carolina State).

UCLA's representatives on the subcommittee are engineering professor Richard Perrine. There is one representative from each university.

A rough draft on the proposal was presented at a meeting of interested persons held here Aug. 15 by King, who said then that he hoped it would inspire suggestions from the other participants.

The meeting was addressed by Harry Kramer, director of Manpower Development for NAPCA. He indicated that 57 regions of air pollution control are to be established and operated, but that the number of professional control personnel was seriously lacking.

Not enough personnel.

He said that 1969 budgeted slots for engineers, chemists, meteorologists, other professionals, sanitationists, technicians, inspectors and administrators came to 2,840, but that the minimum needed was 8,002.

He noted that these were professionals in all states and county governments only and that some 3,000 engineers were needed each year for about five years in order to meet the crisis. Approximately 60 more chemists, 20 meteorologists and 200 sanitationists also need a certain number each year to meet manpower requirements.

At the meeting engineering professor Albert Bush cautioned that large group of professionals are already working in the general area and that new efforts should augment the efforts of existing groups.

Fundamental approach

Morris Neilburger, professor of meteorology, expressed a desire that the training program be fundamental in approach rather than applied.

Kramer seemed enthusiastic about the Triangle Consortium and stressed the need for graduates to involve themselves in environmental causes. He also noted the environmental problems are inherently interdisciplinary and a common language between various disciplines such as law, public health, engineers.

(Continued on Page 31)

Class changes

The speech department has announced two additional class changes effective today: 206 will meet Wednesdays 7-10 p.m. in HR 2203 and 268 will meet Thursdays from 4-7 p.m. in HR 2214.

- UCLA DAILY BRUIN

Monday, October 6, 1969
Is the sky falling?

Beginning its second century of existence, the University of California is facing regressive attitudes of the public and politicians that have dramatically translated into a budget crisis, legislation aimed at easing public outcries rather than easing deeper repressive attitudes of the public and campuses that have dramatically translated into a budget crisis, legislation aimed at easing deeper repressive attitudes of the public and campuses.

Chancellor Young characterizes the situation as "a series of crises as serious as the University has ever faced." Asked how long the system can continue to function under these circumstances, he said, "I think we're about at the end of the road."

Yet this gulf continues to grow. Television newsmen and newspaper reporters present mainly sensational reactions without digressing into the cause. The public is not presented with the motives, the plans or the aspirations of the University community. It is much easier and perhaps more rewarding for politicians and newspaper reporters to consider only the result and not the reason.

What are these crises that force Young to prophesy the downfall of the system? To an average student they may have not been very noticeable. But now that students here and in the nation have enrolled in the theater arts department because of overcrowding, problems may be more obvious. The psychology department, according to the Master Plan, should have 951 students but now has 1539 students. The political science department may soon have to reduce graduate admissions.

Qualified applicants will probably be turned away from this campus as early as next fall. Those who do slip in will find their choice of major limited. Campuses are redirecting thousands of qualified applicants to different campuses.

And the latest planned budget butchering may result in cutting 30,000 students out of the system, mothballing UC Santa Cruz or elimination of the summer quarter. These plans were proposed if Reagan decides to cut the 1970-71 UC operating budget by 25 per cent. It is most likely that the governor will not slash the request as much and consequently appear benevolent in the public eye.

Enraged by student unrest, the legislature has dealt with more than 100 campus bills. Distilled from this barrage, new laws have done little in increasing the power of the chancellor. Young sold that in most cases University administrators already had such power but that it did give rights to state and junior college administrators. Another present from the legislature is the threat of tuition. University officials predict it will be in effect by next spring. Two plans have been mentioned prominently.

The "earn, earn and reimburse" plan, after being vetoed in the assembly for six years, was signed by that body this summer. However, it did not pass in a Senate committee.

This plan proposed by John L. E. Collier (R-South Pasadena) would establish a system of payments by which a graduate student would repay the university for his education.

The Daily Bruin computed that a graduate with a teaching credential, working in the Los Angeles school system, would have to pay $3,100 for an education with estimated cost of $5,000. Reagan supports this plan.

The second plan -- the one more likely to be adopted -- is an graduated income plan.

The Regents have responded haphazardly, immorally and even illegally to this situation.

The Regents have withdrawn the power of hiring and promotion of tenured faculty members which they delegated several years ago to the chancellors.

They ignored the wishes of 85 per cent of 15,000 Berkeley students who voted in a referendum to lease the people's park to the city for use as a park. Instead the Regents voted to build married student housing (for which funds had been denied by Reagan's cuts) on the property.

Both Eldridge Cleaver and Angela Davis were scheduled to guest lecture or teach in classes that were approved by formal machinery. Both of them were released in order to soothe the public. Davis' firing in fact has broken the laws of the United States Constitution as interpreted by the Supreme Court. The Davis action signaled the regental murder of the practice of academic freedom.

With all this action against the University, many students have been portrayed in newspaper headlines that exacerbatce rather than ease the situation. However, the recent beginnings of quiet and accepted confrontation seem to afford little progress.

After three months of discussion, the student body presidents were allowed to speak at regents meetings. Most of all the nine student bodies are taxing themselves to financial minority programs affected by budget cuts. Consequently, Reagan has vetoed Economic Opportunity program money because he said, "Now the students are paying for it themselves."

A few radical students on campus (not associated with those working in support of Miss Davis) however are urging Young to make some symbolic protest such as resigning. These factions are simply trying to gather support for a not altogether constructive action by martyring Young as well as Miss Davis.

Since it is almost a foregone conclusion that Miss Davis' case will win in the courts, it would be useless for Young to resign.

There may come a time when active confrontation with the Regents or the police is necessary. But now is not the time. Such tactics would not be beneficial at this point, because we are winning. Miss Davis has legal precedent on her side. In this particular instance, a boycott of classes or massively confronting the Regents can only hurt the cause of academic freedom.

A convocation will be held Oct. 15, two days before the Board of Regents meets at UCLA's Extension Center downtown. A faculty-student referendum on the Davis issue is scheduled between now and the 15th.

The best way to show our support is to participate in the convocation and vote in the referendum. We also urge students who have enrolled in Miss Davis' class to stay -- and as many others as can be accommodated to attend.

By Phil Savenick

DB Editorial

Don't riot -- yet

Angela Davis undoubtedly will begin teaching her black literature course today, despite Friday's regental decision barring academic credit from any course taught by her.

The Regents have assured Chancellor Young that Miss Davis will maintain full privileges as a member of the faculty here until her case is settled, which means she can teach on campus. But no direct means can be used to give credit for the course.

Just what the Regents hoped to accomplish by their action is not clear; they have grossly underestimated UCLA students if they think no one will take her course simply because it is not accredited. The action will not silence her -- it will simply inconvenience those students who might have been able to devote more time to the class if they were able to receive credit.

Chancellor Young should be commended for taking a strong public stand against the Regents and in support of the faculty. He is determined to carry on the fight for academic freedom, at the risk of being fired because of the state's fascist political climate. He has chosen to stay and fight rather than cut and run, which is more than we can say for the Regents.

A few radical students on campus (not associated with those working in support of Miss Davis) however are urging Young to make some symbolic protest such as resigning. These factions are simply trying to gather support for a not altogether constructive action by martyring Young as well as Miss Davis.

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By Phil Savenick
2,000 Jam UCLA Hall to Hear First Lecture by Angela Davis

BY KENNETH REICH
Times Staff Writer

An overflow crowd of 2,000 students, faculty members and a few onlookers heard Communist Party member Angela Davis give her first UCLA lecture Monday in the school's largest auditorium.

Miss Davis spoke for about half an hour on the theme of freedom and its relation to the black slave after inviting students to help seek certification of her course for academic credit.

The UC Board of Regents stripped the course—Recurring Philosophical Themes in Black Literature—of credit in an emergency meeting last Friday.

Dismissal proceedings also are pending against Miss Davis under the regents' policy against employing Communists at the university.

After Miss Davis' lecture, her huge class meeting in Royce Hall was turned into a student assembly under the chairmanship of Sonja Walker, a member of the campus chapter of the Black Students Union.

With about 700 persons remaining of the original crowd, the assembly decided by a voice vote to call on the UCLA faculty to refuse to teach until Miss Davis is allowed to teach for credit.

Please Turn to Page 29, Col. 1

THE WEATHER

Light coastal smog today.
U. S. Weather Bureau forecast: Mostly fair but some high cloudiness today and Wednesday. Coastal fog late today and early Wednesday. High today, 82. High Monday, 84; low, 56. Slightly cooler Wednesday.

Complete weather information in Part 2, Page 4.

2,000 Jam UCLA Hall to Hear Angela Davis

Continued from First Page

There were indications, however, that faculty support for what would amount to a strike would be lacking under present circumstances.

A move was under way Monday to put the faculty on record that it considers Miss Davis's philosophy course to be a credit course.

The Academic Senate's committee on undergraduate courses and curricula adopted such a resolution, and Lowell J. Paige, the head of the Academic Senate, summoned the full faculty to a special meeting Thursday at 3 p.m. to ratify it.

The faculty last week condemned the regents' order to institute dismissal proceedings against the black professor.

But Paige, informed of the resolution asking the faculty to stop teaching, commented Monday night, "That won't get off the ground."

Onits Endorsement

And one of Miss Davis's strongest supporters, Prof. Donald Kalish, vice chairman of the Philosophy Department pointedly omitted an endorsement of the strike call when asked about it in a news conference after the assembly.

Aside from an apparently unrelated incident early Monday in which someone threw two fire bombs into a parking lot near the administration building, causing $2,500 damage, Monday was a calm day at UCLA.

The day saw the regular opening of classes for the fall quarter. Thousands of students crowded against the police, causing a massive morning traffic jam in arriving.

There was not the slightest hint of disturbance at Miss Davis's 3 p.m. lecture or anywhere nearby and the audience was unusually attentive.

The lecture had been moved into the 1,900-seat Royce Hall from the smaller Dickson Art Center, where Miss Davis was originally scheduled to speak, at the request of Prof. Donald Kalish, chairman of the Philosophy Department.

Made Assignment

Kalish, who was instrumental in hiring Miss Davis and who assigned her to teach in the fall quarter after the regents voted to institute dismissal proceedings against her, explained that he wanted to insure that everyone coming to her class would have a place to sit.

Numerous cardboard signs had been posted on the campus urging students to support Miss Davis by coming to hear her lecture.

Hundreds of brightly colored buttons saying, "On Campus, For Credit, As Planned" were handed out.

This was the same slogan used last year at the university's Berkeley campus in relation to the Ehrlich-Cleaver controversy.

The 25-year-old Miss Davis was applauded loudly at the beginning and end of her remarks. She had said previously she would ask the students whether they wanted her to go ahead with her lectures. When she asked if there were any objections, there were none.

Miss Davis's lecture generally was well received. Several faculty supporters predictably lauded it, but independent observers also expressed favorable reactions.

She preceded her lecture with a description of the regents' action against her as an outright attack on the students, and she urged the students to "deal with the encroachments" of the regents.

The student assembly following the lecture was orderly in form but somewhat disorganized in content. Many of those attending were uncertain about the content of the resolutions adopted.

The most important was a three-page resolution introduced by Jeff Kaye, a junior majoring in English. Miss Davis called for opening Thursday's Academic Senate meeting to the public, urging that the faculty take a stand for making Miss Davis's course one for credit and urged that the faculty stop teaching until that time.

Several students rose during the meeting to complain that all that was happening was talk and that the students should take immediate action against the regents.

Two adult women, one a 38-year-old Berkeley graduate who said he had driven in from Bakersfield, tried during the meeting to put critical questions to Miss Davis, asking among other things whether she felt she would have been able to deliver Monday's lecture in Russian-occupied Czechoslovakia.

Miss Davis told the first woman that she would not answer her questions then but would be glad to see her in her office later. To the second, she said the question about Czechoslovakia was irrelevant.

During the meeting, members of the Philosophy Department said they had requested the UCLA administration not to post plainclothes security men in the lecture hall and that the administration had agreed.

Given Protection

Miss Davis was protected, particularly at the end of the meeting, by at least four black men, two of whom identified themselves as affiliated with the all-black Communist Party collective in which she is a member.

At the news conference that followed, Miss Davis said she had never meant to suggest that she had been ordered fired by the regents because she was black rather than because she was a Communist.

She insisted the press had distorted her previous remarks about racism in her case.

"I consistently have said I was fired because of my political views," Miss Davis said. But, she added, black people are often more affected by political tests than whites.

Other Developments

There were these other developments in the Davis case Monday:

The required minimum number of 35 professors asked the UCLA Academic Senate for a mail ballot on the Senate's endorsement last week of a planned campus-wide convocations Oct. 15 and 17 on the Davis

EMBATTLED PROFESSORS — Angela Davis with UCLA philosophy department Chairman Donald Kalish at news conference that followed her lecture. Times photo by Fitzgerald Whinsey
The message that Angeline Davis delivered in her first lecture Monday to 2:000 listeners at UCLA was that western society has devised lofty philosophical theories of freedom but has created institutions of enslavement to go along with them.

The noncredit course she will teach on Recurring Philosophical Themes in Black Literature will illuminate these paradoxes, she said, because that literature represents the "consciousness of a people who have been denied entry to the mainstream."

In the succeeding classes, she said, she will show that the road to freedom "is marred by resistance, physical, mental resistance," and she will "debunk the myth of docility" on the part of American Negroes.

The young woman, who twice has been the object of actions by the UC Board of Regents to keep her from teaching because she belongs to the Communist Party, walked in Royce Hall at 2:58 p.m.

She is tall. She wore a dress with mixed green, yellow and pink coloring and empire waist, and the dress was well above the knee as is the fashion.

She opened a manila folder of notes before her and slid a pair of large, round rimless glasses on her nose. Her face is the color of well-crammed coffee, the hair two shades darker and evenly shaped in the natural style.

Her voice is also and resounded through the cavernous auditorium, the seats of which were full on the main floor as well as the horseshoe balcony.

The applause began in front and spread. Soon everyone was standing. The applause lasted 35 seconds.

She began by discussing the ancient Greeks and their sublime theories of freedom, pointing out that they were slaveholders. Non-Greeks were considered barbarians, she said.

It was quite like any other college lecture's preface until, in mentioning freedom in literary undertakings, she said, "That is, if we are thinking in a dialectical manner."

**Students Laugh**

Because every freshman learns that Karl Marx believed in dialectical materialism, there was laughter in the audience.

She then began discussing the life and times of Frederick Douglass, the black man who was born a slave and later became an educator, statesman and orator.

Miss Davis asked the question of whether freedom was possible in the limits of material bondage. Jean-Paul Sartre, the French writer, had said that even the slave has freedom because he has the liberty to reject slavery and choose death.

Miss Davis, however, said that in choosing death, the slave "abolishes the condition of freedom—life."

The result, she said, could be defined as suicide or liberation at all costs.

The theme that she developed was that Douglass_{relationship}restated the acts of slavery (flogging) and rejected the morality of slavery, which reduced men to the status of property.

In dealing with the institutions of slavery, she mentioned Karl Marx and his remark that "Religion is the opium of the people." Yet, she said, Christianity had been a liberating impetus for Douglass as well as for Nat Turner, a slave who led a slave rebellion, and John Brown, the white man who led an abortive slave revolt.

Miss Davis contended, apparently disputing Marx, that religion can be a positive force for liberation. If the slave transforms the things he wants into a religious notion of heaven ("an eternity of bliss"), those dreams may linger on the verge of "reverting back to the original status—the here and now."

The slave might decide to change "eternity into history."

At 3:43 p.m., she ended her lecture by talking about the myth of docility on the part of black people.

She said that when she was a schoolgirl in Birmingham, Ala., they taught her that emancipation had upset and discredited the slaves. "And they talk of indoctrination..." she said.

Again, the audience laughed, and a standing ovation lasted 35 seconds.
PHILOSOPHY 99—Several hundred of the 2000 students, who attended Angela Davis' first lecture in philosophy 99, wait outside Royce Hall for class to begin. Miss Davis discussed her dismissal and lectured on "Life and Times of Frederick Douglass." She was greeted with a standing ovation.

Students pack Davis class

By Debbie Ashin
DB Staff Writer

Nearly 2000 students crammed into Royce Hall's auditorium yesterday as Angela Davis delivered her first lecture, despite the Regent's decision last Friday to remove credit for the class.

Wearing button reading "for campus, for credit, as planned," flown down from Berkeley (remnants of the Hildebrandt issue last year), the overflowing audience gave the 28-year-old professor a standing ovation. Although 3000 students originally registered for the Philosophy 99 class, most of the crowd came to demonstrate their support for Ms. Davis, while others present came intending to enroll for the class.

Opening her lecture with a discussion of the Regent's action which he termed an "outrageous attack on students," Miss Davis told students: "You are being denied the basic right to relevant education."

She added that the Regent's decision was an attack on the Afro-American Studies Center here as well as against the University's autonomy.

Before beginning her lecture on recurrent themes in black literature, Miss Davis spoke on freedom. She cited the example of Greece being the "root of democracy" with many of its citizens not being free and of Thomas Jefferson explaining the meaning of the Constitution while still keeping slaves.

Proceeding to explain the relevance of black literature as providing "a more illuminating look at the concept of freedom than philosophical discourse in western society," she said that it "projects a consciousness of a people denied freedom."

Quoting from the works of existentialist philosopher Jean-Paul Sartre, she said that a slave has the liberty to reject his condition, even if it is a state of captivity versus death.

Miss Davis related slavery from the point of view of Frederick Douglass, who as a slave said that "the most extreme form of human alienation was the reduction of man to the status of property."

Speaking on religion in relation to those oppressed, she quoted from her teacher and famed Marxian philosopher Herbert Marcuse who said religion is "the retreat of an oppressed society."

Although she explained this was not an analysis of religion, she also quoted Karl Marx when he said religion to be the "opium of the people."

(Continued on Page 5)

Parking kiosk bombed next to Murphy Hall

A fire bomb set off an explosion and fire inside the parking information kiosk on julian Court between Murphy Hall and the Law Building Monday, reducing the kiosk to gray walls and ashes.

The incident occurred at 2:55 Monday morning.

The fire was observed almost immediately by the officer on duty, Thomas Stewart, an official University Police report said.

The report added that the fire was set by an inflammable substance with a wick container. The police have no suspects in custody at the present time.

University Police declined to speculate as to the motive of the bombing, but officers said it was "suspicious." "No one knows what goes through the minds of these people," Lt. Bill Banks said. "My guess is that it was either someone mentally ill or mad at the administration, and he thought that was one way of getting back."

Though there have been a number of crank calls or "bombed calls" in recent years, the incident is the first one of its kind in the memory of police officials. The penalty for the crime is prison, or probably a fine, or all three, police said.

The man who will be most affected by the bombing, the kiosk attendant Hal Bern, called the incident "a mess" and said he regarded it as "a malicious act." Bern was reduced to standing out in the open yesterday with no more that a stool for support.
Black faculty backs 
Angela Davis’ right

(Editor’s note: The following is a statement from the Black Faculty Association concerning the dismissal of Angela Davis, acting assistant professor of philosophy here.)

Black faculty of the University of California at Los Angeles affirm and support the right of Acting Assistant Professor Angela Davis to discharge her duly assigned responsibilities as a faculty member. Because she has been found qualified to teach through required procedures of the University, we believe that she has not been deprived of constitutional rights and that to prevent her from teaching and benefiting from her contributions is destructive of the best interests of the university and the ideals of academic freedom.

We urge all faculty and students to stand with us in support of this young scholar and the black faculty we intend to take positive steps to demonstrate our solidarity with Prof. Davis.

Community board seeks student help on programs

Programs ranging from student-community control of Regents’ money to a planning group on community involvement programs are being developed by the Community Service Commission (CSC) here.

The CSC is seeking students to help implement these and other programs, according to Paul Kaufman, community service commissioner.

Kaufman outlined five programs being structured and said he was looking for one student to take charge of each with other students working on the area. The programs include:

- A research-action program where students do research in areas related to community involvement for credit and hopefully use this research as a starting point for some kind of action program.
- A voter registration program.
- Work in the area of fair housing.
- A proposal for student-community control of Regents’ money for community involvement programs, in conjunction with this a statewide organization of community involvement people to lobby for more money within the UC system and to get outside the University for funds.
- A community involvement service information to collect information on community involvement programs across the nation and to see that this information gets to groups that can use it.

Students interested in heading or working in one of the areas can contact Kaufman in Kerckhoff hall 407 or at 825-2533.

Sexuality patterns explained

Entreaties to “educate people to enjoy sex,” explanations of adolescent “dating relationship,” and a presentation dealing with trans-sexuality served as verbal focal points at a symposium held last weekend which discussed changing sexual attitudes.

Panelists included social commentator and columnist Dr. RoseFranzblau, Dr. MayE. Romm, supervising analyst of the Southern California Psychoanalytic Institute, as well as physicians from UCLA’s School of Medicine.

Dr. Joshua Golden, a Beverly Hills physician who led off the discussion with a paper on the backlash in sex education, told the audience that “we should educate people to enjoy sex.”

Dr. Golden, who appeared preoccupied by the fact that many people regarded sex education as a “malignant Communist plot,” added that parents and teachers too often felt guilty, discouraged or inhibited about sex.

Dr. Franzblau, author and syndicated columnist, followed Golden and told the audience that “sex education begins from the moment a child is born.”

Dr. Franzblau, discussing adolescent relationships, went on to say that boys do not respect girls who gave in to their demands, no matter how much pleasure it gave them at the moment. She added that it was her experience that boys might go out with such girls, but “they would never marry them.”

Following Mrs. Franzblau was Dr. Richard Green of the UCLA School of Medicine. Dr. Green, whose paper was on trans-sexualism, showed the audience slides of a man and woman who had both changed sex.

“The person who wants to change sex represents the most extreme deviation from the normal,” he observed.

Green went on to say, however, that sex is occasionally mistaken in a child. A child with a disproportionate amount of male hormones, Green explained, may be born with undeveloped male sex organs, heading the delivering doctor to announce to the parents that you have a boy instead of the more correct “You have a girl.”

Theater arts courses set

Theater Arts 107, “The Experimental/Undercurrents,” and Theater Arts 114, “History of the Motion Picture Musical,” have been added to the fall schedule of classes offered by the Department of Theater Arts.

TA 107, to be conducted by Donald Skoller, will consist of a general survey and discussion of current trends in film making outside the established movie picture production and distribution channels. The class will meet Fridays from 1 to 3 in Melnitz Hall 1409.

TA 114, which also meets Fridays, from 9 a.m. to 1 p.m. in Melnitz 1409, will cover the history of movie musicals from the waltzing, the singing, the dancing extravaganzas of the late ’20s through the “golden age” of the MGM musicals of the 1930’s. Bob Epstein will be instructor.

Both courses are offered for four units, and are open to all enrolled UCLA students.

In promulgating our esoteric cognitions and in articulating our superficial sentiments we shall avoid thronic bombast and pestiferous prattle, whether intentional or not.

UP FOR GRABS

Positions on Government Internship Program Board

1) Washington
2) Sacramento
3) Local Gov’t (Municipal & County)

Although the controversy surrounding the so-called "loyalty oath" administered on college campuses across the country in 1953 may be vague in the memory of some students now involved in the Angela Davis skirmish, three men on this campus were intimately involved then and see similarities between the McCarthy year of 1953 and the Reagan year of 1989.

Vice Chancellor David S. Saxon, history professor John W. Caughey and astronomy professor Daniel M. Popper were required in 1953 to recite the following "loyalty oath," drafted in 1948: "...I am not a member of the Communist Party, or under any oath, or a party to any agreement, or under any commitment that is in conflict with my obligations under this oath."

Fired for refusing

Saxon and Caughey refused to sign the oath and were dismissed from their positions. Popper was in the faculty majority who signed the oath.

The Regents' vote on Sept. 19, recommending dismissal of Communist Party member Angela Davis, was described as "similar in the abstract" to the 1953 situation by Saxon.

"McCarthyism is not present today, but we have an atmosphere that is potentially more dangerous," Saxon said.

"The country is even more polarized now, partly because the traditional political ordering of left and right has broken down."

Because contemporary political problems are not an "exacerbation of a traditional political fabric," the response to issues is more intense, according to Saxon.

"People react in a more immediate, personal way to what they perceive as threats," Saxon said. "No one involved with the oath conceived of the potential for violent confrontation which is a very real possibility now."

He recalled that students were "intellectually committed but not overtly demonstrative on the oath issue."

Saxon believes that the opposing positions on the two cases are essentially the same. "The general public and the regents share the view that the University shouldn't hire people like Angela Davis. The academic community feels equally strongly that we have to hire people without regard to their political views," he said.

The Vice Chancellor expressed certainty that the present case will be resolved favorably for Miss Davis in the courts. This is the "element of hope" that Saxon remembers as lacking during the oath controversy.

"In the 1950's it was completely unclear that any remedies to regent policy would be found," he said. "Now a body of law has developed providing a clear remedy for the problem."

Saxon is convinced that court action would serve as a "deterrent" to repressive regental action of which the Davis firing is only one aspect.

Because of his confidence in the deterrent effect of a legal decision, Saxon advised against campus demonstrations in protest of the regents' decision.

"Demonstrations have a certain cathartic and therapeutic value but I don't really perceive them as contributing to a resolution of the problem," he said. Furthermore he warned that student demonstrations "will be divisive, will split students and faculty and will cut off the administration."

For Vice Chancellor Saxon, non-compliance with the regents' oath was the necessary response. "I'm convinced that court action would serve as a deterrent to repressive regent policy of which the Davis firing is only one aspect."

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**SDS factions: heading for a fatal showdown?**

CHICAGO (AP)—Two contending wings within the tempest-tossed Students for a Democratic Society (SDS) are heading for a confrontation that could leave the nation's major radical youth organization in shambles.

"Very soon, the only active people left in SDS will be FBI agents," said one radical who, like many others, fears the impending showdown could result in the demise of both factions.

The two factions: "The Weatherman" and the Revolutionary Youth Movement II are planning "They are developing a hardening cadres," a government source said. "It's not too far advanced right now, but there are signs it's on the way," eight movement leaders. The charges stem from the violence accompanying last year's Democratic National Convention.

At stake in the showdown is prestige—something both factions need if they are to build a following among unaligned radicals on the nation's campuses. A resounding failure could be fatal to organizing efforts—particularly for the Weatherman faction, which takes its name from a Bob Dylan song title "You don't need a weatherman to know which way the wind blows." Weatherman currently controls the SDS National Office here. It has tightened security and taken tentative steps toward building revolutionary cadres, or leadership cells.

Cadres, internal security and secrecy fly in the face of the still-dominant impulses within the radical youth movement, which long has taken pride in its unstructured manner. So does the hint of escalated violence implicit in Weatherman's Chicago slogan, "Bring the War Home."

The West Coast-based RYM II adopted the slogan, "Get the U.S. Out of Vietnam Now," for its Chicago demonstrations. Weatherman has been preparing for months for the Chicago demonstrations. "The action is probably going to make them or break them," said one source about the faction. RYM II, in contrast, is making a late entry. If its efforts fail, the faction likely will blame lack of preparation.

Weatherman is planning a rally in Lincoln Park—one of the battlegrounds during the Democratic Convention. It also is calling for demonstrations in high schools, a rock-music festival, and a march and rally at the federal court house.

RYM II's schedule is geared more to working classes and non-white neighborhoods, but it also calls for a high school boycott, a demonstration outside a Chicago factory, street rallies and a protest against hospital conditions.

Weatherman combined Marxist-Leninism with what one radical writer described as "an anarchistic, street people style—dope smoking, hip-radical."

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**Fresno president asks faculty vote on Muslim**

**FRESNO (AP)—** Fresno State College President Frederic Ness asked faculty members Monday to vote on the proposed hiring of a controversial Black Muslim poet.

Ness turned down the employment application of Marvin Jackman, 23, last week, but said Monday he wants the opinion of the faculty. Ness said results of the vote would be relayed to the office of State College Chancellor Glen Dunke.

He pointed out, however, that members of Dunke's staff have indicated to him the chancellor would not approve the hiring of Jackman, also known as Marvin X.

In his memo, Ness said he was not "establishing a procedure or precedent" but wanted to give the faculty a chance to express itself because the question might become a "continuing issue and because of my forthcoming departure." Ness already has submitted his resignation and will leave Dec. 31, to become president of the Association of American Colleges in Washington, D.C.

Ness also said he could find no "legal bars which make Jackman ineligible for employment."

In his statement announcing rejection of Jackman, he said the controversial poet's qualifications were "minimal." Jackman holds an associate of arts degree from Oakland's Merritt College.

Ness also noted Jackman is under indictment for refusing induction into the armed services and renounced his citizenship in 1957.

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**Stanford given $1.94 million for human biology curriculum**

The discipline of Human Biology has been added to the undergraduate curriculum at Stanford to help solve man's growing environmental problems, according to Gordon Harrison, Ford Foundation officer in charge of resources and environment.

The curriculum, designed to produce graduates who understand the "hard sciences" of biology and medicine as well as more loosely defined social sciences, will be developed during the next six years with the aid of $1.94 million from Ford, Harrison said.

A Stanford spokesman noted that no other major university offers such a program.

Human biology will become an interdepartmental major next September after detailed plans are formulated this year.

"Answers to questions of what happens to men when the environment is in various ways disturbed—by pollutants, for example, or by crowding—are not likely to come out of the traditional work of doctors, pathologists and toxicologists," Harrison said. "The knowledge needed is basic understanding of the biology of man, including his social behavior," he noted. "It is a rare sociologist today who has had even one course in biology. It is still rarer economist or political scientist."

Harrison added that, in his opinion, many biologists have acted as if evolution stopped at the lower primates.

Human Biology students will devote no more than half their time to required courses, according to the planning committee. The other time will be left for field work and electives.

Graduates could work on public policy issues related to the environment, ranging from intercity living conditions to medical problems of migrant farm workers, the Stanford spokesman noted.

Students also would be prepared for advanced training in biology, behavioral sciences or the study of public policy issues related to biological processes.

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**THE COMMITTEE FOR THE STUDY OF EDUCATION AND SOCIETY**

**CSES 113 Violence and Social Change**

This interdisciplinary fall quarter course is open to all interested UCLA students, undergraduates or graduate. The course may be taken for full credit (4 units) and satisfies elective requirements. The class will meet twice a week, Tuesday and Thursday, from 7:30 to 9:30 p.m. in Haines Hall 118. The first meeting will be held on Tuesday, October 7.

Instructor: Dr. Guy Pauker (Political Science)
Teaching Assistants: Terry Freiberg (Sociology)
Richard Verchick (Political Science)

This course will focus on the role of violence in contemporary society. Its main purpose is to assist the participants in clarifying and defining their personal position on violence, in relation to the crucial issue of the means by which social change can be effected. Lectures, readings, audio-visual aids, seminar and gaming techniques, and workshop discussions will be used.

All interested students should plan to attend the first class meeting, Haines Hall 118, Tuesday evening, 7:30, and receive registration instructions. Further information can be obtained from Professor R. Orbach, Ext. 5-4018.
Meyerhoff speech rules revised, new area added

By Alison Cross
DB Staff Writer

Four major changes have been effected in the "time, place and manner" rules covering free speech and the conduct of public assemblies here, according to Dean of Students Byron T. Atkinson.

- The reservation system for speakers to Meyerhoff Park has been straggled.
- A second free speech area has been opened in Schoenberg Hall patio.
- The Board of Review has been officially dissolved.
- All regular student organizations will be divided into two categories: sponsored and independent.

Sponsored organizations maintain a departmental relationship. Atkinson cited the Engineering Society and the Computer Club as examples. In addition, sponsored groups can be neither religious nor political.

Organizations that are sponsored receive prioritized "in terms of funds for programming space," Atkinson said.

The original set of "time, place and manner" regulations was adopted in 1969. However, they consisted primarily of general statements without a great degree of specificity, according to Dean of Student Activities Charles McClure.

In March, Vice Chancellor Rosemary Park, who is also chairman of the University Policies Commission (UPC), asked McClure to draft a set of "time, place and manner" rules.

The reservation system for speakers in Meyerhoff Park was expanded. Davis philosophy class fills Royce Auditorium...

(Continued from Page 1)
She related that slave masters would use religious titles to make their slaves "overy their masters" as the old testament prescribed. To prevent her hour long lecture, she proceeded to turn the lecture over to Black Student Union (BSU) representative Sonya Walker to discuss resolutions on strategy and tactics. Students registered in the class or planning to enroll were asked to sign statements authorizing lawyers Charles M. Phillips and Richard M. Barlow to "initiate legal proceedings" on their behalf to assure them credit in the class.

Discussion was primarily based on resolutions addressed to the Academic Senate from those present. Both those enrolled in the class and others supporting Miss Davis were allowed to vote.

The final resolution demands that the October 6 Academic Senate meeting be open to the public and all other meetings of the academic community; that the Senate insist on the accreditation of Philosophy 99, taught only by Miss Davis; and that faculty member refuse to teach until the class is given credit and Miss Davis is reinstated.

Members of the audience spoke on various aspects of the Davis issue including a representative from San Francisco State who said, "There is a lot of support up North, but after being on campus today there seems to be little down south."

Motions to begin action, rather than continue talking were made by people in the auditorium and the crowd that had dwindled from 2,000 to approximately 700 decided to break into three committees to start work.

- The committee on leaflet, campus action, and on-campus action, were designated to meet in 3 areas in Ackerman Union. Approximately 75 students appeared and began working on the Davis support campaign.

Academic Senate...

(Continued from Page 1)
We've he should follow, "As an administrator my responsibility is to the chancellor."

Philosophy professor C. Wade Savage said that the withholding of grading is an attempt to do something more than merely assert the regents were wrong.

"It is a form of response which is an alternative to a strike. It's a more modest action," Kauffman explained.

He added that "we are very anxious to have student reaction to the proposal and their participation in the planning."

Savage said he hopes that the students themselves would not want to receive credit for their classes as long as their fellow students enrolled in Miss Davis's class are denied academic credit.

Kauffman stressed repeatedly that the withholding of grades is not an attempt to hurt students. He pointed out that any such action on the part of faculty members would be grounds for immediate dismissal.

So far, there appears to be more support from white faculty members on the other campuses for grade withholding action, according to Savage.

He added that about 16 or 17 black faculty members here are willing to sign the pledge and submit it as a resolution at the upcoming emergency Senate meeting. About a dozen while faculty members here stand ready to sign it at this time.

In order to comply with the state law, either McClure's draft of the regulations had to be distributed or the old rules had to be reprinted.

"I did not want to distribute the old rules because they were too vague and general," he said. "The new set did not contain any substantive changes in the rules we've been operating under since 1965."

McClure added that the task force subcommittee's recommendations "did influence" his draft. He included two of the subcommittee's proposals in the set of rules he submitted to UPC. These consisted of "the desire to return Meyerhoff Park to an ad hoc free speech area and to establish another free address area in Schoenberg Quad," McClure said.

Explaning that he did not incorporate more proposals because "substantive changes would require open hearings," he noted that "some of the other recommendations contained in the subcommittee's draft were interesting but contrary either to statewide regulations or law."

Another subcommittee

After McClure submitted his version of the "time, place and manner" rules, UPC appointed another subcommittee to rule immediately on an action in order to comply with the law.

Ombudsmen Don Hartsock and Atkinson were members of this subcommittee.

"Dean McClure had to get something together in a hurry," Atkinson said. "The reports (from the task forces) hadn't been digested yet."

He suggested that the report from the Communications Task Force regarding the "time, place and manner" rules had been delayed by a task force sympathy strike during the engineering strike this summer.

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**Jesuit discrimination denied**

Dr. Barton, an instructor in surgery at UCLA, yields a wicked smile. In his letter to (9) reports being told by a member of the Academic Senate of UCLA that the Department had "rejected an eminent Jesuit philosopher (who had applied for a faculty appointment) because he is not an independent thinker but is bound to a dogma that constrains his intellectually.

First, though I have been a member of the Philosophy Department for thirteen years, I cannot recall, nor can any of the colleagues to whom I have confided, the case of a proposed Jesuit philosopher who applied for a faculty appointment. Second, the ground for rejection is usually not advanced, for our most prestigious chair in philosophy has been held by Professor L. Buchenwald, a rabbi, and others, and the case of the Dominican Order, which incidentally, taught Marxism and Democracy courses during its stay at UCLA. Our Department does, obviously, discriminate between Jesuits and Dominicans. Third, the state categorically that no member of my Department, not anybody whom I have spoken over the years would ever subscribe to the irrational and pernicious view adopted by Dr. Barton that would make membership alone in an organization, be it some political, religious, social, or political party, ground for disqualification as a teacher.

We should all feel ridiculous telling a Pascal or a Sartre that they really are not good enough for us.

**Herbert Morris**

**Professor of Law and Philosophy**

**Astronomy**

**Dean Director**

In an effort to reveal some opinion of the fault in classes here at UCLA, and to warn others of what they might get into, I'd like to make a few comments about a physical science astronomy class I had in the spring quarter.

The general presentation of the class wasn't bad, but my beast was agitating only about nine times during the quarter, my T.A. still managed to give about six quizzes. My idea of a quiz section is to have more of a question-answer grid to give the students a standing of the lecture material than to spend so much time taking quizzes.

And truly, the quiz sections almost hurt the student more than they helped him. Instead of discussing presented material, we had to learn more advanced concepts than any of us was known for the class tests. Some of our quizzes were even so abstract that "the T.A. had to provide the answers." Is this any way to run an astronomy class?

**Name withheld**

**If you write**

If you want to write to the editor, type it neatly, triple-spaced, with 10-6 margins as possible.

All letters to the editor must include the writer's name, year and major or department in which employment is, though names will be withheld upon request.

**Sexism accepted bigotry**

Ann Herschfang

Women's liberation movement

Sexism accepted bigotry

(edited note: Ann Herschfang is a member of the Union for Women's Educational Liberation.)

Contemporary American society is based on bigotry and discrimination. The deepest, most accepted and unpalatable form of bigotry today is sexism; discrimination on the basis of sex and gender. Sex discrimination on the basis of race, religion or national origin is the "norm" today, in radical as well as conservative society.

Advertisements help one become a "womanly woman" which limits women's history and needs, yet purports to give both sexes an "equality of opportunity and industry creates a "woman's place" and keep her in it; and what the environment and social conditioning can't do, a woman, the bioted legal/social institutions of marriage and childrearing can.

When one talks of poverty in this country, one is talking about women; poor women, women of color, women on the streets, women in the bars, suicidal women, and the stepdaughters and suburban housewives.

American women have never had it so good—which says a great deal about how bad it has been.

But why has it continued? Why have we allowed ourselves to be enslaved and oppressed? Why do we refuse to see the world beyond our own ghettoes, our homes?

Could it be that slavery is more secure than the promise of freedom and equality? Could it be that we are afraid? Afraid of our responsibility—our responsibility to our fellow people, to our city, to our campus, to ourselves?

Yet do we know of responsibility that makes us so fearful of it? We know that we are not supposed to be involved with ourselves and our own needs—that responsibility is a man's commitment (resulting in "the feminine mystique") of woman's decorative object being long to a man, and "the uncivilised mys- tique" of man as non-or super-human breadwinner.

Responsibility is not for us careless, happy "little women." But we are more than the half of people on this campus, in this city, in this world. If we are not responsible, then why should the institutions of our world include us, why should anyone care about the 51 percent majority?

"You've got to strike; you've got to fight for what you are owed" to the world standard today. It doesn't change because you're a woman and you aren't supposed to fight for other women—we can "man" the causes of peace, of black revolution, of conservation, and (male-led) student revolution, but there's no need (men tell us and "real women" matter) for a woman's liberation. Women won't join it anyway, and those who join are man-hating Leftist Marxists.

Can words drive us away from our responsibility? Can fear govern our response, here in the heart of the University?

What will be our response? Silence? A bitting, slashing, illiterate-filled silence?

Or perhaps UCLA women can and will accept their responsibility as women. More women classes on women are needed in most departments; more women are needed on the faculty; more women's issues are needed to represent the needs of women is needed at all policy-making levels.

More writers are needed for this column, which began this summer and is available to interested in writing about women's liberation.

More involvement and expressed interest by the women on this campus is necessary before any real changes can be made. But facts are as necessary as motivation therefore; the Union for Women's International Liberation (U-WIL) will be holding a series of discussion/study group sessions every Thursday afternoon this quarter. This is your chance to be relevant and learn about realism.

Unless we act—as women for women—this university will continue to act on the old assumption that every "student" is a male (white or black, Anglo or Chicano is) is a curious irrelevancy, and the women employees are pleasant little computer-replace-
Science Forum

Human guinea pigs gassed

By Phil Savick

Some 70 human guinea pigs are allowing their minds and bodies to be "on call" to chemical warfare researchers at Edgewood Arsenal in Maryland. They permit their bodies to be gassed, injected and sprayed with nerve gases, hallucinogens and irritants. They are volunteers, some of whom had prior experimental experience without pay, with the promise of exemption from duty in Vietnam.

The volunteers also test the protective clothing and equipment that might be issued to troops engaged in a chemical biological war. "We have to test these drugs on people," according to Col. Joseph Blair, deputy director for medical sciences. "You can't develop something for human beings without testing it on human beings. It's safe. We've been doing it since 1922 and we've never had a serious accident.

The drugs, all of them termed "experimental," are first used extensively on animals before application to the volunteers, and then, according to Blair, the dosages are well below the lethal level.

Blair said that doctors and medical aides are on 24-hour call in case of accident, and that nearly every corridor has a 50-gallon millilite water shower and eyefield "instruct wash-downs.

The testing of the volunteers is good, Lt. Col. James Ketchem said. The chief of clinical research noted that the volunteers - who have been doing it for two months of Edgewood "good duty." "When we go out recruiting we're afraid of the boys who give us a lot of "socialistic garbage," Ketchem commented, "that's not why they come here. They come because they don't like their jobs or because this brings them close to home."

And it is good duty. It's a pretty good life here.

The volunteers commented that an all-chemical-biological (CB) war was "distasteful" to them and expressed the hope that such a war could be fought without the deadly CB weapons, only with the incapacitating ones. "It's a better way to fight a war," one of the volunteers added. "You don't have to kill the enemy."

"You just knock him out and run over him and take over." (Real correspondent)

IF YOU ARE A GRADUATE STUDENT CONCERNED ABOUT THE QUALITY OF COLLEGE TEACHING, CONSIDER THIS POSSIBILITY

The creative teaching information center at the University of California at Los Angeles (UCLA) has been established to help encourage innovation at UCLA. As a resource center, its purpose is to familiarize professors with information on alternative learning situations and innovative teaching techniques.

The Center Research Assistant will be responsible for the compilation and distribution of materials dealing with unique and progressive learning situations. Due to his position as sole coordinator of the Center, the Research Assistant will have to remain constantly informed of instructional innovations throughout the country.

A PAID POSITION as Center Research Assistant is now available to a graduate student who has experience in working with educational or psychological research and is interested in increasing educational innovation at UCLA.

INTERVIEWS will be held Thursday and Friday, October 9 and 10. Interested applicants should sign up by 5 p.m. Wednesday in Kerckhoff Hall 408.
Buy DB classifieds
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Photos by Mark Rubin
LES FEMMES—This print by Bruce Beoghcer is one of many available for rental by students, faculty and staff under the ASUCLA Graphics Collection. The prints will be on exhibit from 9 a.m.-5 p.m. Oct. 13-16 in the Ackerman Union Ping Pong Room. Students may rent prints from 9 a.m.-1 p.m. Oct. 17. Faculty, staff and students may rent prints 1-5 p.m. Oct. 17. Rental fee is $3. (Full-Advert.)

DANFORTH GRADUATE FELLOWSHIPS FOR COLLEGE TEACHING CAREERS 1970-71

DEADLINE FOR APPLICATION OCT. 17

The Danforth Graduate Fellowship program was established in 1961 with the aim of giving personal encouragement and financial support to selected college seniors and recent graduates who seek to become college teachers.

The Fellowships are open to men and women who are seniors or recent graduates of accredited colleges in the United States who have serious interest in college teaching as a career and who plan to study for a Ph.D. for an appropriate advanced terminal degree. The M.A. is in the fine arts in a field common to the undergraduate college. Applicants may be single or married, must be less than thirty years of age at the time of application, and may not have undertaken any graduate or professional study beyond the baccalaureate. The Fellowships are open to persons of any race, sex, or citizenship.

Special attention is given to those areas in which significant deficiencies for Fellowship 1. Evidence of intellectual power which is flexible and of wide range of academic achievement which is a thorough foundation for graduate study. 2. Evidence of personal characteristics which are likely to contribute to effective teaching and to constructive relationships with students. 3. Evidence of concepts which can be furthered and advanced through specific experience and training. 4. The need to be for the academic year or the calendar year, and is normally available for a total of four years. Fellowship stipends are based on individual needs but may not exceed:

<table>
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<th>For the academic year</th>
<th>$10000.00</th>
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plus dependency allowances for children and required tuition and fees.

The Graduate School Extension Aptitude Tests in Verbal and Quantitative abilities are required, and should be taken on Saturday, October 31, 1969 or earlier by all nominees for Danforth Graduate Fellowships. Scores from the December 13, 1969 testing will be accepted. Advanced tests are optional.

Stipulations:

- Candidates should be reasonably certain that they desire a career in college teaching and will enter an accredited U.S. graduate school in the fall of 1970.
- Other national fellowships such as Ford, Foreign Areas Training, Fulbright, Marshall, National Defense Education Act, National Science Foundation, Rhodes, Rockerfeller Brothers, and Woodrow Wilson, may be held concurrently with a Danforth Graduate Fellowship. The Danforth Fellowship will be without stipend until the other award elapses.
- Teaching or research opportunities or jobs may not be held during the first year of graduate study on a Danforth Fellowship, except by special arrangement.
- Candidates for appointment to the Fellowships are restricted to those persons nominated by Linnea. Officers disregarded hastily submitted to selected American undergraduate colleges. Each college may nominate two to five candidates (depending on enrollment) from among its seniors and recent graduates who meet the qualifications listed above. Nominations due November 1st. Application materials are sent to the nominees, and completed applications are due to the Danforth Foundation office not later than November 22.

For further information contact Wendy Garhart at 479-3023 or lea your name and phone number with the secretary in Kercleb Hall 406.

TODAY

Special Activities
- The Foreign Student Office is accepting nominations for foreign student representatives in Social Welfare 297. All foreign students may meet the candidates from 4:45 p.m.-9 p.m. in International Student Center, 1023 Hilgard Ave. Elections will be held Oct. 13-17 at the Foreign Student Office.
- Alpha Phi Omega, national service fraternity, is holding interviews for membership from 9 a.m.-4 p.m. today through Friday in Kercleb Hall 401.
- The Food For Thought Committee is taking applications for foreign students taking American courses and has informed candidates from noon-1 p.m. today through Friday at the Int. Student Center Booth, north patio entrance. For further information, call Ruth Moss at 479-4367.
- Library tours for graduate students will be conducted the University Research Library at 11 a.m., 2 p.m. and 3 p.m. through Friday. Tours will last approximately 45 min. utes. Graduate students who wish to learn of the facilities, services and collections of the Research Library may sign up at the reference desk.
- The Hillel Council is holding afternoon open houses today through Friday at the University Religious Conference building 900 Hilgard Ave.
- The International Student Center will have information available for its foreign film series, discussion groups, Friday afternoon noon to noon, Saturday night dinners, Coffee Cave and other activities from noon-1 a.m. today through Friday at the International Student Center Booth, north patio entrance, Ackerman Union.
- Pianoist Robert Stevenson will give an all Chopin program at 3 p.m. today in Schoenberg Hall. Admission is free. Included on the program are "Barcarolle, Opus 60," "Scherzi, Opus 31," "Fantasy, Opus 49," "Ballade, Opus 23," "Sonata, Opus 35," Scherzo, Opus 54," "Berceuse, Opus 57" and "Ballade, Opus 47."
- The UCLA Debate Union will meet at 4 p.m. today in Humanities Building 3123. All new students, with or without prior debate experience who are interested in debate may attend.

Speeches and Seminars
- Shimmon Anisfurs, professor at the Hebrew University, will speak on "The Hebrew University and the Democratic Majority" at 11 a.m. today and Thursday in Mathemtical Sciences 503 under the sponsorship of the mathematics department.
- Alex Rosenberg, professor at Cornell University, and visiting professor here, will speak on "Submodules of Quaternion Algebras" by Kaplan's at 2 p.m. today in Mathematical Sciences 503.
- Dr. Harvey Hershman, assistant professor of biologica chemistry and assistant research biologist, will give a seminar on "Studies on a Brain Specific Protein: I, V and VII" at 4 p.m. today in the main conference room, Warren Hall West Medical Campus.
- John Morre, professor of physiology, Duke University, Durham, North Carolina, will give a seminar on "Specifications for Neuronal Membrane Models" at 4 p.m. in Center for Health Sciences 103-105.
- Karl Phillips, associate chairman of the history department California State College at Los Angeles, will speak on "Turning State Systems in the Nineteenth Century" at 8 p.m. today in Murphy Hall 3121. This is the first of 10 meetings on "State and Kingdoms in West Africa in the Nineteenth Century."

Meetings
- The United Farm Workers Campus Support Committee will meet at 7:30 p.m. today in Ackerman Union 3164. All students interested in learning about the Mexican American farm workers three-year strike and the boycott may attend.
- Roger Williams Fellowship will meet noon-1 p.m. today in Kercleb Hall 400.

UCLA Clubs
- The Archery Club will meet from 11 a.m.-3 p.m. today on the archery range west field.
- The Karate Club will meet from 5-7 p.m. today in Women's Gym 200.
- The Shootout Club will meet from 4-6 p.m. and 7-9 p.m. today on the rifle range.

TOMORROW

Special Activities
- AISEC-UCLA will have an information open house from 3-5 p.m. tomorrow and 2-4 p.m. Thursday in Graduate Business Administration Building 3357D. Students interested in overseas jobs and other activities may attend.

(Continued on Page 11)
**Cultural Happenings**

**Jazzmen to play Friday**

By Ivan Gerson

The New Orleans String Quartet (a) will perform with the Debut Orchestra under the auspices of the Young Musicians Foundation.

The program will include Saint-Saëns’ Cello Concerto, Beethoven’s Leonore Overture No. 3 and Stravinsky’s “Fire Bird Suite”.

**Veterans return**

**More debaters needed**

The UCLA Debate Union is returning this year almost intact and looking forward to another successful year, according to debate squad secretary Julie Bornstein.

According to Miss Bornstein, the highlights of the past season came when junior Roy Shults and Alec Wasser placed third at the National Debate Tournament. Barrett Marriott and Bandy Derenney and Don Horrstein, the first and third place speakers at Freshman Night, are all returning to compose the varsity debate. The Debate Union hopes to recruit a new “crop” of freshmen, Miss Bornstein continued.

Last year UCLA debaters traveled to Brigham Young University, Oregon University, Harvard, Dartmouth, Oberlin, Kansas State Teachers College, UC Berkeley, Houston, Georgetown, Northwestern, Tulane and Air Force Academy, picking honors at all these tournaments. The debaters attribute part of the success to coaches Patricia Long and Bonnie McCracken.

Due to its success, the debate program has enlarged considerably and to facilitate this growth, Assistant Coach McCracken has added the help of two new assistant coaches, Bill Southworth and Michele McCauley, who were champion debaters at UCLA.

Miss Bornstein said that more debaters are needed on this year’s topic “Resolved: That the Federal Government should grant annually a specific percentage of its income Tax Revenue to the State Governments.”

“The UCLA Debate Union invites those who have no experience or who only wish to debate casually to participate in the program, for many tournaments are held locally,” Miss Bornstein said.

“Inter-city competition can provide experience for those who want practice in public speaking,” she added.

Students interested in the debate program may attend a meeting at 4 p.m. today in Humanities 312.

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**College Library audio collection**

The College Library Audio Room collection currently consists of tape recordings of plays, poetry, jazz, music, Broadway musicals, a collection of humanistic essays, speeches, historical events and book excerpts, according to library spokesman Joanne Buchanan. Included among the many recordings are portions of Shakespeare, H. E. A. M. E. E., W. C. Fields, Marat/Sade, The Russian Revolution, James Baldwin and My Fair Lady.

The Audio Room is open from 9 a.m. to 5 p.m. Monday-Saturday and from noon to 5 p.m. Sunday.

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**What’s Brew’n’...**

**Specs and Seminars**

- The African Studies Center will sponsor a lecture by Prof. David M. Phillipson, secretary/inspector of the National Monuments Commission, Livingstone, Zambia, and currently a visiting professor at UC Berkeley, on “Early Iron-Working Peoples of Eastern Africa” at 4 p.m. tomorrow in the Psychological Sciences 5200.
- James N. Miller, associate professor of medical microbiology and immunology, will give a seminar on “Immunology in Experimental Pathology” at 4 p.m. tomorrow in Center for Health Sciences 5200.
- Dr. Leo Sapirstein, professor of radiology, Stanford University School of Medicine, will give a seminar on “Regional Cerebral Circulation in Pentobarbital-Anesthesia” at 4 p.m. tomorrow in Center for Health Sciences 5200.
- Floyd Matson, assistant professor of American Studies, University of Hawaii, will speak on “Humanistic Theory: Third Revolution in Psychology” as a part of the series “Existential and Humanistic Psychology: Trends and Impact” at 7 p.m. tomorrow in Moore Hall 100. Tickets are $1.75 for students and $4.00 for general admission.
- K. David Rudnick, naturalist writer and photographer, will speak on “Natural Environment—the High Country” and will show his film “Baja by Burro” as part of the series “Land and Life in Mexico—Baja California” at 7 p.m. tomorrow in Social Welfare 147. Tickets are $1.75 for students and $4.25 for the general public.
- B. Rothschild, assistant professor of mathematics here, will speak on “The Number of Finite Topologies.” This is the first meeting of an informal seminar on “Combinatorics,” under the leadership of J. H. Conway, at 4 p.m. tomorrow in Mathematical Sciences 414.
- There will be an organizational meeting for the mathematics seminar on “Functional Analysis” under the leadership of J. Narrenstine, at 4 p.m. tomorrow in Mathematical Sciences 6627.

**Meetings**

- Students for a Democratic Society will meet at 3 p.m. tomorrow in Ackerman Union 3517.
- The UCLA Federation of Teachers Union will meet at 3:30 p.m. tomorrow in the Uptown, Keddie Union.
- The Exceptional Children’s Tutorial Project will hold an information meeting for all new tutors and interested students at 3 p.m. tomorrow in Ackerman Union 3517 and at 4 p.m. Thursday in Ackerman Union 3564.
- Phi Rho Sigma will meet at 2 p.m. tomorrow in the Dean of Women’s Office (Murphy Hall 2241). All activities for the quarter will be planned. All members may attend. Be sure to watch the new bulletin board located outside Murphy 2241. For further information contact Gary Greene at 825-2194.

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**Advt’rtlll~**

**HAPPENINGS**

**THE LOS ANGELES PHILHARMONIC ORCHESTRA**

The UCLA Committee on Fine Arts Productions presents:

**THE LOS ANGELES PHILHARMONIC ORCHESTRA**

**What’s Brew’n...**

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**JODI MITCHELL**

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On Sale Wed., Oct. 8

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FIRST FEDERAL SAVINGS ANNOUNCES EXPANDED $200,000 STUDENT LOAN PROGRAM

It's no secret. We are in a tight money market. Most institutions do not have sufficient funds available to meet existing loan demands. So many loan requests are unfulfilled. And very, very few financial institutions are now making any student loans at all.

Result: the money shortage may create an education shortage. The management of First Federal is deeply concerned about this situation. We believe that in order to achieve a stable and meaningful society, the nation simply cannot afford an education shortage. Therefore, in an effort to better serve the long-range needs of the students and the community, we are expanding our already substantial student loan program. During the coming year, First Federal will make $200,000 available to local students under the Federally Insured Student Loan Program. Loans of approximately $1,500 per year will be made to each student eligible.

We consider this new program an investment in the long-term growth of the community...and as a gesture of appreciation to local residents who have made fast-growing First Federal the largest locally-owned financial institution on the West Side.
Gordon Bosserman must be crazy because he’s a lineman

By all outward appearances Gordon Bosserman is a perfectly normal individual. At 6-4 and 230 pounds he’s a little larger than the average man on the street, but that fact alone doesn’t explain his personality quirk.

Bosserman, you see, is a football player, and all football players are a little bit crazy, but Bosserman goes so far as to play offensive left tackle for the Bruins. Linemen are the guys who roll around in the middle of the field while the backs rush to fame, glory and handsome bonuses. This is Bosserman’s fourth year of such activity for UCLA.

“My one distinguishing characteristic is how grubby my uniform gets during a game,” Gordon says. “And they even take that away from me when we play on Tartan turf like Wisconsin has.”

Linemen least publicized of all

Linemen are the least noticed, least publicized members of a football team, but even the defensive linemen are receiving a lot of attention these days compared to offensive linemen. Whatever motivates a person to become an offensive left tackle, it doesn’t include publicity. But does the lack of publicity bother Gordon Bosserman or his roommate Ron Trotter, the Bruin’s offensive left guard?

“Only on Sunday morning,” Gordon says. “Actually it isn’t so bad. Once in while Trotter even gets his picture in the paper. The caption will tell all about (Denis).”

Defensive left tackle and the shining seas

There are numerous statistics for the rest of the offensive team, and the defensive team gets credited with tackles, assists and interceptions, but the offensive interior linemen don’t have anything except each other.

Perhaps this is why Bosserman and Trotter share an apartment along with Bruin linemen (Vince) Blachek and Greg Snyder a few miles from the UCLA campus.

“Having just moved into the apartment the decor is rather incomplete, but the necessities are there. After all, what do you need there than a table, a few chairs, a bookcase and a television set?”

(UCLA Daily Bruin, October 7, 1969, Page 13)
One of the uses the apartment television set is showing Bosserman in his roles as an extra. An extra is TV's countenance. As a small-timer, Bosserman anonymity seems to be a way of life.

"I've been working as a TV and movie extra for almost two years now, and it's a little money I wouldn't want to do it for the rest of my life," Bosserman said. "Number One," which is about a quar- ter-back with some ego problem. It's defin- 

It's true to form, a couple of weeks ago you may have seen this on a starting role on "University Medical Cen- ter," you probably missed it. But Bosserman throwing a harpoon for a few seconds on "The Ghost Next Door." the following night. Such is the life of a lighthouse.

There is one thing that could make up for any lack of publicity the interior line- man receive this year. When Bosserman came to UCLA from Paramount ("Not too many guys have made it to the big time from my high school") four years ago, one of the main reasons for coming here was that he wanted to play in the Rose Bowl. For "a lot of us this is last chance to go to the Rose Bowl, and we wish to make the most of it. Tither has been around for five years and he still hasn't played in the Rose Bowl."

"We've got an optimistic outlook this year, but we've never had a good atti- tude. You couldn't play if you did. But I think we have a lot more confidence and experience this year. You don't have to worry about the other guys doing their jobs, and that makes you work even harder to be up for them." So far this year the Bruins have won four games, exceeded last year's out- put in the win column, and Bosserman feels the team is sound.

We won our first couple of games last year too, but we began to show our weak- nesses in the second game. We're going to have some real tough challenges this year, but I think the two toughest will be Stan- ford and USC."
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Mr. Leon Letwin
School of Law
Campus
October 7, 1969

TO: Academic Senate at UCLA
    Black Studies Center at UCLA
    Board of Regents of the University of California
    News Media
    Governor Ronald Reagan
    Chancellor Charles E. Young

Enclosed is a copy of a resolution approved by the Student Legislative Council during its meeting of October 6, 1969.

We hope that you will consider the resolution when formulating your personal response to the issues which prompted it.

Thank you.

Student Legislative Council
Undergraduate Students Association, UCLA
WHEREAS, the University of California Regents have determined—by their withdrawal of credit from Philosophy 99—that Angela Davis is not competent to provide a valuable and educational experience to UCLA students; and

WHEREAS, Miss Davis has been found to be competent as an instructor both by her students and by her own colleagues:

BE IT, THEREFORE, RESOLVED, that all UCLA professors be urged not to submit Fall Quarter grades for the students enrolled in their classes until regular academic credit is restored to the students enrolled in Miss Davis' class.

Sponsored by:

Mark Bookman
Administrative Vice President
Undergraduate Students Association, UCLA

Co-sponsored by:

Tom Norminton
President
Undergraduate Students Association, UCLA

Keith Schiller
Student Welfare Commissioner
Undergraduate Students Association, UCLA
ADDENDUM TO EMERGENCY MEETING

Mr. Leon Letwin
School of Law
Campus
RESOLUTION 3

The Faculty of the University is the only body capable of evaluating the academic competence of its members and accrediting courses. This is embodied in the following:

1. The Standing Orders of the Regents, Ch. 9, Section 2b, which reads:

"The Academic Senate shall authorize and supervise all courses and curricula offered under the sole or joint jurisdiction of the departments, colleges, schools, graduate divisions, or other University academic agencies approved by The Regents, except that the Senate shall have no authority over courses in the Hastings College of Law, San Francisco Art Institute, in professional schools offering work at the graduate level only, or over nondegree courses in the University Extension. No change in the curriculum of a college or professional school shall be made by the Academic Senate until such change shall have been submitted to the formal consideration of the Faculty concerned."

2. Traditional policies and practices of the University as stated in the Handbook for Faculty for the University of California which states:

"With the advice and counsel of his colleagues within the departments the Chairman performs the following duties... Distributes teaching assignments, schedules class hours and supervises reports to appropriate University Officials."

On October 3, 1969, the Regents resolved, "that the Regents instruct the President that during the Fall quarter of 1969 Professor Davis shall be assigned no teaching duties and that she shall not be authorized to give instruction in any course under the jurisdiction of any school, college, department, or other academic agency approved by the Regents."

The effect of this resolution is to jeopardize the established prerogative of the faculty to give credit for courses and to leave the faculty without effective guidelines for the execution of its duties. Further as a duly appointed officer of instruction Professor Davis has been judged by her colleagues as fully qualified to teach philosophy at the University of California. Therefore, there is no basis for distinguishing her status from that of any other faculty member.

We therefore resolve that, should the UCLA Registrar refuse to accept the directive of the UCLA Committee on Courses pertaining to credit for Philosophy 99, after having been duly notified of the directive, then and in such case members of the Faculty of UCLA shall submit grades for all courses solely to a special Ad Hoc Committee to be appointed by the Committee on Courses. This committee will collect and compile grades and issue certificates of completion of degree programs.

C. Wade Savage Philosophy Clyde Taylor English
Henry W. McGee Law Richard Wasserstrom Law
Arnold Kaufman Philosophy Boniface Obichere History
Arthur Smith Speech Herbert Morris Law
Leon Letwin Law Reginald Alleyne Law
Reagan Assails Young, Kalish in UCLA Case

Says They Provoked Issue Over Hiring of Red Instructor; Chancellor Denies Charge

BY CARL GREENBERG
Times Staff Writer

Gov. Reagan Wednesday assailed UCLA Chancellor Charles E. Young and Prof. Donald Kalish, philosophy department chairman, for their roles in firing Communist Party member Angela Davis as an assistant professor.

Reagan also claimed students are being placed in the "lowest priority" by Miss Davis' faculty defenders and said Kalish is "a man who is really on trial in this."

"The students' emotions have been carried away by faculty attitudes. A small group of the faculty is using the students as cannon fodder," he added.

The governor's statements were made during an impromptu press conference as he entered the Biltmore to address the annual meeting of the American Institute of Certified Public Accountants.

The UC Board of Regents, of which Reagan is an ex officio member, has initiated dismissal proceedings against the 25-year-old Miss Davis and ordered that she not be allowed to teach a philosophy course for credit in the fall term.

However, they decided not to remove her from her classroom and she has been assigned to teach a noncredit course.

Doubts Change in Party

Reagan said the professors who are defending Miss Davis "should ask themselves whether there has been a change in the Communist Party—whether a member of the Communist Party can be independent and not follow party dogma while teaching."

Answering his own question, the governor said, "I don't think so but the professors aren't interested in that."

He said that Young and Kalish violated a rule in effect for 30 years against hiring of Communists.

"My personal opinion is this was deliberately contrived as a provocation to bring about a confrontation," the governor said.

Young, replying later to the governor's statement, said:

"I categorically deny any assertion that the UCLA administration in any way has sought to bring about a confrontation at any time on this case.

"I played no role whatsoever in hiring Miss Davis," Young said. "Miss Davis was hired before anyone in the administration knew she was a member of the Communist Party.

"When charges were made, the UCLA administration through the president of the university took the matter to the regents to determine whether their rules against Communists still applied in view of court decisions and the regental statement (of June 30) prohibiting political tests, and we asked for regental direction."

Unavailable For Comment

Kalish could not be reached for comment, but he has frequently denied knowing Miss Davis was a Communist when she was hired.

Reagan also contended that students of the course in Recurring Philosophical Themes in Black Literature which Miss Davis is conducting could have received credit for taking it if another instructor had been assigned.

As Reagan prepared to speak to the accountants, Miss Davis was telling a mainly student crowd of about 1,250 persons in UCLA's Pauley Pavilion that she felt politics belong in the classroom.

"The fact that I'm a member of the Communist Party says something about what kind of mind I have," she said.

"I can't and I won't keep my political opinions out of the classroom. I think they belong there."

Miss Davis said she reserved the right to tell her students that she believes communism is the answer to social problems, but that she also wants her students to be free to criticize and discuss her views.

—Notice to the UCLA registrar that the faculty considers Miss Davis' class to be a credit course.

(The registrar, William T. Puckett, already has indicated he will follow the lead of the administration in designating it a noncredit course on the regents' order).

—Refusal by the faculty to submit class grades in regular credit courses until Miss Davis' class is also recognized for credit.

—Establishment of a special ad hoc committee, if necessary, to collect and compile grades and issue certificates of completion of degree programs in UCLA.

—Establishment of a special ad hoc committee, if necessary, to collect and compile grades and issue certificates of completion of degree programs in UCLA.

UC Irvine Kills Plan to Withhold Grades

The Academic Senate at UC Irvine Wednesday rejected a resolution calling for the withholding of grades from all courses unless Angela Davis is permitted to teach her course at UCLA for credit.

An identical resolution was tabled at UC San Diego.

Professors opposed to the resolution said the action would penalize students and would affect the draft status of some.

UCLA

Continued from Third Page

She denied that she received any directives from the Communist Party about how to conduct her class, and she said she had freedom to interpret and teach as she pleases.

But she added that she "might be overestimating the intelligence of the regents" in thinking they would be able to comprehend the distinction she was trying to draw.

Miss Davis appeared in Pauley Pavilion as a guest on the Associated Students Speakers program.

Later in the afternoon, she gave the second lecture in her course.

Today, the UCLA Academic Senate, which includes almost all registered faculty on the campus, will meet for the second time on Miss Davis' case.

The 3 p.m. meeting will take up resolutions calling for:

—A joining of the academic community to oppose Miss Davis' dismissal in a non disruptive way.

Please Turn to Page 35, Col. 8
Davis Affair Represents Basic Split Between Regents, Faculty

BY WILLIAM TROMBLEY
Times Education Writer

The Angela Davis case is developing into a fundamental clash between the UC Board of Regents and the university's faculty over who will hire professors and who will determine what is taught.

A majority of the 24 regents believes that Communist Party members such as Miss Davis should not be permitted to teach at UC.

To implement this policy, the regental majority is prepared to tamper with the curriculum to the extent of denying course credit to the 190 students who registered for Miss Davis' Philosophy 99 course at UCLA — Recurring Philosophical Themes in Black Literature.

But the dominant view among the faculty is that the faculty should determine who should teach in the university, which is teaching and research, and part of that business is giving grades," Prof. Swift said.

"I intend to carry on the business of the university, which is teaching and research, and part of that business is giving grades," Prof. Swift said.

But he is convinced that the regents' actions in the Angela Davis case present a serious threat to the faculty and consequently to the university.

Please Turn to Page 34, Col. 1

Continued from Third Page

"One issue is the right of the faculty to pass on qualifications for its own membership," he said.

"The faculty knows what qualifications are best for faculty membership. Sometimes they make mistakes, but there are ways of getting rid of those mistakes within the faculty system."

"The faculty also has absolute authority over the curriculum, the right to decide what courses should be given and the right to grant credit for these courses," he continued. "Miss Davis' course, whatever I may think of it as an individual, had been subjected to this careful review and had been approved."

Regents' Order

The regents' directive of last Friday denying Miss Davis the right to teach her course for credit is a direct contradiction of the regents' own standing orders," Swift said.

"They have delegated the authority over courses to the Academic Senate. They say the faculty has the right to approve courses and then they turn around and disapprove of this course."

"We have nothing but the implication that she might be detrimental by association."

The engineering professor, a 19-year veteran of the UCLA faculty, said he "fully expects" the Academic Senate to support his committee in its efforts to have Philosophy 99 reinstated as a credit course.

The courses and curricula committee examines the offerings of each academic department at UCLA every five years. This is a "very time-consuming job," Charwat said, "but a very useful one. We provide a kind of critical mirror in which the various departments can examine themselves. We have a nonspecialist vantage point that tries to
keep the departmental curricula from going off into narrow specializations that may benefit professors greatly but are not profitable to students.

Building a curriculum is "difficult, sensitive and complicated" work, Chatwat said. "I don't think it can be done by anybody except the people who sit here eight hours a day... tampering with this process is a very bad idea."

The question of whether Angela Davis should be barred from the faculty because of her Communist Party membership will be dealt with by the Committee on Privilege and Tenure.

7-Member Group

This seven-member committee will hold a formal hearing Oct. 17, at which both Miss Davis and the regents will be represented by counsel.

The committee will send its findings to UC President Charles J. Hitch, who will relay them to the regents, probably at their November meeting.

The regents already have announced their intention to fire Miss Davis, but according to their procedures they must await the results of this faculty hearing before making a final decision.

If the privilege and tenure committee is representative of general faculty thinking it will decide that Miss Davis should not be barred from a faculty position merely because of her membership in the Communist Party.

Not Consistent

Lowell Paige, 49-year-old mathematician who is chairman of the UCLA Academic Senate, said "academic freedom really has been infringed. Membership in the party is not consistent with what we believe to be academic freedom."

However, a majority of the members of the Board of Regents does not think this way and a regental-faculty clash seems unavoidable.

"What you are seeing here is a basic conflict between the faculty and the regents," said a UCLA faculty leader. "What you're really seeing is the genesis of a power struggle over who really runs the university."

Public Support

There seems little doubt that the regents, backed by Gov. Reagan and apparently massive public support, will win this power struggle, but the question is what damage will be done to the university in the process?

"This kind of issue and the discussion surrounding it and the budget problem could lead a lot of people to leave," said Paige.

"I don't know that there would be a wholesale exodus of faculty members, but an excellent university can be destroyed by the leaving of a few excellent people and this is what worries me."
Deukmejian Tells View on Campus Reds

BY RICHARD BERGHOLZ

If Angela Davis is successful in fighting her dismissal from UCLA, "then I think we will have a whole stream of them (Communists) on our campuses," State Sen. George Deukmejian (R-Long Beach) predicted Wednesday.

The lawmaker, an announced candidate for state attorney general next year, told the Crown City Young Republicans in Pasadena that he finds it "incredible" that UCLA faculty members would vote to support Miss Davis, a philosophy teacher, who admits she is a Communist.

Deukmejian said he does not believe that a New York court case, which held that mere Communist membership was not sufficient grounds for firing a teacher, is applicable in the current dispute at UCLA.

Deukmejian also sniped at his prospective opponent for the GOP nomination as attorney general — Dist. Atty. Evelle J. Younger.

Noting that Younger recently commented that his own experience as district attorney qualifies him uniquely for the state post, the senator said that two of the last three attorneys general — Thomas C. Lynch and Edmund G. Brown — came up from the ranks of district attorneys and it was during this time "when the state experienced its greatest increase in crime."
Red UCLA Teacher Flays Regents For 'Racism'
Institutional Racism
Charged By Professor

Self-avowed Communist philosophy instructor Angela Davis today told an audience of more than 1,000 at UCLA's Pauley Pavilion that the University of California Board of Regents maintains a policy of "institutional racism."

Speaking at a special lecture sponsored by the UCLA Associated Students, the controversial instructor claimed no member of a minority group has been appointed to the board since at least 1946.

"This is the kind of racism that is not immediately visible," the slim, bush-haired instructor said. She explained that recent surveys reveal that children in ghetto schools cannot read. When these children reach college age, they are not qualified to partake in "the so-called sacred activities of education."

The newly appointed lecturer for Philosophy 99 also stated that the regents do not represent all the people of the State of California.

"The regents are afraid of the people," she said. "They have every right to be afraid — they should be afraid — we're not going to put up with their nonsense."

At another point she said, "Only some sort of communism is going to solve our basic human problem." She said she would present her views to students and urge them to think for themselves.

Miss Davis claimed that "there are political opinions already in the classroom, but they are the opinions which reflect the political power in this country."

The miniskirted professor also told the gathering she has received much "hate mail" recently, including a letter Tuesday which reportedly read: "It's time to load the ovens—it's time to eradicate niggers and Communists."
TO THE MEMBERS OF THE ACADEMIC SENATE:

Three resolutions were passed by the students who attended Angela Davis' first class. The first resolution calls for this meeting of the Academic Senate to be an open meeting. We feel that it is necessary for the meeting to be open because there is again a crisis on this campus, affecting both faculty and students. A closed meeting is a denial of the proper interests of the other groups on campus, which denial the faculty is always ready to recognize when it is the Regents that are holding closed meetings.

Therefore, we move that the Academic Senate meeting of October 9, 1969 be open to all the members of the academic community.

Our second resolution is the same as that of the Committee on Undergraduate Courses, and should need no explanation.

Therefore, we move, with that Committee, that the Academic Senate refuse to abide by the Regents' orders and declare that Philosophy 99 be offered for credit in Fall 1969 with the professor of record being Angela Davis.

Finally, this general attack upon the academic community is, in addition, a direct attack on the faculty and the whole community expects a faculty response. Anything short of direct resistance will be ignored by the Regents; the loyalty oath debacle of the early fifties will be repeated. That issue was an integral part of the general repression of the McCarthy period, and the Angela Davis case has analogous political implications. To rely on resolutions or the courts is not sufficient.

Therefore, we move that all members of the Academic Senate will take the position held by professor Marcuse of UCSD in that they will refuse to participate in their regular teaching functions until Angela Davis is reinstated and becomes the professor on record of the class of Philosophy 99 for Fall 1969.
Whereas, the Board of Regents, in direct and blatant contravention of the law and its own Standing Orders and in total disregard of the rights and interests of students, has directed that credit duly earned by students who may complete Philosophy 99 in the Fall Quarter, 1969 shall not be granted;

and Whereas, Philosophy 99 is being taught by a duly qualified member of the Faculty of the University of California, Los Angeles;

and Whereas, the Registrar has been directed to implement the illegal and improper Order of the Board of Regents;

and Whereas, the Academic Senate, Los Angeles Division, in the exercise of its responsibility to students and the University wishes to assure that the interests of students electing to register for Philosophy 99 be protected as far as possible;

Be it Resolved:

1. That the Chairman of the Committee on Undergraduate Courses and Curricula be directed to accept registrations of all students who elect Philosophy 99 and who are, under university rules and regulations, admissible to that course;

2. That the Chairman of the Committee on Undergraduate Course and Curricula issue to the faculty member assigned to that course in pursuance of university procedures, the appropriate grade sheets and other necessary documentation, and receive the appropriate records of course completion, grades and other customary and required records;

3. That the Chairman of the Committee on Undergraduate Course and Curricula submit to the Chairman of the Academic Senate such recommendations for amendments to student transcripts as may be required to implement their right to credit for Philosophy 99;

4. That the Chairman of the Academic Senate, under his sign and seal, be directed to issue to affected students and to such other bodies as may be authorized by the students, such amendments to the transcript. Such amendments shall have attached to them copies of this Resolution and such other explanation as may be appropriate.

5. That the Chairman of the Committee on Undergraduate Courses and Curricula shall, at the request of any affected student, undertake such supervision of his further studies as may be required to assure the implementation of credit for students registered for and successfully completing Philosophy 99 under this resolution, so far as concerns his future course of study;

6. That all instrumentalities of the Academic Senate are directed and all members of the faculty requested to take all necessary steps for the implementation of this Resolution and to assure that all students successfully completing Philosophy 99 are assured of all the rights and privileges to which they are entitled by that fact; The Chairman of the Academic Senate is authorized and directed to make such certifications as are necessary for the implementation of this Resolution.

7. That the Chairman of the Academic Senate be authorized and directed, upon recommendation of the Committee on Undergraduate Courses and Curricula, to issue to such students who may complete the requirements for a degree and who may be denied a diploma by reason of the failure to record earned credit for Philosophy 99, a certificate, under his signed seal, of completion of the degree program. He shall at the request of the student, make certification to all and sundry that such certificate has been awarded and that the student is entitled to all the rights, privileges and prerogatives of a holder of the degree from the University of California. Further, to each such certification shall be appended a copy of this Resolution and such other explanation as may be appropriate.

8. That the Chairman of the Committee on Courses and Curricula is authorized to delegate, in writing, to any member of the Committee, such responsibilities under this Resolution as he may consider appropriate.

Frederic Meyers
ADDENDUM TO THE CALL TO THE
EMERGENCY MEETING OF THE LOS ANGELES DIVISION OF THE ACADEMIC SENATE

October 9, 1969 at 3:00 p.m.

RESOLUTION 2

To the Academic Senate, Los Angeles Division:

In accordance with the Regent's own rules, Angela Davis is by rights still a regular member of the faculty of U.C.L.A. notwithstanding the initiation of procedures to terminate her appointment by the Board of Regents. Moreover, the course to which she was assigned in accordance with normal procedures, is one that has been duly approved by relevant Academic Senate committees, yet on Friday, October 3, 1969 the Regents sought to create an entirely novel status for Miss Davis: that of faculty member without authority to offer courses for credit.

This action by the Regents, like so many of their more recent actions, is illegal, a violation of their own rules, and wrong. It is an attempt to establish a second-class faculty status to which Miss Davis and Miss Davis alone is to be relegated. It prevents students who wish to study with her from receiving academic credit for their work with her.

We cannot and will not acquiesce in this. Were we to continue to offer our courses for credit while she labors under this arbitrary, perverse and unique disability, we would acquiesce in the gross impropriety of the action of the Regents.

For this reason the Academic Senate calls upon its members to refuse to submit grades in the regular manner for their students unless and until the students who seek to take Professor Davis' course for credit are assured of their right to do so, and Miss Davis is assured of her right to teach for credit. In so doing it is essential that everything possible be done to prevent any harm to our students. Members should conduct their courses in the regular manner, keep careful records, and be at all times ready to make the grades available in the usual fashion should Miss Davis be accorded the same faculty status that all other UCLA faculty members now enjoy.

C. Wade Savage
Henry W. McGee
Arnold Kaufman
Arthur Smith
Leon Letwin
Clyde Taylor
Richard Wasserstrom
Boniface Obichere
Herbert Morris
Reginald Alleyne

Philosophy
Law
Philosophy
Speech
Law
English
Law
History
Law
Law
EMERGENCY MEETING OF THE ACADEMIC SENATE, LOS ANGELES DIVISION

Thursday, October 9, 1969 at 3:00 p.m.

Royce Hall

Page

1. Minutes

2. The special business of the occasion

In accordance with By-Law 195 (C), I am calling an emergency meeting of the Los Angeles Division to consider the enclosed resolutions.

L. J. Paige, Chairman
Academic Senate, Los Angeles Division

1. Committee on Undergraduate Courses - A. Charwat
2. Resolution 1 - D. Wilson
   Addendum to be mailed
3. Resolution 2 - J. Savage
   Addendum to be mailed

3. Any other business authorized by unanimous consent of the voting members present.

HERBERT E. SCHWARTZ, Acting Secretary
Academic Senate, Los Angeles Division

October 6, 1969
(10/9/69)

COMMITTEE ON UNDERGRADUATE COURSES AND CURRICULA

To the Academic Senate, Los Angeles Division:

On October 3, the Regents resolved that Professor Angela Davis "shall not be authorized to give instruction in any course." Apart from all legal, moral and other implications of this action, its effect is to remove academic credit from Philosophy 99, a course properly scheduled after due approval by the Chairman of the Department of Philosophy, the Dean of the College of Letters and Science, and the Committee on Undergraduate Courses and Curricula of the Los Angeles Division of the Academic Senate.

The Regental assumption of powers to remove a professor's authority to teach a duly approved and scheduled course de facto infringes upon and obviates the authority of the faculty and this committee set down by the existing and binding Regental Standing Orders and the By-Laws of the Academic Senate to "authorize and supervise all courses and curricula."

The Committee on Undergraduate Courses and Curricula objects to the introduction of this extraordinary means of interference with the legitimate process of structuring the academic curriculum. The Committee hereby (1) reaffirms that following the established rules and procedures for accreditation of courses under its jurisdiction, including considerations of the competence of the faculty member in charge of the course, Philosophy 99, to be taught by Professor Angela Davis during the Fall Quarter 1969, has been approved as a regular accredited course, and (2) informs the Registrar accordingly.

In view of the gravity of this matter, the Committee wishes confirmation of its decision by the Academic Senate from which it derives its authority, and to this effect introduces the following resolution:

RESOLVED, that the Academic Senate, Los Angeles Division, affirms that Philosophy 99, to be taught by Professor Angela Davis in the Fall Quarter 1969, has been duly approved, following established rules and procedures, as an accredited course.

K. Baker
G. Dunbar
C. Foote
J. de Laban
D. Lewis
K. Bolle
R. Dent
E. Rosenberg
J. P. Thomas
A. F. Charmat, Chairman

Absent and excused: C. Hulet
ADDENDUM TO THE CALL TO THE
EMERGENCY MEETING OF THE LOS ANGELES DIVISION OF THE ACADEMIC SENATE

October 9, 1969 at 3:00 p.m.

RESOLUTION I

To the Academic Senate, Los Angeles Division

The Los Angeles Division calls upon the entire academic community--faculty, students, and staff--to join us in the effort to reverse the actions taken by the Board of Regents in the Angela Davis affair. We urge all members of that community to avoid disruptive actions that will weaken our lawful and powerful case in defense of freedom in the courts and with public opinion.

George Abell
William Brown
Mantle Hood
Amos Horner
Richard Lanham

Russell O'Neill
J. Dean Swift
Robert Vosper
David Wilson
ADDENDUM TO THE CALL TO THE  
EMERGENCY MEETING OF THE LOS ANGELES DIVISION OF THE ACADEMIC SENATE  
October 9, 1969 at 3:00 p.m.  

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To the Academic Senate, Los Angeles Division:

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Law
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Law
Law
ADDENDUM TO EMERGENCY MEETING

Mr. Leon Letwin
School of Law
Campus
Motion to Table: Mr. Schwartz moved to table the Resolution, including the original and its substitute. Mr. H. Schwartz, alluding to the interest of maintaining unity and the desirability of not foreclosing options which the Division may, at a later more appropriate time want to consider, moved to table the motions then being debated. Motion seconded and carried by a standing vote of 211 to 149.

MOTION: Mr. Letwin introduced and moved the adoption of Resolution 3 which appeared as an addendum to the Call amending it to add the following: "To ensure that no student will be affected by this procedure against his will, the special ad hoc committee will arrange to have the grades of any student who so requests transmitted to the UCLA Registrar". Motion seconded. Mr. Letwin's remarks are printed in full:

MR. CHAIRMAN:

I am in the enviable position of having had this resolution thus far attacked neither by the Governor nor Professor Marcuse. Let's see if that does any better for its chances than the reverse state of affairs did for Professor Morris' resolution. I will spare you the reading of the body of the resolution. It merely recites some of the arguments that are now part of our staple artillery of charges against the Regents. If the Resolution has any special significance at all, it is in the action proposal contained in the final paragraph which I shall now read. "We therefore resolve that should the UCLA Registrar refuse to accept the directive of the UCLA Committee on Courses pertaining to credit for Philosophy 99, after having been duly notified of the directive, then and in such case, members of the faculty of UCLA shall submit grades for all courses solely to a special ad hoc committee to be appointed by the Committee on Courses. This Committee will collect and compile grades and issue certificates of completion of degree programs". I should say the following concerning what I thus far read. It does not call for a strike in the sense of any effort to interfere with the orderly teaching activities of the campus; it is rather an effort to put meat onto the proposition that the faculty of the University is, under present regulations, the only body capable of evaluating the academic competence of its members and accrediting courses. I would like to follow a similar route to that Professor Morris staked out in recognizing the strongly and widely held feelings on the part of faculty members that it is at this point inappropriate to take an action which might injure students who were not inclined to follow the course set forth, and I therefore propose adding the following sentence: "To ensure that no student will be affected by this procedure against his will, the special ad hoc committee will arrange to have the grades of any student who so requests transmitted to the UCLA Registrar". This takes care completely and totally of the objection that people's status with respect to the draft, jobs, graduation, or transfer to other institutions would against their will be interfered with by the operation of this rule. Now, I would like to briefly address myself to some of the same questions that Professor Morris did from a somewhat different point of view. I know there are widely held feelings that action of any type beyond what we have already done is inappropriate. I would justify the effort to do something more than we did on the following argument: We all start with certain common ground. What the Regents did, we have said innumerable times, is unconstitutional! It is in violation of the First Amendment. It violates due process. It is in violation of the principles of academic freedom. It is truly and deeply wrongful in every sense of the word.
Having so characterized the situation, it seems to me peculiarly inappropriate to respond merely by the passing of resolutions of condemnation and otherwise pursue our normal, routine functions without the slightest deviation. If in fact, what has been done to the University is intolerable, we have to find some way of showing that we do not tolerate it. So I think action of some type is called for. Now, Professor Morris also commented on the issue of the lawsuit. The natural inclination of many here is to wait to see what happens there before taking any further action. While I share the feeling of most everyone here that the lawsuit is of tremendous importance and that a victory in it would be of great consequence, I want to make very clear just what the lawsuit would accomplish and what it would not accomplish. Its most outstanding effect would be that never again would the Regents predicate the act of firing somebody on the grounds that he was a mere member of the Communist Party. It would clearly obviate that. But that is about all it would do by its own direct operation. It would in no way have interfered with the firing of President Clark Kerr; it would not interfere with respect to Marcuse last year; it does not interfere with what they now do as a routine monthly affair in reviewing promotions for faculty members whose politics they do not care for. What would happen is that firings and refusals to promote would take place under a different rhetoric than they now do. They would be couched in terms of the lack of capacity of that person, or his age or fifty other reasons that competent counsel can think of to produce the desired result without stating the result frankly and openly. The heart of the problem is political and we have to find some way of responding politically, not merely relying on the operations of the courts, important as those are. If we respond only reflexively with another lawsuit, I think we'll go in circles, always on the defense and never coming to grips with the central issue: how to prevent the outrageous, political interference by the Governor and those Regents who follow his lead, in the internal workings of the University of California. Now, one might quite legitimately ask, how precisely does this resolution do that and I must say I have some difficulty with full conviction saying that this resolution does accomplish this in full. I advocate this resolution because I do not find many other effective ways of making a minimum commitment beyond mere resolutions of condemnation. It is quite true, as Professor Abell pointed out, that the Regents are strong and powerful and the Governor is strong and powerful, and I need no one to persuade me that that is so. I am fully convinced that today the Governor is the single most powerful man in the University of California system—surely not President Hitch. But there is one thing that with all power they cannot do: with all their capacity to disrupt, to interfere, and even to destroy the University, they lack the power to educate 27,500 students at UCLA, without the students and without the faculty. It just is not so that the faculty and students are transient objects and mere employees of the University of California. Now, finally, one might say, it is important to act responsibly, and not to over-react. I have never thought, based on my observations of academic life, that the tendency of faculty was to over-react. Certainly nothing in the historic experience of the 50's or the loyalty oath controversy here would make me think that the principle problem is that faculties react too energetically or too militantly. Still, I will accept the principle it is important not to over-react. It is, by the same token, important not to under-react. It is
important to think through a course of action that is tailored to the particular need and I don't think mere resolutions of condemnation do that. This resolution is an effort in that direction. I ask that we not conduct ourselves in such a manner as to invite the description which Theodore Roosevelt was said to have made of William Howard Taft, "He means well, feebly."

Mr. McGee, supporting the Resolution, expressed alarm at the prospect of another motion to table. Recalling that 20 Black faculty members had pledged themselves to do something and that this pledge had evoked from one Regent the threat of their being fired, he called upon the Senate to join them in acting, at least to the extent proposed by the resolution.

SUBSTITUTE MOTION: Mr. Villarejo moved adoption of the Resolution (appended to these minutes) authored by Mr. Meyers and distributed prior to the meeting. He stated that while he did not support the substitute, he believed it important that the Senate have alternatives before it to consider.

In seconding the motion, Mr. Orbach expressed preference for the substitute motion as a more positive method of procedure to ensure that Professor Davis' course is offered and given credit.

Messrs. Slavin, Tigar, Taylor, Ranger, and others spoke to the question.

MOTION TO TABLE: Responding to Mr. McGee's remarks, Mr. H. Schwartz suggested an alternative course of action to that proposed by the motions being debated: he tendered to Mr. McGee his written resignation from the faculty, effective upon the firing of his 20 Black colleagues who had announced their intention to withhold grades. He then, for the reasons stated at the time of his earlier motion to table, moved that the business before the Division (the original and substitute motions) be tabled. Motion seconded but, by vote of 81 to 211, failed to carry.

MOTION TO REFER: Mr. Wenger moved that Resolution 3 and the substitute motion be referred to the Committee on Courses and Curricula for careful consideration and resubmission to the Senate at its first opportunity. Motion seconded by Mr. Holzer. The motion to refer failed by a vote of 110 to 173.

A motion to adjourn failed. The previous motion was moved, seconded and carried.

A division of the House indicated defeat of the substitute motion, 80 Yes and 178 No.

A request for a mail ballot on the main and substitute motions was made by 35 members.

The previous question was moved, seconded, and carried, and a vote on the main motion as modified by Mr. Letwin in his presentation, indicated 166 Yes, 83 No.

There being no further business before the Senate the meeting was adjourned at 6:15 p.m.

Herbert E. Schwartz, Acting Secretary
Academic Senate, Los Angeles Division
Describe

Note objections

Why do we urge?

a) unconstitutional, 1st, 14th, violates Regental rules, destructive of academic freedom

--having so understood situation, inappropriate response to merely pass resolution and otherwise pursue normal, routine function without slightest deviation
--if intolerable, we must not tolerate
--must find ways not only to sympathize and support, but identify

b) but the lawsuit... lets wait

--terribly important
--but note what it will and won't accomplish
--never again on bald ground
--won't stop Kerr; Marcuse
--won't prevent political intervention of Regents for a variety of spurious reasons or for no reason at all
--Our reflexive response become merely another lawsuit, wholly inadequate
--The problem is political: how to prevent outrageous political interference by Governor and Regents in the U.
--The courts are terribly important but we must also respond

--How does this do it? True, Regents, Governor are powerful
--But for all their power, for all their ability to threaten, hurt, even destroy one thing they can't do: educate 27,500 students without the students & faculty
--Faculty & students are not mere transient objects and employees--they are the U.

This resolution is effort to communicate that fact.

It is surely improper, irresponsible, to overread -- NOT OUR PROBLEM

also not to react inadequately
Young

1) Not substitute, contributory

2) Don't speculate or decide about racial motivation
   a) can't know
   b) more important issues

3) Focus on impact
   a) our commitment
   b) 25; 4

4) Impact severe
   a) Not just numerical
   b) But excludes those with sharply divergent life
      experience and consequent attitudes
   c) But this was reason for resolution!

5) It is this de facto exclusion which is racial in impact

6) Important to realize -- and we are increasingly --
   that it is not overt, old fashion racism
   but
   apparently even-handed, non-racial which continue. . .
   a) So Kerneman speaks of institutionalized racism
   b) We speak of de facto

7) The resolution calls attention:
   While Regental action appears to function with
   even-handed destructiveness, the de facto truth
   is that it falls with special hardship . . .

8) Quote last sentence

Young -- move adoption.
To insure that no student will be affected by this procedure against his will, the special Ad Hoc Committee will arrange to have the grades of any student who so requests, transmitted to the UCLA Registrar.
1. On July 11, 1969 the Regents order you as Chancellor of UCLA to ask Angela Davis if she is a member of the Communist Party. You would:
   A. Fire her immediately.
   B. Send her the letter of inquiry.
   C. Refuse to send the letter because it violates the law of the land (1st and 14th amendments) as stated by Regental counsel.

2. During July and August you are repeatedly urged by the Philosophy Dept., the Academic Senate Committee on Procedure and Tenure, the Academic Senate Committee on Academic Freedom, and the UCLA chapter of the AAUP to sign Miss Davis's Summer Employment Forms, as there had been no Regental directive to the contrary. You would:
   A. Absolutely refuse to sign the papers.
   B. Ask the Regents for permission
   C. Sign the papers as there was no real reason not to.

3. The Chairman of the Philosophy Dept. decides to allow Miss Davis to teach an accredited course (Phil. 99) in the Fall Quarter, as the professor originally assigned to teach the class had left on a research grant. You would:
   A. Abolish the Philosophy Dept.
   B. state "I think that about 80% of the faculty is sorry and disgusted with Don Kalish for doing this...".
   C. As a professor was needed for a scheduled class, and she was clearly qualified, you would do nothing to disunite the campus.

4. After the Regents decision to fire Miss Davis, you would:
   A. Commend the Regents for their expose of the Constitution as a communist plot, and realize that we can not always follow law and order.
   B. state "I have opposed, I do oppose, and I will continue to oppose the action taken by the Board of Regents," however agree to abide by Regental decisions and with-draw academic credit.
   C. Refuse to comply with the unconstitutional actions of the Regents.

**compare your answers with Chan. Young's:**

1. B. Send her the letter.
2. A. Absolutely refuse to sign the papers.
3. B. state "I think that about 80% of the faculty is sorry and disgusted with Don Kalish for doing this..." (Los Angeles Times, Oct. 2)
4. B. state "I have opposed, I do oppose, and I will continue to oppose the action taken by the Board of Regents," however agree to abide by Regental decisions and with-draw academic credit. (Los Angeles Times, Oct. 2)

5. As a member of the academic community will you:
   A. Continue to talk and pass eloquent resolutions but cop out when actions are proposed.
   B. Demand that Young give credit for Phil. 99 as planned and that the Regents rescind their firing of Miss Davis.

**ON CAMPUS - FOR CREDIT - AS PLANNED**
THE REGENTS' ROAD TO RUIN:
A CHRONOLOGY OF THE ANGELA DAVIS AFFAIR

April: - Angela Y. Davis, a militant black woman, is appointed Acting Assistant Professor of Philosophy with a summer research appointment as part of a general UCL effort to recruit black faculty. She is the 27th minority faculty member (the other 2200 are white), and one of the 7% female faculty.

July: - Mr. Divale, campus FBI informer, "exposes" Miss Davis as a Communist. "SF Examiner" reporter picks up the story, adds that Miss Davis is a Maoist, an SDSer, and a Black Panther — there are rumors that she rejects apple pie and motherhood, too,
- Regents order Young to verify charges that Miss Davis is in CP. Vice-Chancellor Saxon conciliates, sends letter.

August: - When Young returns from European vacation, he too sends inquiry to Miss Davis about her CP affiliation. Young succumbs to Regental pressure and refuses to sign her summer checks.

Sept.: - Miss Davis answers Young's inquiry affirmatively, but she points out the illegality of his query.
- Regents fire Angela Davis; they know their actions are illegal, but state that they "want the courts to hire her". Reagan and the Regents boast of their love for blacks while Reagan explains that the firing is justified because the CP is not a political party (he means that the CP is not a radical caucus within the Republican Party).
- In a press conference, Miss Davis accuses Regents of "meting out punishments which concur with the fascist tendencies of the times". UCLA begins to organize behind Angela. Even faculty see Davis case as a threat, forming vast bureaucracy to present their views on academic freedom and racism. They ignore the crucial issue of political repression.

Oct.: - Academic Senate backs Young's refusal to bow to anticipated Regental genial that Miss Davis not be allowed to teach Phil. 99 this fall. Three days later, Oct. 4, Young backs down and bows to Regents; faculty, with profound faith in Young, had previously failed to make credit demand for Phil. 99.

**********

Miss Davis meets her first class today in Dixon 2160. The students be there, not simply because her firing is an issue of academic freedom, but because her firing is an act of blatant political repression. The real issues of repression and racism have been hidden by faculty and administrators alike. The black community and the students will be hurt by this firing. We need Angela Davis' ideas. Fighting to support her is one step forward in the general struggle for liberation from those repressive forces which dominate not just students, but people throughout the world.

COME TO CLASS * COME TO CLASS * COME TO CLASS

PHILOSOPHY 99:
ON CAMPUS, FOR CREDIT AS PLANTED

C.A.S.E.
WHO'S RUNNING THE STORE?

Prof. Robert Vesper, UCLA:

"... the Regents and faculty do not maintain an employer-employee relationship, the faculty prefers to feel it makes a significant participation in the educational process."

--Daily Bruin, Oct. 8, 1969, p. 1

Dr. Max Rafferty, Regent:

"It makes no difference if they're black, brown or polka-dotted. The question is, who's going to run the store. The profs just work there."

The emotional response to the dismissal of Miss Davis creates a serious threat of disruption and even violence on campus. The seriousness is further enhanced by the fact that many of the Black faculty and students interpret the dismissal as racially motivated. Consequently, we regard it essential that the matter be settled and Miss Davis' appointment as Acting Assistant Professor of Philosophy be reinstated as soon as possible. We urge the Regents to rescind their resolution of September 19; meanwhile, we urge all concerned parties to insure that a Court decision on the validity of Miss Davis' dismissal be obtained at the earliest possible moment.
POLICY STATEMENT OF THE ANGELA DAVIS DEFENSE COMMITTEE

The Regents' dismissal of Professor Angela Davis, a twenty-five year old black woman appointed to the faculty of the Department of Philosophy at UCLA, is a serious threat to the University of California. The University community's outrage and anguish, which we share, is a response to an attack upon the most fundamental of academic principles. We believe that the community must and will respond further to this attack. In our response, the substance of the critical and inseparable issues must not be clouded by differential perceptions of which issue is the most important.

The Regents' action ignores a principle central to the achievement of excellence in higher education: that an individual's fitness as a teacher be determined by his professional qualifications and conduct, not by his lawful political associations.

The Regents' action clearly frustrates the efforts of the University to increase minority involvement in ways relevant to both the minority communities and the University. It is reasonable to expect that many of the most able minority teachers and students will frequently come to the University with unpopular views when judged by majority standards. The Regentally-imposed political litmus test stamps the University of California as particularly inhospitable, and virtually paralyzes its recruitment program during a period in which the competition among universities for minority scholars is intense. Similarly, such a political test poses a grave threat to present minority members of the University family.

The Regents' action appears to have been taken deliberately, with knowledge of the high probability that it would be declared unlawful. Nevertheless, some Regents have reportedly stated that they would not act legally until ordered to do so by a court of law. At a time when the Regents are calling on others in the University community to demonstrate respect for law and refrain from disrupting the normal processes of the University, the Regents themselves have displayed an official disdain for such principles.

Therefore, we call upon the Regents to abandon this disruptive course of action and reverse its decision to dismiss Professor Angela Davis.
Some Thoughts on the Relevance of the Racism Issue to the Angela Davis Case

Racism is a factor in the Angela Davis Case. Not because the Regents deliberately seek to penalize her because she is Black - though that may be so; rather because the members who voted for her dismissal are implicated in the practice of institutional racism.

Institutional in the following sense. Officials who do not intend deliberate injury to Blacks because they are black may nevertheless impose policies that hurt Black people in disproportionately large numbers. For example, deflationary economic policies designed to increase unemployment are not intended to hurt Black people more than other groups. In fact that is the effect of such policies. This is so either because employers may make straightforwardly racist decisions about who to fire, or because Black people, having been earlier denied equal employment opportunities, lack skills or seniority important to maintaining their job security.

Similarly, when Regents impose political tests on university employment, their action is bound to affect Black scholars in disproportionately large numbers. This is so because educated, intelligent Black Americans are bound to react to a history of social oppression in more militant ways than those who have not been directly affected. Or are Black Americans likely to be less inclined than white Catholic Ulstermen to respond militantly to systematic violation of their fundamental human rights? The fact that Angela Davis, a young Black woman, is a Communist is not an accident. Nor is it an accident that when the Regents first acted, the only definite charge they had before them was a report in the San Francisco Examiner that did not mention her Communist affiliation, but did allege that she is a Black Panther. Perhaps being a Black Panther, which no Regental statute touches, is linked in their minds with "Communist conspiracy."

Moreover, once political tests are imposed, an atmosphere of bureaucratic fear and timidity is bound to be generated. University officials who might otherwise be inclined to behave as decent administrators should, will have strong prudential motive to screen employment recommendations, especially recommendations that involve Black people, more carefully than others; to withhold approval of those who are politically suspect a little more readily. We went through all that during the McCarthy era. Before I was hired for my first teaching job in 1955, my chairman asked me if I was a member of the Communist Party. Such men may be free of common variety racial attitudes - my former chairman certainly was free of such attitudes - but, to the extent that they accept political tests, they nevertheless advance racist policies.

And to the extent that the political tests are widened, to the extent that they are introduced as relevant considerations even when they are not decisive, the bureaucratic reaction I have described is bound to occur. Thus, the fact that the Board of Regents seriously considered blocking two tenure promotions and one administrative appointment during the same session in which they fired Angela Davis is not unrelated to the claim that institutional racism is likely to grow in the University of California. I make these points, not in a spirit of political vindictiveness, or moral arrogance, but with profound sadness that the moral spirit of any human beings tends to be quite weak. All the more reason to stiffer the spirit with self-criticism and self-awareness.

But there is a respect in which those who impose institutional policies that perpetuate racial injustice are also racist in an attitudinal sense. Though they
do not intend harm to Blacks because they are black, they are relatively unconcerned about the fact that their policies do affect Blacks in disproportionately large numbers.

When President Nixon recently said that he wanted to steer a middle course between the "extremes" of "instant integration" and indefinite delay of school integration, he undoubtedly did not think he was being unilaterally racist. Yet it will not surprise anyone with any sensitivity to the issues involved to learn that the descendants of slaves, the children of people who have been denied elementary moral and constitutional rights during the hundred years that have passed since the slaves were freed, that the citizens who have waited with considerable patience for established legal agencies to implement the decision rendered fifteen years ago, are outraged by Nixon's action. If, as I am inclined to think, Nixon was unaware that his words and policy would have the effect they are having, then he practices what may be called a racism of omitted concern—a racism that is attitudinal in the sense that the harmful consequences of his words and policies are not really taken to heart by the President, are perhaps not even perceived by him. To get the point into political perspective, can anyone imagine President Nixon describing as a desire for "instant racism" an auto manufacturer's demand that the Justice Department action on smog control liability not be pressed. President Nixon identifies with the complaints of auto manufacturers more readily than he does with the demands of Black people. Auto manufacturers are his own kind in a way that Black school children are not. Moreover, the auto manufacturers form a more important segment of his political support.

Similarly, when a majority of Regents press their demands that political tests be imposed in matters affecting University personnel, they practice the same racism of omitted concern. That they are unaware of their racial attitudes, and would not so describe themselves only makes this kind of racism more subtle and politically insidious. All the more reason that those who are aware that such racism exists should not suppress their knowledge for tactical reasons. It is important to remember that the effort on which we are now embarked, not by choice but as a result of a clear Regents decision favoring confrontation, is a struggle not only for our survival as free and responsible educators, but in an opportunity to educate larger publics in the fundamental and chronic ills that afflict California's system of higher education.

Moreover, it must also be remembered that faculty members are also capable of practicing a racism of omitted concern. Even some of those who strongly oppose Regents actions taken in the Angela Davis case may simply be insensitive to the issues as they are perceived by Black members of our University community. In particular they may not be aware of a factor that is important even from a purely tactical viewpoint—that is, Black faculty, staff, and students are made furious by the racism of omitted concern implicit in this Regents effort to impose political tests on scholars. Just as the anger of almost all of us mounts when we see the Regents expressing contempt for established constitutional law and orderly academic process even while they demand respect for law and order from others, so the anger of Black colleagues is heightened by what they all too often correctly perceive as a racism of omitted concern practiced by those who are most eloquent and sincere in their condemnation of racism.

And lest I be misunderstood, let me add, I say all this not because I think the racism issue is the fundamental one in the present case. I do not. But it is of sufficient importance that it ought not to be neglected for purely tactical reasons. In this respect let us do the things we know how to do best—educate.

Arnold S. Kaufman
UCLA Senate Votes to Back Miss Davis

BY KENNETH REICH
Times Staff Writer

The chairman of the UCLA Academic Senate walked out of a senate meeting on the Angela Davis case Thursday after the faculty allowed 140 unauthorized students to attend.

Under a substitute chairman, the faculty group then voted new steps backing what they contend is the right of Miss Davis, a Communist Party member, to teach but refused to authorize a faculty strike in her behalf.

About 50 other faculty members followed Chairman Lowell J. Paige in the walkout.

Paige acted after the senate had voted 273 to 212 to let the students stay, despite the fact that they were sitting in the balcony in apparent violation of senate bylaws.

The students refused repeated entreaties by Paige and others to leave before the vote was taken. They originally had walked uninvited into the balcony following a demonstration outside Royce Hall, where the faculty meeting was held.

Many of the students involved are affiliated with campus radical organizations that have called for stronger action on Miss Davis' behalf than the faculty has so far been willing to take.

A few minutes after Paige left the meeting, UCLA Chancellor Charles E. Young, who also has defended Miss Davis' teaching, issued a statement deploiring the student action.

Young said the students had "forced their attendance" at the meeting and thereby had "deeply eroded the academic community's position and made much more difficult the ability of the faculty and administration to state its case (for Miss Davis) properly and successfully."

"I hope all those students involved will examine their consciences on their action," the chancellor said. "If they do so, I believe they cannot escape recognizing the great harm they have done this university."

Paige, who appeared shaken by the faculty vote to let the students remain, said:

"My commitment to orderly procedures is so great that I could not participate in a meeting in which the changes of structure were essentially forced by the presence of unauthorized observers."

Paige also has backed Miss Davis in her efforts to teach.

Backs Teacher

Before leaving, he designated Frederic Meyers, a professor of business administration, to act as substitute chairman.

Meyers, who had voted "no" on letting the students remain, is a major backer of Miss Davis on the faculty. He resigned as associate dean of the Graduate School of Business Administration last month in protest against the UC Board of Regents order to begin dismissal proceedings against the black professor.

Amid much confused debate, substitute motions, points of order and other parliamentary maneuvers, the faculty under Meyers decided to:

- Give instructions to the UCLA registrar to designate Miss Davis' philosophy course a credit course. (The registrar already has said he will observe instead the regents' order that it be noncredit. If taught by Miss Davis.) The vote on this was 338 to 28.

- Call on the academic community to join in the effort to reverse the actions taken by the regents against Miss Davis. This was passed overwhelmingly on a voice vote after the faculty had voted to strike a section which would have warned against disruptive actions in Miss Davis' behalf.

- Table a motion calling for a faculty strike to support Miss Davis toward the end of these votes only about 350 of the 1,750 faculty members eligible to attend the meeting were present.

On a final motion—to ask faculty members to refuse to give grades in a regular way until Miss Davis was allowed to give grades in her course—the required minimum of 35 professors insisted on a mail ballot.

Although their vote would thus have no effect, those remaining went ahead to approve the grade withholding plan by 166 to 83, with the stipulation that if a student insisted on getting his grades recorded it would be done.

Most of the students in the balcony remained until the end, occasionally applauding various actions but mainly remaining quiet.
Lecture Series (for Credit)
The dispute over employment of Communist Party member Angela Davis at UCLA shows few signs of provoking serious disruptions at the other eight campuses of the University of California.

Checks of the campuses at Berkeley, Davis, San Francisco, Santa Cruz, Santa Barbara, Riverside, Irvine and San Diego show that nearly four weeks after the UC Board of Regents initiated dismissal proceedings against Miss Davis, this is the prevailing situation:

—The faculties either have acted or are expected to act shortly to rescind the 1950 UC faculty endorsement of the regents' policy against employing Communists.

—But proposals for withholding grades in all courses until the young assistant philosophy professor is allowed to teach for credit, or for taking other militant action in her behalf, have been rejected.

—This trend also is seen at UCLA where the faculty, voting by mail ballot, has overwhelmingly rejected its earlier endorsement of a campus convocation on the Davis matter.

FAVORS RETENTION

—The chancellors have not followed the lead of UCLA Chancellor Charles E. Young, who came out publicly and unequivocally for retaining Miss Davis on the faculty.

—The four chancellors on the northern campuses have not spoken out in public on Miss Davis' case.

—Statements by the chancellors at Riverside and San Diego have been cautious. And the Irvine chancellor, Daniel G. Aldrich Jr., indicated approval of the firing in answer to a question at an Oct. 1 Chamber of Commerce meeting in Newport Beach.

—Students on many campuses have been more interested in today's Vietnam moratorium than the Angela Davis case. Although most student newspapers have backed Miss Davis in editorials and several of the student legislative councils have supported her teaching, she has not been the subject of major demonstrations.

EIGHT OF THE CAMPUSES, INCLUDING UCLA, HELD ISSUES REFERENDUMS EARLIER THIS WEEK, AND THE SANTA BARBARA CAMPUSE WILL HOLD ONE FRIDAY.

One of the questions asked on each campus was whether students believe Miss Davis should be fired. At UCLA, students voted overwhelmingly—7,386 to 1,388—that Miss Davis should not be fired. Results of other referendums were expected to be announced today.

Generally, there has been considerably more interest on the Southern California campuses in the Davis case than on the Northern California campuses, and the faculties have been more active than the students.

This is the campus-by-campus situation:

**NINE-SCHOOL SURVEY**

**UC CAMPUSES CALM IN ANGELA DAVIS CASE**

BY KENNETH REICH

Times Staff Writer

**Berkeley**—No special meeting of the faculty was called and the full Academic Senate will not convene until Oct. 21. Chancellor Roger C. Drummond Pike* has left, and Acting Chancellor Robert E. Connick has said nothing.

The Academic Senate's Committee on Academic Freedom has proposed resolutions rescinding the faculty endorsement on the Communist ban, calling on the regents to reverse their actions against Miss Davis, and joining in legal actions on her behalf.

The student newspaper, the Daily Californian, has editorialized in Miss Davis' favor. A recent rally sponsored in her behalf by the International Socialist, a campus organization, drew fewer than 100 persons.

**Davis**—The Academic Senate met Tuesday afternoon, but deferred addressing the meeting, did not discuss the Davis case directly, but said:

"I think it should be clear that the Constitution of the State of California has given a public trust to the regents as a governing board ... which means that the regents at times strongly reflect public opinion ...."

Several members of the Davis law school faculty, who signed a statement saying they doubted the regents' actions would be sustained in the courts, declined to go along with a paragraph submitted by UCLA law professors that claimed the regents had acted even though they knew that the courts would not go along.

**San Francisco**—At an emergency meeting last Thursday, the Academic Senate voted unanimously to take steps to disavow the 1950 faculty vote for the Communist ban.

About 125 of the 300 medical school professors eligible to attend the meeting were present.

**Santa Cruz**—The advisory council of the Academic Senate voted Oct. 2 to ask the regents "not to violate commonly accepted rules of due process and their own rules of orderly procedures" in the Davis case and to "support (UCLA) Chancellor Young in opposing any efforts that might be made to prevent Miss Davis from assuming her normal teaching obligations."

Drummond Pike, the leading student government figure on campus, wrote in the student newspaper that "student action should unite behind Miss Davis' cause," but the newspaper itself has not carried any editorials.

Faculty members compiled an 18-page "Report on the Angela Davis Case" which is one of the most comprehensive collections of documents pertaining to the case.

**Chancellor Aldrich,** asked at the Newport Beach meeting Oct. 1 for comment on the Davis case, replied, "It is very clear; Communists are not to be employed in the University of California.

The only thing to do is to get rid of them and that has been done."

**San Diego**—Chancellor William J. McGill warned his faculty at an Academic Senate meeting Oct. 2 against prejudging the legality of the regents' actions against Miss Davis, and he declined to express himself on the merits of the case.

But McGill pledged, "There will be no liquidation aimed at political heretics on this campus while I am chancellor."

The faculty then went ahead to vote a variety of pro-Davis resolutions, including one condemning the regents. This is the only Academic Senate thus far to go along with the UCLA faculty in condemning the regents.

Continued from Third Page

Senate will meet Thursday to consider a resolution rescinding the endorsement of the Communist ban.

The student legislative council passed a resolution critical of the regents and the student newspaper, the Gauchos, editorialized against firing Miss Davis.

**Riverside**—Chancellor Ivan Hinderaker, addressing the Academic Senate Oct. 8, said, "It ill behoove any of us to charge that the regents have acted immorally in the Angela Davis case. Let us make a major effort to cool this controversy, reduce the pressure and provide all participants in this crisis with an opportunity to resolve the problem short of a confrontation in which academic freedom—and the university—could only be the losers."

The faculty proceeded to approve resolutions condemning Young and calling upon the regents to reconsider their moves to dismiss Miss Davis and to reinstate academic credit for courses taught by her.

**Irvine**—Miss Davis spoke on campus Oct. 9, drawing an overflow crowd of students and three protests housewives.

The day before, the Academic Senate had declared, by a 51-41 vote, to commandeer the UCLA grading system unless the regents retreated in the Davis case.

At the same time, however, the faculty called for legal action to prevent the regents from "interfering in the academic administration of this university."

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A resolution now in preparation will be introduced at the October 13 Town Meeting of the Academic Senate marking the October 15 National Vietnam Moratorium.

The Angela Davis Defense Committee has scheduled a Convocation on that day. The Convocation is in no way inconsistent with the aims of the Moratorium.

Information concerning the Moratorium is given below for your consideration prior to that meeting.

On October 15, people throughout the United States will set aside their routine activities. Many will devote the day to working in their communities for peace in Vietnam. This first Vietnam Peace Action Day will be followed in November by a similar observance. To indicate the national nature of the demonstration, we list below some of the people who have endorsed it publicly, and some of the actions taken or planned, with emphasis on those in academic communities.

**Participants and Endorsers (partial list)**

| Sen. Alan Cranston | Sen. William Fulbright | Wayne Morse |
| Sen. Edward Kennedy | Sen. Mark Hatfield | Prof. Hans Morgenthau |
| Sen. Edmond Muskie | Coretta King | Prof. Noam Chomsky |
| Sen. Charles Goodell | Dr. Benjamin Spock | Prof. John Kenneth Galbraith |

New York Times, October 8, 1969 -- "The Faculty of Arts and Sciences of Harvard University called today for the 'prompt, rapid and complete withdrawal of United States forces' from Vietnam and a 'united and sustained national effort to bring our troops home.' ... The faculty also passed, 391 to 16, a resolution that 'recognizes' a national protest scheduled for Oct. 15 and, 'while not committing any individual member, authorizes its members to suspend classes on that day.' The vote followed by two weeks a similar action by the Senate of Columbia University. ... Meanwhile, the Massachusetts Institute of Technology Corporation, the school's trustees, supported the antiwar moratorium scheduled for Oct. 15 'as a day when all members of the M.I.T. community are free, as always, to follow the dictates of their conscience.'"

**Other Participating Institutions (partial list)**

Amherst: Door-to-door canvass and rally are being planned in downtown Amherst; some merchants will shut down their stores one hour early.

Brandeis: A petition of support for the Moratorium was signed by most of the faculty. President Abrams has said he will observe the Moratorium and respects the right of others to do so. A convocation is planned at Brandeis for the morning, and the participants will join Harvard and MIT at Harvard Square for a march in afternoon to the Boston Common, where Senator McGovern will speak.

Columbia: The University Senate voted to allow the faculty to cancel classes "without penalty or prejudice"; the Senate also made a recommendation for immediate withdrawal of U.S. troops from Vietnam.

Cornell: President Corson left the decision to participate to individual professors, and a boycott proposal has been endorsed by several departments. Senator Goodell will speak at a peace rally.
Harvard: With regard to the cancellation of classes, Franklin Ford, Dean of the Faculty, said: "Under the circumstances, the fairest position for any of us to take is to treat this like a religious holiday which falls on a day when the university is open, a matter of individual conscience."

U of Illinois at Champaign: Chancellor Peltason endorsed a faculty proposal that the school observe a half-hour moratorium from 10:45 to 11:15.

U of Kansas: Any "peaceful protest" has been approved.

U of Penn: The University will be open but faculty members are free to cancel classes and students may decide whether to attend "as their consciences dictate".

Princeton: President Goheen has endorsed the principle of the Moratorium, and has left the decision to participate to the individual.

Rutgers: President Gross has called on campus organizations to observe the Moratorium by holding "debates, panel discussions, conferences, music, theater, movies -- suitable for such a day of critical reflection".

Tufts: The school will be closed by vote of the students and faculty.

Wellesley: The college will be closed.

California Campuses

Cal State Dominguez Hills: Demonstrations at draft boards and induction centers are planned, as well as leafleting in the community.

L. A. City College: Funeral service for the war dead will be held.

S. F. State: Teachers' union called for the suspension of classes "so that the entire college community can actively participate in the antiwar action planned for that day".

UC Berkeley: Meetings, lectures and panels are planned for the morning; Coretta King, Benjamin Spock and Wayne Morse will address mass rally at noon in downtown Berkeley, which will be followed by leafleting in the community. Women for Peace will toll church bells all day to commemorate the war dead. The City Council voted 5-4 to support the goals of the Moratorium, and the city schools will observe the day in classes. There will be a special Academic Senate meeting on the 14th to entertain an antiwar resolution.

UC Santa Barbara: October 9 there will be a rally and lecture by an ex-Green Beret who opposes the war. On Oct. 15, a noon rally will be followed by a caravan to downtown S.B. 50 professors have signed a petition stating that they will support and participate in the Moratorium.

UC Santa Cruz: A program of films and lectures is planned, in addition to a march into the city.

UC San Diego: Chancellor McGill is in favor of cancelling classes for a convocation.

USC: Approximately 100 professors have agreed to cancel classes. Alan Cranston, Rev. Ralph Abernathy and Paul Schrade will speak at rally in Exposition Park, which will be followed by march to City Hall and to Pershing Square, and leafleting in the community.

A. Theodore Forrester, Nina Byers, Stephen Fels, Meg Fels, John Deigh, Ernest Abers
ARGUMENTS FOR THE RESOLUTION

In order to understand why support of this resolution is important, members of the Senate need to know, indeed, are entitled to know, who is sponsoring the convocation planned for October 15 and what activities are planned. The sponsoring organization is the Angela Davis Defense Committee whose entire membership consists of the eighteen UCLA faculty and staff serving as the Advisory Committee to the Afro-American Studies Center.

Two kinds of activities are planned for Convocation Day. First, there will be an hour and one-half meeting to which the entire campus community is invited commencing at 11:00 a.m. Invited speakers include a number of UCLA faculty. It is the intention of the Angela Davis Defense Committee to give the University community an opportunity to learn how the actions taken to terminate Professor Davis' appointment are viewed by the black community as well as present speakers who will discuss the broader and more fundamental aspects of the case. A second form of activity planned for October 15 are discussions and meetings held within academic units, preferably on a departmentwide basis. Responsibility for initiating and conducting such programs rests entirely with the faculty and students in the various academic units although the Angela Davis Defense Committee is prepared to provide assistance if representatives of the black community are requested for panel discussions or similar programs.

At a time of grave crisis in the University of California it is imperative that reasoned discussion continue. The format of the convocation is such as to permit the voluntary participation of both faculty and students in orderly educational activities. As the resolution clearly states no faculty member will, by support of the convocation, be committed to calling off class, to using class time for political discussion or even to participation in any of the activities planned for October 15. Rather, support of this resolution is an affirmation of reasoned discussion. In addition, support of this resolution will demonstrate that, in the sense of the resolutions adopted at the emergency Senate meeting of October 1, the initiatives taken by the Regents to fire Professor Davis have serious implications both for academic freedom and for the minority community educational programs now underway at UCLA.

The Angela Davis Defense Committee also recognizes that some faculty members will be moved, through their own consciences, to support the convocation activities by postponing their classes or by other gestures of sympathy. Such private acts are welcomed but are not specifically endorsed by the statement of the resolution.

Don Villarejo
Henry McGee
ARGUMENTS AGAINST THE RESOLUTION

The convocation scheduled for October 15 will be held. We are sympathetic with the motives for calling the convocation, we have no objection to it, and we do not oppose it. We do not, however, feel that it is appropriate for the Academic Senate to resolve to officially support the convocation. In asking the entire campus to attend and participate in all the sessions, we are, in effect, advocating a suspension of campus activities while the convocation is taking place.

According to Professor Henry McGee at the Emergency Meeting of the Academic Senate on October 1, the convocation involves two large-scale assemblies, both at 11:00 a.m., one on Wednesday, October 15, and one on Friday, October 17. In addition, we understand that programs are being planned to fill the entire days and evenings from October 15 through 17.

We have not seen an agenda or description of the programs contemplated. We know that the convocation is sponsored by the Angela Davis Defense Committee, but we know nothing of who the principal speakers will be or of the kinds of views that will be expressed. We have no assurance, for example, that members of the Student Coalition or BSU might not have prominent billing (representatives of these groups addressed the Academic Senate at the emergency meeting on October 1). We do not object to these groups and we defend their right to express themselves, but do not believe the Senate should endorse whatever they might say. We have no assurance that the convocation might not take the form of a large-scale demonstration or, pending events between now and then, even a riot. We do not prejudge the activities that may take place on October 15 and after, but we do not believe it would be appropriate that the Senate support them, sight unseen.

George Abell
ACADEMIC FREEDOM
The Case of Angela the Red

As TV news cameras ground away, an overflow audience of 2,000 students, professors and curiosity-seekers jammed Royce Hall at the University of California at Los Angeles last week for the first meeting of Philosophy 99—Recurring Philosophical Themes in Black Literature. When the lecturer took the podium, the audience stood up and cheered. The center of all this attention was Angela Davis, 25, a militant black and an acting assistant professor of philosophy at U.C.L.A. She is the heroine in what is fast becoming California’s most dramatic row over academic freedom since the loyalty-oath fight in the early 1950s.

Old Man, Old Issues. Some such row has seemed inevitable since last April, when the university’s regents gave themselves veto power over faculty tenure appointments. Later they tried to soothe irked professors by vowing that “no political tests shall ever be considered” in faculty hiring and promotion. But last month, despite that vow, the regents voted to fire Professor Davis—a Brandeis Phi Beta Kappa, a protégée of New Left Philosopher Herbert Marcuse and a one-time Black Panther—because she is, by her own admission, a member of the Communist Party. For the moment, she is being allowed to give non-credit lectures pending the outcome of her appeal to a faculty committee on privilege and tenure.

In justifying their decision to fire Professor Davis, the regents reached all the way back to a 1940 resolution, reaffirmed in 1949, that bars Communist Party members from the faculty. Under Governor Ronald Reagan’s leadership, they chose to overlook more recent rulings by both the California and U.S. Supreme Courts holding that mere membership in the Communist Party does not disqualify a professor from teaching in a state university; specific intent to carry out the party’s unlawful aims must be shown. Equally remarkable, the regents ignored the advice of U.C.L.A. Chancellor Charles Young, who opposed the firing from the beginning. “A bunch of old men raising old issues, saying they believe in law and order and doing illegal acts,” said Fred Dutton, 46, one of the few dissenting regents.

The Davis firing has brought the U.C.L.A. faculty and administration into open rebellion against the regents’ Reagan-dominated majority. At a recent emergency meeting, the faculty overwhelmingly condemned the regents’ action as illegal and an infringement on academic freedom. Many feared that the firing would blunt the school’s drive to recruit black faculty members, who presently number 25 in a full-time staff of 1,500. Warned the professors: “If a faculty member can be fired for entertaining radically divergent views about the structure of our society and the solutions to its problems, this recruitment program will become a mockery.”

Backfire. Three professors and two students have gone into court backing a judgment that the firing is unconstitutional. Increasingly disillusioned with the regents’ interference, the associate dean of the Graduate School of Business Administration, Frederic Meyers, has resigned his post rather than risk the humiliation of serving as “mere messenger boy for the delivery of minions.” A group of black faculty members have formed the Angela Davis Defense Campaign: they are planning mass campus rallies this week to discuss the situation and appeal to the regents’ efforts to settle the Angela Davis case “a problem of the greatest gravity—perhaps the most serious yet in a series of difficulties which have confronted this academic community.”

Meanwhile, the Angela Davis case, the regents may have pleased many California voters, but they have also handed campus activists an explosive new issue that seems destined to haunt the University of California—and the Governor—for some time to come.

PROFESSOR DAVIS
Most dramatic row since the loyalty oath.
This Friday, the Regents will discuss preventing Angela Davis from teaching at UCLA. This is not their first attempt to insure their political control of the University. If we do not fight her firing, the road will be open for the Regents to continue their participation in the wave of repression throughout the society directed against people who fight for social change.

WE WILL MEET THEM!

The students and the faculty of UCLA have overwhelming affirmed their desire to have Angela Davis teach her course for credit. The Regents have ruled that she will not. It is therefore essential that everyone who supports Angela Davis and the issue of academic freedom go to the Regents' meeting on Friday. The Regents must be shown that their dictatorial actions will not be passively accepted by the University or by the people of California.

Our struggle is not only on the campus, but also in the community. The Regents are using the support they have outside the University to increase their power. If we are to challenge Regental control we must win the support of those who work in offices, stores, and factories; the location of the Regents meeting, amidst the factories and offices of downtown L.A., provides each of us with the opportunity to talk with those people. WE WILL MEET THE REGENTS! WE WILL BRING OUR ISSUES TO THE COMMUNITY!

FRIYAY DEMONSTRATE AGAINST THE REGENTS!

BUSES LEAVE STUDENT UNION AT 12:30 PM
FRIDAY OCT 17
REGENTS MEET 11th AND GRAND

Formed by Request

The Review was formed on October 16, 1969, in response to a request from Alaska Supreme Court Justice Buell Nesbett and October 16, 1969, in response to a request from the State Bar Association of the State of Alaska to establish a law school periodical. Under the sponsorship of the high court, the bar association, and the U.C.L.A. School of Law, the Alaska Law Review will publish a series of 21 articles in response to the request. Each article is intended to probe key issues of concern to the state.

Although the Review is designed to provide a critical examination of the Alaska legal system, topics selected by the members are generally of interest to the entire country. For instance, in the cases to be considered by the Board of Regents of the United States Supreme Court, the bar association is considering the right of teachers to protest school policies and the decisions of school personnel. The United States Supreme Court, vacationing in the rest of the Berkeley campus on Monday, considered the issue of a law school's responsibility as to student claims of a violation of the warnings required under Miranda and Bivens v. Pifer (establishing a cause of action for negligent death). However, even if the law school remains in the quarter system, it is not clear, according to Dean Schwartz, that the university administration would agree. Rejection of such a request would have the rest of the Berkeley campus in on quarters. And no final decision has been made whether or not to make the request, but because of the necessity of preparing schedules and obtaining visiting professors, a decision will be made soon.

Student opinion on the issue is mixed, as shown both by a referendum held last spring and by the comments at Thursday's meeting. At last year's referendum, with 80% of the students voting, the quarter system was preferred by about 80% of the voters. Reactions Thursday included opinions that a semester system allows too much time to pass between in-class votes, the quarter system is better because the time of the class meetings to think and read, and that a semester makes more outside activities possible, individual research, and work for attorneys possible.

A big issue is the attractiveness of Christmas vacation completely free of study or worry about finals, as the quarter system offers. But U.C.L.A.'s semester system is similar to the Stanford law school's, which ends classes in December and has a "read-in" period near the end of January. Associate Dean Bauman believes that even the most conscientious students should be able to enjoy their vacation with that amount of time.

By Profit

By Paul Bell

Should the law school remain in the quarter system? Dean MARY BAUMAN, Associate Dean John Bauman, and Professor Jesse Dukeminier presented this issue to students gathered Thursday. Professor Dukeminier presented the reasons why a majority of the faculty favors a return to semester system. They feel that the quarter system examines students too often at a time when the school is trying to de-emphasize grades and emphasis that ten weeks of a quarter is too short for both teachers and students to explore a problem deeply; and that students avoid seminars because of preparing a paper within the available time. In addition to these reasons one may go to the educational experience of a particular course. Professor Bauman argued that curriculum reform by combining old course content with new material, because of the amount of material that must be covered, especially since there has been a poor experience with two-quarter courses. The first year court briefs are due around the same time as winter quarter exams, putting a great burden on first year students, quarter system also involves scheduling of a stop week before exams more practical.

By Tony Alperin

Michael Tigar, Professor here at the law school, Amendment lines that unless the bars of the Chicago Federal slammed last September 27th, when the warrant on the assertion of the Ninth Amendment, was arrested in an apparent violation of the police riot in Chicago during the 1968 Democratic Convention. Professor Tigar and Gerald Lehrfert, a New York lawyer, were arrested on bench warrants issued by U.S. District Judge Julius Hoffman in an unprecedented and arguably illegal maneuver. Initially placed in jail that Friday night, they were later released on the order of an appellate judge.

When it was learned that the chief trial lawyer for the defendants, Charles Garry, would be unable to join the defense team in time for the trial, a motion was made requesting a contempt order to allow another lawyer to be next in line for contempt. However, according to Professor Tigar, the mastermind of the trial strategy, was present in court when the order was issued. Tigar described the action as a "setback" to effective representation of counsel. Professor Tigar, sitting in the seat of the California Bar Association, was not permitted to address the trial. With no lawyers sitting at the counsel table, the accused would be in no position to contest that they were under-represented. The defense countered that these attorneys were compared to assume trial duties on such short notice and that Garry was a potential member of the team. Judge Hoffman held that the four should be present to try the case.

The temperature in the courtroom at noon (sharp) was usually considered to be the result of a "seemingly bright" suit and a "cool" attitude:

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Root Assumptions for Legal Premises in Need of Review

by WILLARD ANTHONY

In the United States, black lawyers have been slow starters in the field of black liberation. While black educators, political scientists, and undergraduate students have been prolific in the liberation movement, the legal profession has contributed, if at all, only in an unconnected and disjointed manner. It is probably true that the slow development of black lawyers is attributed to the slave mentality, its mental, emotional, and psychological effects. However, it is also true that black lawyers, as a class, have tended to be less prolific and possibly less influential in the liberation movement. They have, in the past neglected black problems. On the contrary, pionee­er work of the NAACP began by an earlier generation of lawyers, have been carried steadily forward.

Obstacles are Given

But whatever the achieve­ments of the past may have been, they have been achieved within a colonial context, and within the limitations of colonial policy. The emphasis of the black community has shifted towards liberation. With this shift of emphasis, it has been suggested, there is a mission work for black lawyers and the black lawyers imbued with white values may lobby for the light, so to speak, into the black community and save them from black materialism which in turn means destruction. This line of thought is purely pathetically naive but positively harmful. It is impossible of any generalization about our com­munity, as a whole, can safely be made, it is, in short, a dark community which is desirous of complete and unfeathered freedom; to build up their self confidence and make their own distinctive contributions, in the only way to the art of living and social organizations.

The black community will re­ject the white cultural naivete isn’t and its insidious influence on the black communities as absolutes; and it will reject the illusion of whites, with no less vigor and


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Ex-Rep: Urge Election Committee Members

By Roger King

What is legitimacy? Is it appointment by a duly consti­tuted body with the welfare of the whole law school student body in mind? Or does what the administration arbi­trarily decides it to be to suit its purposes?

In the last issue of the

DOCKET the charge was leveled that as issues of discussion encroach in importance it has become increasingly apparent that some members of the fac­ulty are not above playing off students against one another. And that has had the effect of diminishing the legiti­macy of those students who do not face the faculty in committee meetings. I submit that as long as the faculty endeavors doubt about the ent­reat to which these students are representative. I do not hope to effect any sig­nificant changes in the law school.

I would now be happy and eager to serve and participate again if we were not for last year. As SBA’s ‘duly appointed repre­sentative, and suppos­edly full fledged committee mem­ber, who happened to be black, my position on that committee was prejudiced. My position was compromised as a black man by the action of then Assistant Dean Anthony McDermott who ap­pointed me to a committee and gave me a salary, to duplicate the com­mittee function of deciding what black students were to be ad­mitted to the class of 1969.

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The probable result of elec­tion to student-faculty committees would be saddled with the difficult task of deciding what black students were to be ad­mitted to the class of 1969.

Who Decides

Who is in a better position to decide student representation, the administration or the SBA? If the answer is the administra­tion, I respect their decision as a black student. If the answer is the SBA, I am sure they understand the problems of minority recruit­ment and feel that my interest in the admission of minority students as well as serving the best interests of the fac­ulty was considered before and during the adoption of the legislation and that they should be respected.

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With the administration acting as the representative of the majority of faculty in the matter of elect­ing SBA, it is to be asked who will be the representative of the minority? And who are the minority? Should the SBA be the representative of the minority?

Another case in point is what happened at the Ad Hoc Committee for grading while it was deciding whether to lower the minimum grade standards to a B. The SBA appointed two student representatives to re­present student interest, the administration saw fit to un­i­formly add one more student repre­sentative to represent the view of black students. This would have been fine if the president of the SBA did not happen to be black.

Was the administration blind in this fact, did it consult the black SBA president as to why a black student had not been ap­pointed or did it seek to for­ward?
The SBA last week announced that the following students have been appointed to fill the student openings on law school boards: Admissions and Standards Committee, Harold Hart-Niddrig and Larry Budin; Curriculum, Louis Victoria and Steven Parent; Library, Keith Marley; Clinical and Community, Jam Colton; Outside Courses, Jim Conley and Stan Zienielski; Graduate Students, A. William Shad; Faculty Evaluations, Eli Friedman. Harsins Larkin, Chinenski spoke to us about the Student-Faculty Relations Committee. Speaking on the subject was Mark Levin, Larry Myers, and Hector Villarroya.oye Shad will head the SBA legal information program; Bill Burford, SBA elections. While the weather will struggle with parking problems.

Wives Look For Baking, Baskets by Wendy Davis

Law Wives started the new year off with a bang at their monthly meeting last Tuesday, November 15th. It was fun meeting old and new law wives, and renewing old friendships. Many thanks to the Board of Directors for making the wine and donating the wine. Also thanks to all those who voted to make my party a success.

Our first General Meeting was held October 9 in the Law School lounge. Dean Schwartz was the main attraction. With words of wisdom for us all. Also, November 5th was the first meeting of the Professor's course. Professor Schipano spoke to us about the Angela Davis incident. The next General Meeting will be held Wednesday, November 5, and will be devoted to Legal Aid. Mr. Oehler will be the speaker.

Law Wives is having a Lake Game Friday, November 7. Tickets are 3.50 per couple and there will be a party after the game. If you are interested contact Jam Colton at 393-2122. The deadline for purchasing tickets is the General Meeting, November 7.

Last but not least there will be a bake sale to benefit the School Tuesday November 15th.

SBA Condemn Judge Changin

Judge Gerald S. Changin's comments in an article on the juvenile hearing of a 17 year old Mexican-American in Santa Clara County demonstrate "an inability to perform in anything but an emotional, incoherent, manner. Such contact and attitude cannot be tolerated from any member of the judiciary, as it constitutes the type of excessive misconduct which is grounds for disbarment," according to a resolution of the SBA Executive Committee. Judge Changin's remarks "not only damaged the defendant but also the State of California's largest minority."

The SBA resolution therefore called for the removal of Judge Changin from membership in the bar, and for remedial action be taken by the General's office and the Judicial Qualifications Committee to work for the removal of Judge Changin from the bench. At the hearing of SFCS, which has since received widespread publicity and has caused an investigation by the General's office, the judge told the young man that he and his family would send you out of the country—"you send you back to the States". You are lower than an animal... Maybe Hitler was right. The animals in our society probably ought to be destroyed...

Legal Frats Plan Rush Activities by Jim Leonard

Well, friends and neighbors once again the psycheind symbols of sororophic delight, the brothers of Phi Alpha Woodchuck Rangers, will begin recruiting in the weeks to come. The brothers have a bountiful, beautiful presence in the Hamdane Canyon, one of the windling leads off Laurel Canyon. The place was made for partying. Of course our stud ents Excherque really engage in such frivolity, but rumor has it that even Hermit Art, the bloodbath, has been spied around the pumpkin bowl bashfully making eyes at one of the comely young ladies in attendance.

This was event number two in the rush, which started with a tap beer blast in the down stairs room of the Pizza Palace. While the beer blast attracted quite a crowd, it couldn't compare with the swing event in the Canyon. The Canyon party started off with the arrival of an estimated 600 beauties from the nursing school. Unfortunately (?) at that point there were very few males at the party. But very shortly the pairings left few flowerwalls. At the height of the party there were over 600 couples filling the house and back yard with numerous other couples constantly going and going.

Now that the rush season has begun, the rush committee and any rush committee role has switched from that of host to being henoch of the rounds. With the arrival of pledge class in the fraternity's kind of contact and the other does plan on an over flow crowd at the annual pic nic at Professor York's home in Topanga Canyon. The picnic will be open only to active and pledge members, so Art Boehm should be collecting pledge dues. Both pledges and active members must have their dues paid to be eligible for the picnic. Anyone who has been to one of the annual events hosted by PDP's faculty sponsor is sure to attend this one.

Clinical Prof. Sought

The School of Law is looking for a part-time professor to take charge of clinical program. His job would be to instruct in several of the programs, administer all of them, and develop useful new programs—therefore, we would be responsible for research and publication than the professors teaching regular academic courses.

Case of the Month "Lollipops"

"Lollipops" 262 Col. App. 2d 392

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Interviewing by Paul Bell

This is the time of year that sees many second and third year students dress up in suits and ties to play the game called "Interviewing." It's undoubtedly an important game, for it can affect the direction of the student's career, yet the comments of people after a period of interviewing point out that the sameness of many of the firms and the trivial matters that, at least in the students eyes, seem to determine the closeness of the session. Whatever dress does show about a man, it's certain that it's his dress shirt shows nothing, yet some people feel that their selection of shirt color hurt or helped.

Placement Office Success

Although the process of interviewing certainly has its draw backs, the law school placement office provides a real service by bringing students and prospective employers together. Neither the student nor the employer can learn a great deal from a single interview, it does serve as a starting place. Mrs. Mildred Johnson of the placement office estimates that from 75% to 80% of the graduates of the UCLA law school find their jobs from some kind of contact at the placement office, not directly from the interviewing. Many of those contacts are provided by students who have taken the bar, and are more apt to find out what they want to do and nearer to admission to practice.

A new grading system and abolition of class standing, if adopted, would make it impossible for employers to pinpoint, with the prestige-accreditation now available, the academic skills of applicants. Some firms have evidently discussed continuing interviews at UCLA if the grade reform passes, but, according to Mrs. Johnson, no comments about this have made it to her. In the previous two years, exactly the same number of firms and agencies that came to interview each year, and 1969 will be just about equal to previous years, so possible grade reform is apparently having no advance effect. A cartoon in one of last year's issues of the Boalt Hall paper comments on a student and is available for reproduction in the interview table—"What our firm does is grind the faces of the poor." As a service to students who seek more than this kind of experience in their jobs, last year the Community Participation Center and Mrs. Johnson were anxious to start listing community and political jobs with agencies and private attorneys through the placement office facilities. But there are so few paying jobs available in these fields, most of which are filled by personal contact with people active in voluntary work, that no job listings were actually worked up. Nevertheless, Mrs. Johnson reports that one of the questions most often asked of the firms is how much opportunity for outside, community-related activities their young associates have.

Other Services

The placement office's most visible function is to arrange for interviews, but it does much more. A book of prospective job opportunities for students seeking full time jobs is continually updated. And frequent panel discussions on a particular type of practice enable students to have some interest to learn about it. Often a student who takes an interview--these usually take place at noon in the faculty lounge--another little known service of the office is the file of out of town jobs which, although not coming to the law school, welcome resumes from interested students who want to practice in their cities.

Students interested in jobs that do not specify Law Review members, but seem only

(Continued on page 4)
A Woman in the Low
Mrs. Jackson Seeks Skills Necessary to Helping People
by Wallace Walker

Life isn't easy these days for Mrs. Maxine Jackson. But then, she finds it hard to remember when it was. She faces those October days with enthusiasm and quiet determination and goes about the business of acquiring the skills she believes will make her "free" and the needs necessary to earn her fourth college degree in June 1970.

"My husband calls me the crusader," she said, "but he always encourages me to do what I believe is necessary."

She then thought for a moment and said, "He encouraged me to come to law school."

Wky, I asked her, would a woman secure in a profession return to the Court of Appeals when faced with legal problems of being a lowly law student?

"For freedom," she said rather simple, "the law is going to make me do that."

Days in Texas
She began her training by recalling her early life in Texas and its un-freedom. She recalled that in 1945, her senior year in high school, she desired to enter black businesses in Beaumont, her hometown, because an unidentified black man allegedly raped a white woman. She noted that from that moment on it was clear to her that law was something some people obeyed and others did not.

In 1942, her family moved from Texas to Atlanta, Georgia and Spellman College and the rest of her immediate family moved to Los Angeles. From 1942 until 1946 Mrs. Jackson attended the college and graduated with a degree in social sciences and English.

In 1946, after training in college to become a school teacher, she came to Los Angeles and became a non-skilled worker at General Hospital. She explains this by noting that she did not expect a better life. She was then recalled that self-seeking exploratory material that just didn't develop in the South.

Nursing School
After two years as a Kenny Packer, she entered the hospital's School of Nursing, and in 1952 was graduated a Registered Nurse.

Mrs. Jackson said that by this time in her life she knew that helping people was to be her life's work and that she believed that as a registered nurse she was then ready to make it.

By 1955, she noted, not longer believed that she could do this as a registered nurse. "Very often she said, "I would prescribe to my patients diet which would have alleviated their physical suffering and they would not be able to buy those foods."

In 1967, it was back to school, so that she could obtain the next skill she believed was crucial to helping people. For two years she studied at the UCLA School of Social Work and in 1959 received her MSW. Now, armed with nursing skills and a new MSW she headed for Colorado and one year worked as a public health social worker.

Law School
By 1967, after nine years as a social worker and a probation officer in schools for girls, she again felt the need to return to school for another skill, and time it was law.

When I was working in the institutions, I would ask someone for a juvenile code and Garry would look at me like I was crazy. I would say to them. I need the code because I think this child was illegally treated and my superiors would not give me one or even er on that the idea that someone were being illegally handled. Could live with that.

"Hypocrisy is my nemesis," she added. "I refer to myself with it. I have found hypocrisy in my other profession and I sure I'll find it in law, but my advantage will be that I will have no allegiance to any profession to make his clients' interest his own. In accepting this burden he is like the man returning to his rock at the bottom of the ravine.

Tiger Jailed .

(Continued from page 1)

Tigar and Lefcourt were joined at the counsel table by other members of the defense team, Michael Kennedy and Dennis Robert. The moven ties cited by Judge Hoffman appeared to go for voluntariness of the plea. The attowneys cited by Judge Hoffman appeared to go for voluntariness of the plea. The attorneys oral testifying for the defense had a few questions for the evidence. The Franco hormone and for their contention that Gary was essential to the defense. In another case favorable to the defense, the judge dropped all charges of contempt against the four.

Game Lost

Foran's seemingly brilliant scheme was a gamble—a gamble he lost. According to Tigar, Foran figured the defense could be induced to waive its fifth Amendment privilege without requiring that the defense waive its Sixth Amendment privilege. Both Judge Hoffman and prosecutor Foran have previously contended that the defense would allow the attorneys to which it would not risk a few days in jail. Foran felt that if he offered to trade their release and withdraw with any desire of self glorification whatsoever. Such a person is rare but such a person is in the class of 1970 at the UCLA Law Schools.

We Get Letters .

Dear Editor,

In the most recent meeting of the Student Bar Association, I submitted a resolution containing the remarks of Judge Chargin.

Judge Chargin, a San Jose Superior Court Judge, called a Mexican-American youngster "an animal," that he should be sent back to Mexico, and several other rather negative things about the 17-year-old personally and the American people. Judge Chargin made these statements just prior to sentencing the boy on a charge of incest.

The SBA resolution resolved.

OPEN ELECTION

(Continued from page 2)

ther divide the student body?

There is no divide. The law school has been unable to divide the student body. It has a separate faculty, but a diverse student body, and that's more than enough for me. The faculty is also diverse from a political standpoint, and long, so long. Most every committee now represent this fact by delegation or shall we say a delegation that almost an election by a duly constituted body can objectively accept.

If we can't, we have headed down a path that is made behind closed doors, under the table and who must candid enough insiders to rally against the administration of the law school and influence or coercion exist.

Is this the kind of student representative that the student want? I should hope not.
Legal Philosophers Seek to Clarify Facts Surrounding the Davis Case

EDITOR'S NOTE. Professor Kenneth Karst has during the course of the Angela Davis matter prepared a legal memorandum as to what he considers the law to be as to the legal issues raised by that case. Professor Karst is an expert in U.S. Constitutional law and his memo is set out in full below.

INTRODUCTION

This memorandum responds to whether two resolutions of the Board of Regents, as those resolutions are stated on Page 37 of the Handbook for Faculty Members. University of California, are Constitutionally valid.

(1) The 1949 resolution is quoted in the Handbook as operative language is:

"No political test shall ever be considered in the appointment and promotion of any faculty member of the University."

(2) The 1949 resolution is paraphrased in the Handbook as saying that "no member of the Communist Party shall be employed by the University."

In 1969, the Regents adopted an amendment to Standing Order 102.1(a):

"No political test shall ever be considered in the appointment and promotion of any faculty member of the University."

The 1969 amendment appears, on its face, to supersede both the 1949 and 1940 policies. However, the Regents might in the future choose to rescind their most recent declaration of policy, or adopt an exception for the sake of membership in the Communist Party. The Regents have made it clear that the present political policies are a statement of principle to protect our Faculty.

SUMMARY OF CONCLUSIONS

1. The power to impose conditions for employment relating to loyalty (or to membership in an organization said to be subversive) rests with the Regents if it lies anywhere. Such a power does not rest with the Regents, because the Regents did not have such power under the California Constitution, however, in the 1969 and 1949 resolutions of the Regents. The Board of Regents cannot act. However, there are also areas of legislation that are outside the jurisdiction of the Regents. Under the California Constitution, the Regents have the power to pass on the question of the constitutionality of the 1969 and 1949 resolutions, and that those resolutions continue to represent Regental policy.

2. The Regents lack power under the Constitution of the State of California, to impose employment qualifications relating to loyalty or to membership in a political organization.

3. The Regents of the University of California are a constitutional department of the government of the State of California. Constitutions, article 9, section 9. Their power has the force of statute and cannot be limited by any action of the Regents.

4. The Regents of the University of California are a constitutional department of the government of the State of California. They are a constitutional department of the government of the State of California. Their powers are subject to the control of the Regents. The Regents have the power to pass on the question of the constitutionality of the 1969 and 1949 resolutions, and that those resolutions continue to represent Regental policy.

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Five Law School professors were instrumental in composing each of the eight resolutions overwhelmingly passed at the emergency meeting of the UCLA Academic Senate, which met to consider UC Regents' action in the Angela Davis case on October 1.

These involved: Professor Arthur Rosett, Kenneth Karst, Harold Horowitz, Leon Letwin and Henry McGee.

Prior to considering the resolutions, the Senate approved the report of the Committee on Academic Freedom, whose five members included Professor Arthur Rosett.

The Committee reported that the term of Miss Davis' appointment by the Regents on September 19 was "in grave violation of the principles of academic freedom and tenure and upon our constitutional rights are inalienable and as well as calling upon all members of the Senate to subscribe to the expenses of the planned litigation "brought on their behalf."

Out of these recommendations came the subsequent lawsuit filed on behalf of the Senate, the details of which are explained elsewhere on this page.

Resolutions one through five, were drafted primarily by Professors Kenneth Karst and Harold Horowitz, and included proposals which ran the gamut from a demand that the Regents refile their stand upholding political affiliation as a basis for dismissal, to calling Miss Davis' dismissal "invidious," to calling the invalidity of the Regents' resolutions "subject of successfully passed Question Six and Seven."

The latter calling for the establishment of the Angela Davis Fund to "guard against the possibility that Professor Davis may be severed from the University payroll...and to insist in the payment of legal fees and costs to oppose the willful action of the Regents."

The final resolution to come out of the meeting was submitted by Professor Leon Letwin, in his role as Chairman of the Senate Committee on Equal Opportunities. It reflected that any serious effort to implement a policy of recruitment of minority group members for UCLA faculty positions "required acceptance of the fact that minority candidates have, with some frequency, come with unconventional or political backgrounds views and as from majority perspectives. Regrettably imposed political tests which assimilate the academic freedom of all will fall upon such candidates with unusual severity."
Separation of Power

(Continued from page 5)

to set loyalty tests and their equivalent in employment qualifications — if any such tests may be required at all. In the next section, this memorandum demonstrates how the California Supreme Court has now held that even the California Legislature’s efforts in this field are invalid, in violation of both the Constitution itself and the principle of separation of powers that was enunciated in the Tolan decision.

The 1940 and 1941 resolutions violate the freedoms of political association guaranteed by the Fifteenth and Fourteenth Amendments to the United States Constitution. In the beginning of early 1969’s, the United States Supreme Court has consistently held that federal legislation either (a) forbidding employment of members of the Communist Party or other organizations described as subversive or (b) requiring, as conditions to employment, oaths or declarations of non-membership in such organizations. The Supreme Court of the State of California, following this line of decision, has held invalid the “Loyalty Oath Law” in the California Constitution itself. I shall outline three decisions of the U.S. Supreme Court and the California decision just mentioned. Then I shall comment on the relevance of these decisions to the present problems.

(1) Elendt v. Russell 384 U.S. 1 (1966), struck down an Arizona statute that made it a crime & punishment for a public employee (in this case, a school teacher) to take the state’s general pay & provisions of a member of the Communist Party or other organization dedicated to the violent overthrow of the Government. (b) requiring, as conditions to employment, oaths or declarations of non-membership in such organizations. The Supreme Court of the State of California, following this line of decision, has held invalid the “Loyalty Oath Law” in the California Constitution itself. I shall outline three decisions of the U.S. Supreme Court and the California decision just mentioned. Then I shall comment on the relevance of these decisions to the present problems.

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imposed, "in effect, a conclusive presumption that the member shares the unlawful aims of the organization." Thus the law's broad coverage was not in its constitutional or statutorily protected interests of political association. For a thorough discussion of this decision, see Israel, Elfrath v. Russell: The Demise of the Oath, 1944 Supreme Court Review 133.

(3) Professor Israel's prediction, implicit in the title of his article, was confirmed in Keyishian v. Board of Regents, 385 U.S. 589 (1967), an Invasion of privacy by the New York statutes governing the qualifications for employment as a teacher in a public school or in the State University of New York. (There were members of the faculty of SUNY, Buffalo.) One of the statutes struck down made the refusal of a member of the Communist Party to provide evidence of disqualification to teach in the University. The Court's opinion paraphrased the Elfrath opinion, saying:

"Mere knowledge without specific intent to further the unlawful aims of an organization is not a constitutionally protected interest and is not an exception to the rule excluding from such offices as those held by appellants. While under the law it was possible for the presumption of disqualification to be overcome by an employee, the presumption would stand unless the employee could show (a) that he was not a member of the Communist Party, or (b) that the Party did not advocate the violent overthrow of the Government, or (c) that the employee had no knowledge of such advocacy by the Party. This proof of nonactivity membership or a showing of such absence to intent to further unlawful aims will not rebut the presumption and defeat dismissal . . . Thus (this statute) and a parallel one in the federal statute are impermissibly overbroad. They seek to bar employment both for association which legitimately may be sanctioned and for association which may be constitutionally protected interests of political association."

First Amendment rights. 

(3) The U.S. Supreme Court followed these two decisions with United States v. Robel, 389 U.S. 258 (1968), which struck down a portion of the (federal) Subversive Activities Control Act that made a member of a Communist-action organization that was under final registration order ineligible for employment in a defense facility (here, a shipyard).

The Court's opinion uses language much like the language quoted in the Elfrath and Keyishian cases: "It is made irrelevant to the statute's operation that an individual may be a member of a constitutionally protected association, that he may be unaware of the organization's unlawful aims, or that he may disagree with those unlawful aims. While Congress does not have the power to protect against espionage, sabotage, and subversion, it may do so in narrowly-drawn legislation that defines the offense in such a way as to exclude persons whose political associations cannot be "proscribed consistently with First Amendment standards.""

(4) On the basis of the Elfrath and Keyishian decisions, the California Supreme Court, in Vogel v. County of Los Angeles, 60 Cal. 2d 461 (1963), as part of the California Education Code Section 3 of article XX of the California Constitution. This section requires every school and school district to sign an oath of disqualification in any organization that advocates the violent overthrow of the Government. This was a suit by a taxpayer challenging the refusal of the Regents to enforce the requirement of the challenged oath. The Court discussed the Elfrath and Keyishian decisions in detail and specifically in reliance on those two decisions reversed the 1952 decision that upheld a similar oath that was prescribed in the Legislative Act of 1950.

THE FOUR CITED DECISIONS MAKE THESE POINTS CLEAR:

(1) Membership in the Communist Party cannot constitutionally be made a disqualification for employment, including public employment, and specifically excluding employment as a member of a state university's faculty. More specifically:

(a) A prospective employee of the University of California cannot be required to disclaim membership in the Communist Party as a condition on his being employed.

(b) The Elfrath decision set the basic rules for constitutional validity in this area: Disqualification for employment cannot rest solely in the employee's membership in the Communist Party, absent any showing of active and purposeful furthering the violent overthrow of the Government.

(c) The key to the Forum of Voluntary Association decision is that the member's purpose must be shown to be "active" and "purposeful" for employment not to be disqualified.

(d) The court in the Forum of Voluntary Association decision wrote:

"[T]he burden of establishing the existence of the illegal purpose of the organization is on the party seeking to disqualify an applicant because of his membership therein."

(2) The Elfrath decision held that the Subversive Activities Control Act was unconstitutional insofar as it made a member of a Communist-action organization ineligible for employment in a defense facility.

Also, the Elfrath decision held that a member of the Communist Party could not be excluded from employment in a defense facility.

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School Observes Viet Moratorium

On October 11th, at the day of the Vietnamese Moratorium, many law school classes were canceled. It was estimated that those who were there were sparsely attended, as students and faculty interpreted their regular schedules to "Work for Peace," although one professor joked that the fourth game of the World Series was also the reason for canceling class.

Resolutions . . .

(Continued from page 6)

dents of the futility of meaningless resolutions and we must begin to look for the real causes of repression both at the University and in the land. On the other hand, we must channel the anger of the so-called "taxpayer" against his real enemy. To do this we must deal with issues which he finds relevant and explore the ramifications upon his life of the current status quo. After he has dealt with the causes of inflation (not-satisfaction), for example, he will be more receptive to the analysis of campus unrest. This is so because the taxpayer is no longer a secret, is integrally tied to national, economic, and military hierarchy. (An understander of these realities is a legislator.)

This year the administration has been let by the University to divide the student body and which classes obscure that the classes do stand up for their own constitution. We must not become complacent in the face of the recent resolutions calling on Chancellor Charles Young to abide by the requirements of Due Process and not be intimidated by regental threats in the Angela Davis matter that disregard of the SBA's own constitution is not unlawful.

The facts are that despite that the effort by a few members to make a statement of fact by the Student members to make a statement of fact by the Student body is not a class of itself, and the SBA is the result of Due Process and not be intimidated by regental threats in the Angela Davis matter that disregard of the SBA's own constitution is not unlawful.

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Decision in the Davis Case

ISSUE: A court ruling has helped clarify the legal question. But what of the important philosophical consideration involved?

The first and probably most significant step in legally resolving the Angela Davis case has been taken with the ruling by a Superior Court judge that the UC Board of Regents acted unconstitutionally in ordering that Miss Davis be fired from her UCLA teaching job, because of admitted Communist Party membership.

The order by Superior Judge Jerry Pacht voiding the regents' action was consistent with earlier court decisions. These have held that membership in the Communist Party is not of itself adequate cause for dismissal from a job. Rather, some overt illegal act must be proved.

Specifically, Pacht said that the regents' rule barring Communist Party members from university employment was in violation of the free speech and due process guarantees of the California and U.S. Constitutions.

Indications are that the regents will appeal Pacht's decision. While it is often risky to predict what the courts will do, the weight of precedent points to a sustaining of the lower court ruling.

Court action in the Davis case has helped clarify the legal issue. But there remains an important philosophical question that the university faculties, in their rousing defenses of academic freedom, have largely overlooked. The question quite simply is whether a person can be both an active Communist, with all that implies, and a teacher-scholar dedicated to objective inquiry and the pursuit of truth.

This is not the place to recall what communism in practice has proven itself to be, or what Communist Party membership requires in the way of intellectual and moral dishonesty. We think most university professors are aware of these things, and now that the legal problem in the Davis case has been resolved they might want to go into the question at greater length. If so, we suggest that a few points might be kept in mind as aids to defining the issue.

One was the fate that recently befell Dorothy Healey, Miss Davis' fellow Communist, who was dumped from her job as Southern California party chairman because she deviated from the party line and condemned the Soviet invasion of Czechoslovakia. What happened to Mrs. Healey is another consequent illustration of the discipline demanded by the party from its disciples, and of the party's position on free speech and independent thought.

A second point: At a press conference in which she hailed Judge Pacht's ruling as a great victory for free speech and academic freedom, Miss Davis was asked if she thought academic freedom also applied to others with unpopular views, like fascists. Oh, no, she said, presumably with a straight face. "Academic freedom really does not apply to someone who is undermining the very foundations of freedom" (!)

We would suggest that, in a university context, it is not so much the political affiliations of Communists and other totalitarians that must be considered, but the intellectual corruption which these allegiances involve. The pertinent question is whether these attitudes are not in fact wholly alien to the heart and spirit of academic life, and thus self-disqualifying. Perhaps the UCLA academic senate could enlighten the public—and itself—on this matter.
STATEMENT OF THE ACADEMIC FREEDOM COMMITTEE

REGARDING THE REGENTS ACTION IN THE ANGELA DAVIS CASE

The dismissal of Professor Angela Davis might very well prove a short-run public-relations benefit to the University, but in the long run it would prove a public disaster. This is the considered view of the great majority of the faculty on this campus, and it should be of some purpose, if only for the record, to state briefly the reasons for this view.

There is a certain irony in the newspaper reports that the proposed grounds for the dismissal of Professor Davis will be a "lack of appropriate restraint" in her "extramural utterances"--this at a time when restraint in public speaking is so notably lacking. She has surely done no worse than call her ideological opponents "an effete corps of impudent snobs," and she has never, even in a moment of pique or anger, called for a literal or a metaphorical "bloodbath" on any of our campuses. Nevertheless the Chancellor's special faculty investigating committee, in its attempt to be as thorough and as impartial as possible, evidently has unintentionally supplied some pretext for such an accusation. But if the Academic Senate has often (and sometimes justly) been accused of a lack of respect for public opinion in its pronouncements, certainly this regental accusation as a ground for dismissal shows an equal lack of respect for the common sense of the faculty and of the public at large. Whatever the true motives of the Regents, the accusation will be viewed as a pretext, as a rather disingenuous means of providing for the dismissal of a member of the Communist Party, a dismissal which a court has already ruled illegal on the one ground that really matters.

Nevertheless--and the faculty is of course well aware of this--a dismissal even on a pretext would probably be applauded by a large majority of California voters, in the belief that the end of the elimination of radicals on our campuses justifies even a somewhat devious means. This public mistrust of the University is an unfortunate fact of life in our times, and it is certainly in part due to a failure on the part of the faculty to make the University's case convincing. Whatever the cause of this public mistrust, however, the University is already suffering financial and other consequences, and it should not suffer the additional consequence of an erosion of the intellectual freedom which makes its functions possible.

Surely the framers of the state constitution were aware of the possibility of such public disaffection when they set up an independent Board of Regents to govern the University and to protect it from the vagaries and pressures of politics, a Board which would not represent short-range public opinion, but the long-range public interest. In the best of times public interest and public opinion happily coincide, and it is certainly part of the educative function of the university--particularly of the faculty--through reason and persuasion to see that they do. Today, however, no one who believes that what is good for the University is in the long run good for all of the people of the state can deny that public opinion is not coincident with the public interest; in this respect we must acknowledge that we have failed. But in such crises the faculty should be able to look to the Board of Regents not to appease public opinion by short-term measures of political expediency, but, insofar as it is possible, to shield the University from the political pressure even of a majority, until reason and persuasion and a cooling of tempers can do their work. For whatever short-range political advantage may be gained by the dismissal of Professor Davis, it will surely not be worth the lasting damage which will be done to the University, and through it, to the long-range public good.
It is always unwise to predict what will happen in the courts, but there can be little doubt that a decision for dismissal will be censured by the most prestigious representative body in higher education: the American Association of University Professors. Censure might be based on any of a number of issues: on the timing of the decision; on the lack of academic "due process"; and even on the basis of the 1964 AAUP "Statement on Extramural Utterances"--the very statement which has, according to reports, been cited by the Regents in their accusing Professor Davis of not having exercised "appropriate restraint", but of course it proceeds to assert that a charge on this ground can "constitute grounds for dismissal" only when "it clearly demonstrates the faculty member's unfitness for his position," and then only after the faculty member has been allowed a full and legal committee hearing. Finally, when and if such a faculty committee rules in favor of the accused professor, the AAUP Committee "will view with particular gravity an administrative or board reversal of a favorable committee judgment," for the faculty member has "a right to speak or write, as a citizen, free from institutional censorship or discipline." In the last decades the AAUP has many times censured administrations for abridging that constitutional right; it has never upheld a dismissal based solely on this charge.

Nevertheless great universities have survived the censure of the AAUP. It cannot be looked on lightly, but it is perhaps the least of the long-run disadvantages of a decision for dismissal. Far more important disadvantages, if less palpable, would lie in the inevitable intimidation and demoralization of the University community.

It will surely prove impossible to lay down rules to measure "restraint" or the lack of it in a faculty member's public or classroom utterances; in this respect, however repugnant it may be in a free society, acknowledged membership in a political party might be preferable as a basis for dismissal. For who can say, especially in an age of noisy dissent, when one man's restraint might be judged another man's license? And a university professor cannot function as he should, in the classroom or in public, when he cannot know with any certainty when the manner or the matter of his speech might bring him under suspicion, or special investigation, or threats of ultimate dismissal.

The demoralization will just as inevitably result because a principle will have been violated. There should be no doubt whatever that for the great majority of our faculty, of whatever political persuasion, a decision for dismissal would be a violation of principle. In the recent mail ballot in our Los Angeles Division the propositions recommending a suspension of ROTC and recommending a "moratorium" on classes were defeated overwhelmingly, but the very same voters--representing the largest vote count in the history of the Senate--passed by a comfortable margin a very strong defense of Professor Davis. And had the resolution not appeared to some professors to make pledges not clearly enough defined, it would probably have passed as overwhelmingly as did the repudiation of the "anti-communist" resolution last fall. The plain fact is that communism is as repugnant to the faculty as it is to the Regents; there are many faculty members who have devoted much of their life's effort, in public and in private, to the defeat of communist and totalitarian ideology, and who would nevertheless feel deeply betrayed to see a colleague dismissed on the basis of political beliefs, however intemperately expressed.

The long aftermath of the Loyalty Oath Controversy should be too fresh in the minds of all of us to risk a recurrence--and yet this is precisely the risk
being taken: prodigious energies spent in futile gestures on both sides; academic friendships of decades strained and destroyed; intellectual trust and cooperation frustrated and abandoned; and all for no discernible benefit whatever to the public good, and at incalculable cost to the functions of the University. Truly an expense of spirit in a waste of shame. A betrayal of trust and principle in this case will poison the intellectual atmosphere on our campuses as effectively as did the issue of the Loyalty Oath. As a physical entity the University will probably survive, and may even prosper when bond issues pass; it may also survive, however diminished, as a center of learning. But even after the first furor has died down, the confidence and trust which must be the soul of a great university will have been compromised. As was the case in the Loyalty Oath Controversy, the faculty member's pride in his affiliation and his trust in his colleagues and administrative superiors will be tainted; deans and department chairmen in job interviews for years to come will feel it necessary to offer apologies and lame excuses, and to brace themselves for refusals from those best candidates who find they can easily go elsewhere; and the atmosphere of tension and mistrust, already so pronounced, between students and administrators, between faculty and Regents, cannot help but darken and deepen.

June 19, 1970
Warren S. Levin Named Assistant Vice Chancellor at UC—San Diego

Warren S. Levin, Assistant Counsel in the Office of the General Counsel for the Regents since 1965, has been appointed Assistant Vice Chancellor—Business and Finance at UC—San Diego.

The appointment effective June 1, was announced by H. D. Johnson, Vice Chancellor—Business and Finance for UCSD.

During his five years with the Office of the General Counsel, Levin had served as the campus legal liaison for UCSD. In his new capacity he will assist Vice Chancellor Johnson in the conduct of the campus business and financial operation.

Levin was graduated Cum Laude from the Berkeley campus in 1958 with an A.B. degree in economics. Three years later he received a Doctor of Jurisprudence degree from the Boalt Hall School of Law at Berkeley. He later served with a law firm in San Anselmo, California, before joining the General Counsel's office.

DeWitt A. Higgs is Vice Chairman

William French Smith Elected Board Chairman

William French Smith has been elected chairman of the Board of Regents for the year commencing July 1, and DeWitt A. Higgs has been elected vice chairman for the same period.

Regent Smith is a Los Angeles attorney and civic leader. He was appointed to the Board in 1968, and has served on the Educational Policy and Finance committees. Regent Higgs, a San Diego attorney, was appointed to the Board in 1966, and has served as chairman for the past two years.

Regents' committee assignments for 1969-70, with the chairman and vice chairman listed first and the other members listed in order of seniority on the Board:

Audit—Regents Hearst, Coblenz, Grant, Monagan, Reinecke, Reynolds, Moore, Farrer.

Educational Policy—Regents Heller, Campbell (ex officio), Carter, Canaday, Forbes, Roth, Dutton, Coblenz, Watkins, Lawrence, (Rafferty, Campbell, Farrer, Reagan, Smith, Higgs, Hitch, ex officio).


The President of the Board, the Chairman of the Board, the former Chairman of the Board, and the President of the

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Regents Vote 15-6 in Los Angeles Meeting Against Reappointment of Angela Davis

The Regents have voted not to reappoint Angela Davis, acting assistant professor at UCLA.

The action was taken by a vote of 15-6 during the Board's meeting on June 19 at the University Extension Center in Los Angeles. Earlier the Regents had met as a Committee of the Whole to study the matter and submit a recommendation.

The report of the Committee of the Whole as approved by the Board read:

The Committee of the Whole of The Regents submits the following report and recommends that it be accepted and adopted by the Board:

The committee of the whole has reviewed carefully the record relating to the reappointment or non-reappointment of Acting Assistant Professor Angela Davis and submits this report and recommendation to the Board of Regents for its consideration and action.

The question presented is whether Angela Davis is to be reemployed by the University. The present consideration does not involve any question of whether she is to be disciplined or discharged. Her present term of employment, according to the record, expires on June 30, 1970.

The committee has not considered, or considered to be relevant to its findings or conclusions, the membership of Angela Davis in the Communist Party or the circumstances in which previous actions were taken by the Board relating to her membership in the Communist Party.

For the reasons discussed below, this committee recommends that Miss Davis not be reappointed.

This committee of the whole takes note of the criticisms and apprehensions which have been expressed concerning the action of the Board of Regents in maintaining to itself decision making authority in this matter. The Regents for many years have entrusted to the administration, acting with the advice of the faculty, authority to make non-tenured faculty appointments, except special categories such as Regents Professors and over-age appointments. This authority has been delegated and the Board of Regents has not present intention of altering this delegation. At the same time, members of the Board of Regents have not only the constitutional right but also the constitutional duty to act in those rare instances where it appears that great harm to the University would result from a failure of the Board to act.

The Report of the Faculty Ad Hoc Committee

The most penetrating inquiry which has been made regarding the propriety of the classroom and extramural activities of Miss Davis is that contained in the report of the
ad hoc faculty committee submitted to the Chancellor, we understand, shortly prior to the April 1970, Regents' meeting. That committee inquired into the following general allegations against Miss Davis:

"1. That she has utilized her position in the classroom for the purpose of indoctrinating students;

"2. That her extra University commitments and activities interfere with her duties as a member of the faculty; and

"3. That her public statements demonstrate her commitment to a concept of academic freedom which substantiates the first two charges and would ultimately be destructive of that essential freedom itself."

As to the first allegation regarding classroom indoctrination, the committee's finding was that:

"On the basis of all the evidence available to it, the committee unanimously concludes that Miss Davis has not 'utilized her position in the classroom for the purpose of indoctrinating students'."

This committee accepts the finding of the ad hoc committee that during the period from the time Miss Davis commenced teaching in the Fall of 1969 to the date of the ad hoc committee's report—approximately 7 months—the charge that she utilized her position in the classroom for the purpose of indoctrinating students was not substantiated.

With regard to the second allegation that Miss Davis' "extra University commitments and activities interfere with her duties as a member of the faculty," the ad hoc committee concluded:

"On the basis of the factual record, however, we unanimously conclude that the allegation that her outside commitments and activities have interfered with her teaching responsibilities lacks credible evidentiary support."

This committee also accepts the finding of the ad hoc committee that the charge that Miss Davis' extra University commitments and activities interfered with her duties as a teacher during the period it reviewed was not substantiated.

It is to be noted, however, that the ad hoc committee limited its inquiry to only the question of whether her outside activities interfered with her teaching duties. As stated by the Committee:

"In the context of this report we are concerned primarily with the effects, if any, of Miss Davis' outside activities on her teaching. Whether those activities may have adversely affected her scholarly work in general, and her progress on her doctoral dissertation in particular, is a question beyond both our competence to evaluate and the legitimate scope of our inquiry."

The third allegation considered by the ad hoc committee was:

"That her public statements demonstrate her commitment to a concept of academic freedom which substantiates the first two charges and would ultimately be destructive of that essential freedom itself."

In considering this general allegation, the ad hoc committee reviewed the transcripts of four speeches given by Miss Davis: At Pauley Pavilion, UCLA on October 8, 1969; at a People's World banquet in Santa Monica on October 12, 1969; at the Lower Plaza of the Berkeley campus on October 24, 1969; and at Campbell Hall on the Santa Barbara campus on February 5, 1970.

The ad hoc committee considered the statements in those speeches in the light of policies of the American Association of University Professors. These include the AAUP Statement on Professional Ethics which provides in relevant part that:

"As a colleague, the professor has obligations that derive from common membership in the community of scholars. He respects and defends the free inquiry of his associates. In the exchange of criticism and ideas he shows due respect for the opinions of others . . . ."

And that:

"As a citizen engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom."

The ad hoc committee also considered the AAUP Statement of Principles on Academic Freedom, 1940, which provides that the College or University teacher, "As a man of learning and an educational officer, . . . should remember that the public may judge his profession and his institution by his utterances. Hence she should at all times be accurate and appropriate restraint, should show respect for the opinion of others, and should make every effort to indicate that he is not an institutional spokesman."

The ad hoc committee report also refers to the AAUP Advisory Letter No. 11 on Extramural Utterances which states that:

"A violation (of the requirement to exercise appropriate restraint') may consist of serious impreciation of expression, intentional falsehood, incitement of misconduct, or conceivably some other impropriety of circumstances."

And:

"A careful distinction should be drawn at all times between those common instances of relatively insignificant disregard of the admonitions cited above and those rare instances which do in fact raise grave doubts about a faculty member's fitness to teach."

Commenting upon Miss Davis' speeches the ad hoc committee observed that:

"Each of the speeches range over a number of topics, but certain common patterns emerge."

Specifically with respect to the academic freedom implications of her public statements, the ad hoc committee states that:

"Miss Davis appears to consider academic freedom, as conventionally defined, as an empty concept which professors use to guarantee their right to work undisturbed by the real world, undisturbed by the real problems of this society."

And:

"It means the ivory tower intellectuals . . . whose only interest consists in deciphering Third Century manuscripts . . . And these people who see academic freedom as being the freedom from the pressures of society . . . do not realize that they are also unconscious perhaps . . . accomplices in the exploitation and oppression of man."

And further that:

"Miss Davis appears to believe that academic freedom carries obligations that are qualitatively different from those identified by the AAUP and by the Academic Senate of this University. Specifically, academic freedom is meaningless unless it is used to espouse political and social freedoms, to unvel the predominant, oppressive ideas and acts of this country and to begin to develop not only criticism but positive solutions and . . . to carry out these paths in the universities! Otherwise, academic freedom is a real farce."

The ad hoc committee's report then sets forth a number of excerpts from Miss Davis' speeches. They include the following:

1. "Bill Allen (Assistant Professor William Allen, who had been notified of non-reappointment by the Santa Barbara campus . . . was fired because he's anti-imperialist, because he's anti-racist, because he refuses to go along with what most of those senile people in anthropology do when they talk about going over and studying people's cultures. He tried to point out that the real problem in this world and Latin America and throughout the third world lies in the imperialist aggression of the United States and the other capitalist countries of the west. (Santa Barbara speech, 5 February 1970)"

2. "I think that education itself is inherently political. It's goal ought to be political; it ought to create human beings who possess a genuine concern for their fellow human beings, and who will use the knowledge they acquire in order to conquer nature, but to conquer nature for the purpose of freeing man . . . from enslaving necessities." (Pauley Pavilion speech)

3. "The regents . . . have allowed the police force and the military to prevent those people whom they (were) supposed to be representing from making use of the property which belongs to them. They killed, they brutalized, they murdered human beings who had more than a right, I think, to establish a park for the people, on the land which rightfully belongs to the people (Pauley Pavilion Speech)"
4. "We ought to ask for and consider the reason for this decision [of the Los Angeles Superior Court holding unconstitutional the Regents’ policy of excluding members of the 'Communist Party from the University's faculty]. The decision came about only because of mass pressure, only because of the fact that all over the State there were demonstrations, there were indications that we would take over. And I think the judge who made the decision realized this when he said he wanted to . . . effect the decision within a few hours because otherwise he knew it was going to be decided in the streets. I think he was right, and what we have to do at this point is to use that decision . . . in order to escalate the struggle in the society."

5. "Are we going to write resolutions and condemn them (State and Federal authorities) for their brutality (against Negroes, Mexican-Americans, students), or are we going to openly declare war on them?

* * *

"And that's what we have to start talking about (a general strike), demonstrative actions which show pig forces what we can do—even though we don't do it then—but what we can do.

* * *

"This is the way we have to begin to conceive of our actions, we have to talk about offensive action . . . . And it's really nothing more than the demonstration of what can be done once we really get ourselves together, once we really organize ourselves, once we really are able to raise the level of consciousness in all the people so we can move in a united fashion to overthrow this whole system, to overthrow . . . the government.

* * *

"And you should realize that a strike is potential force; that's exactly what it is. We should call . . . things by their name. When people start saying that we are out to subvert, that we are subversive, we should say, 'Hell, yes, we are subversive. Hell, yes, and we're going to continue to be . . . subversive until we have subverted this whole damn system of oppression,' " (Santa Barbara speech)

The ad hoc committee observed that:

"On the limited evidence available, it seems clear that she does not hesitate to attack the motives, methods, and conclusions of those with whom she disagrees. Thus, the anthropologists at Santa Barbara who voted not to renew the appointment of a junior colleague are themselves dismissed as 'senile,' and a professor who, after years of study, published a lengthy article outlining an hypothesis that certain kinds of learning abilities vary in measurable degrees between races and are due primarily to genetic rather than social factors, is denounced as a racist and an 'exploiter' of academic freedom.'"

that:

". . . we think she has been less than fair in her characterization of the views of fellow scholars whom she has denounced, . . ."

that:

"Her public speeches, . . . have been characterized by notable lack of restraint and the use of, to say the least, extravagant and inflammatory rhetoric."

that:

". . . she has frequently sacrificed accuracy and fairness for the sake of rhetorical effect. We deem particularly offensive such utterances as her statement that the Regents 'killed . . . brutalized . . . (and) murdered' the 'people's park' demonstrators (Paulley Pavilion speech) and her repeated characterization of the police as 'pigs.' (Santa Barbara speech)"

and that such utterances are, "distasteful and reprehensible."

The ad hoc committee was charged with recommending whether formal charges or other disciplinary action should be taken against Miss Davis. It recommended against such action. However, it should be emphasized that the ad hoc committee nowhere recommends that she be reemployed. On the contrary, it made the following recommendation:

"We also find . . . that Miss Davis' choice of language in some of her public statements is inconsistent with accepted standards of appropriate restraint in the exercise of academic freedom, even though the statements themselves are not likely to lead to the destruction of those standards. Accordingly, we recommend that they be taken into account, together with all other relevant factors, by the appropriate faculty and administrative authorities when consideration is given to the renewal of Miss Davis' present contract of employment."

This committee of the whole agrees with the observations and the foregoing finding and recommendation of the ad hoc committee.

The Department of Philosophy
Recommendation

The Department of Philosophy, by a vote of 14 ayes, 3 abstentions, has recommended that Miss Davis be reappointed for the academic year 1970–71 at the rank and step of her present employment, Acting Assistant Professor, Step II. The Departmental recommendation was based principally upon reports of her teaching effectiveness submitted by students and faculty observers. In general, these reports were commendatory of her teaching. Some were highly laudatory and called for her retention. One student's evaluation, however, concluded that her teaching was biased in favor of Marxism and was " . . . indoctrination, not open critical teaching."

The Departmental recommendation is nearly devoid of information concerning Miss Davis' research activities. In that regard it states simply:

"Miss Davis has made less progress toward the completion of her Ph.D. than either she or the Department expected at the time she was appointed (April, 1969); however, given the distracting circumstances that developed during the latter part of the Summer and most of the Fall quarters, she has done a remarkable amount of reading and given considerable thought to her dissertation subject—" a Kantian theory of force. Indeed on the basis of the written report she has submitted, all but one member of our Department present at the March 19th meeting voted in favor of a Departmental recommendation that Miss Davis be granted again this summer, through the Faculty Development Program, a summer stipend."

The report and recommendation of the Philosophy Department was made prior to the ad hoc committee report and it does not mention extramural statements or activities of Miss Davis.

Review by the Deans—Division of Humanities and College of Letters and Science

The Departmental recommendation was reviewed by the Dean of the Division of Humanities (the Division within the College of Letters and Science which includes the Department of Philosophy), and by the Dean of the College of Letters and Science. The letter of April 22, 1970, from the Dean of the Division of Humanities to the Dean of the College of Letters and Science points out the reductions in faculty positions which have been imposed as a result of recent financial stringency. It concludes that, "If the additional F.T.E. were to become available, the needs for which they were intended would, in my judgment, claim priority over the proposed appointment of Miss Angela Davis." That letter also notes that a full appraisal of Miss Davis' academic qualifications could not then be made by the Dean since, "There exists a report prepared by a special committee appointed by the Chancellor on Miss Davis' professional conduct" which he did not have, and "Moreover, the Department of Philosophy has not provided this office with a detailed account and evaluation of Miss Davis' progress on her dissertation since last year." The Dean of the Division of Humanities concluded that, "Obviously, all this evidence must be examined before a recommendation regarding her appointment can be properly made, . . ."

The Dean of the College of Letters and Science submitted a letter dated April 22, 1970, to the Vice Chancellor calling attention to the " . . . present critical staffing situation in the College" and declining to recommend the proposed reappointment of Miss Davis. The Dean's letter concludes:

"There being no vacant provision in the College to which the appointment in question can be assigned, the only resource would be to ask you to provide special funding for it."
But if I were to request such a provision, I would be elevating this appointment to the Number 1 priority of the College and giving it sudden precedence over 52 already needed positions in nearly every Department of the College. In my opinion, to do so would be unfair and not in the best interests of the College of Letters and Science. I therefore do not recommend the appointment. If any additional funds are made available to the College, they should be applied to a reduction of the list of staffing needs already established."

Thereafter the Vice Chancellor requested the Deans to report on Miss Davis' academic qualifications without regard to budgetary considerations. In response, the Dean of the College of Letters and Science submitted a letter dated May 4, 1970, to the Vice Chancellor, the full text of which reads:

"In response to your question regarding the academic qualifications of Miss Angela Davis for reappointment to the position of Acting Assistant Professor, I must reply that in my opinion her qualifications are unquestionable. She was well qualified, academically, for the position to which she was appointed last year, and I know of no evidence that she is not at least as well qualified now."

It thus appears from the record that this appraisal was made without regard to either Miss Davis' progress on her dissertation or her extramural statements and activities. It should also be noted that this letter contains no recommendation that Miss Davis be reappointed.

Recommendation of the Budget Committee

On May 5, 1970, the Chairman of the Committee on Budget and Interdepartmental Affairs of the Los Angeles Division of the Academic Senate, submitted to the Vice Chancellor the following recommendation:

"The Budget Committee recommends the reappointment of Miss Angela Davis as Acting Assistant Professor II for a one-year term, 7-1-70 to 6-30-71. In making this recommendation we have placed emphasis on her record of teaching excellence and strong academic training, accomplishment, and promise. It is customary in many departments at UCLA to reappoint qualified acting assistant professors for the second year while they are still in the process of completing their Ph.D. dissertations."

The Budget Committee further concluded that:

"We cannot accept as valid the argument that Miss Davis should not be reappointed for budgetary reasons."

because of its view that the:

"... priorities expressed by campus faculty development program take precedence."

Thus, it appears from its report that the Budget Committee gave little, if any, consideration to Miss Davis' dissertation progress and none to her extramural statements and activities. Nor does it appear that consideration was given to other criteria normally applied to University appointments, such as professional accomplishment, research, and University and public service.

The Chancellor's Proposed Action

As you know, at the May 15, 1970, meeting of the Board, the Chancellor made a statement in which he said:

"I have concluded, therefore, that there are no permissible grounds for refusal of the departmental recommendation, and that on the basis of the applicable criteria Miss Davis should be reappointed for a second one-year, self-terminating appointment under the Faculty Development Program."

In his statement, the Chancellor observed that:

"The Department based its recommendations (for reappointment) on a formal appraisal of her performance during this current year, drawing on evaluations by faculty members and students of her performance in the courses she has taught."

This indicates that the Department considered only classroom performance and did not consider Miss Davis' extramural statements and activities, and, possibly, did not consider her progress on the dissertation in making its recommendation.

We also note that while the Chancellor's statement says, "This report (of the ad hoc committee) was made available to both the Deans and the Budget Committee prior to their review of the Department proposal for reappointment," there is no mention of the contents of the ad hoc committee's report in either the letter from the Dean of the College of Letters and Science to the Vice Chancellor of May 4, 1970, commenting upon Angela Davis' academic qualifications, or in the letter from the Chairman of the Budget Committee to the Vice Chancellor of May 5, 1970, recommending Miss Davis' reappointment.

Thus, we have some difficulty with the Chancellor's conclusion that:

"The favorable evaluations of the Deans and Budget Committee testify to their conviction that these allegations (of unprofessional conduct discussed in the ad hoc committee report) do not constitute sufficient grounds for denial of reappointment."

Conclusion and Recommendation

It is the conclusion of this Committee that the finding and recommendation of the ad hoc committee that Miss Davis' extramural activities be taken into account in connection with consideration of her reemployment, were not given sufficient consideration in the reviews and recommendations which have been made for the reappointment of Miss Davis. It is our view that the above quoted statements and others contained in the four public speeches reviewed by the ad hoc committee and this committee are so extreme, so antithetical to the protection of academic freedom and so obviously deliberately false in several respects as to be inconsistent with qualifications for appointment to the faculty of the University of California.

It is also a matter of concern to this committee that, as indicated above, the record indicates such little attention to Miss Davis' progress or lack of progress on her dissertation. We note that in her Pauley Pavilion speech of October 8, 1969, Miss Davis announced that, "I myself was supposed to have my Ph.D. dissertation finished by the end of this quarter, but obviously that's not going to be the case," because, as she went on to explain, she would be devoting her time and energies to political purposes. The Departmental recommendation of March 23, 1970, acknowledges that, "Miss Davis has made less progress toward the completion of her Ph.D. than either she or the Department expected at the time she was appointed (April, 1969)."

The Dean of the Division of Humanities, in his letter of April 22, 1970, observed that, "Moreover, the Department of Philosophy has not provided this office with a detailed account and evaluation of Miss Davis' progress on her dissertation since last year." And, "Obviously, all this evidence must be examined before a recommendation regarding her appointment can be properly made, ..." The record contains no indication that such evidence of her progress on the dissertation was considered in the review process.

This committee is also concerned with the proposal for giving this appointment an unwarranted priority in the face of other established and more pressing faculty staffing needs within the Division of Humanities and throughout the College of Letters and Science. This committee concurs with views of the Dean of the College of Letters and Science that approval of this proposal "... would be elevating this appointment to the Number 1 priority of the College and giving it sudden precedence over 52 already needed positions in nearly every Department of the College," that such action, "... would be unfair and not in the best interests of the College of Letters and Science;" and that, "If any additional funds are made available to the College, they should be applied to a reduction of the list of staffing needs already established."

In the light of the foregoing, this committee recommends that Acting Assistant Professor Angela Davis not be reappointed to the faculty of the University of California.

Dated: June 19, 1970.

Committee of the Whole of the Regents of the University of California
Commencement Ceremonies Held at the University

The nearly 25,000 men and women who were graduated from the nine University of California campuses in June participated in a wide variety of ceremonies. Some ceremonies were traditional, while others were simple observances. In some instances students sought a more personal experience, in keeping with a growing trend across the nation, and in other cases both students and faculty stated a preference for time-honored ceremonies.

Davis

More than a year ago, the Davis campus began to plan for five separate school and college programs, each with its own speaker.

Speaker for the School of Veterinary Medicine ceremony on June 13, was UC–San Francisco Chancellor Philip R. Lee. Also on June 13, Robert Hutchins, chairman of the Center for the Study of Democratic Institutions in Santa Barbara, spoke for the School of Law.

The College of Engineering ceremony was held on June 17, with speaker Morrough P. O’Brien, Dean Emeritus, of the College of Engineering at UC–Berkeley.

The College of Letters and Science ceremonies were held the same day, featuring John Veneman, Undersecretary for the Department of Health, Education and Welfare, as speaker.

Speaker for the joint ceremony of the College of Agriculture and Environmental Sciences and the Graduate Division was Chester O. McCorkle, Jr., Dean of the College of Agricultural and Environmental Sciences who is now Vice President of the University.

Berkeley

At least two graduating groups, economic and social science field majors, met in the Eucalyptus Grove around a stone fireplace flanked by redwood benches. Agricultural Sciences students celebrated Commencement in the gardens of Blake Estate, in nearby Kensington. Dramatic Arts and English Departments planned a picnic; Rhetoric and Psychology Departments congregated in the new Zellerbach theater–auditorium, and the Near Eastern Languages Department held an "informal ceremony" in a nearby church. Some schools, colleges and departments sent personal letters of invitation to students, their parents and friends, and in some instances parents were asked to speak at the ceremonies.

Commencement at Boalt Hall School of Law was held June 6 with State Senator Anthony Beilenson as guest speaker. Timothy Clark, senior class president of the School of Law, announced that the class gift would go to the Rolling Quads, a group of about 15 students confined to wheelchairs, most of whom live at Cowell Hospital. The money is primarily for an office for these students, and for the purchase of a transportation van and a "halfway house" for their use.

Along more traditional lines, the California Alumni Association sponsored its annual Class Day Luncheon for graduating seniors and their parents on June 14 in Faculty Glade. At the luncheon, this year’s University Medal was awarded to Andrew M. Miller, 23.

San Francisco

UCSF held one large ceremony at Civic Auditorium on June 8. President Charles J. Hitch awarded diplomas to graduates in medical, pharmacy, dental and nursing. Master’s and doctoral degrees and nursing certificates were also presented.

Joshua Lederberg, Professor of Genetics at Stanford University, spoke on "What, If Anything, Medicine Has To Do With Health." A student speaker, Glen Van Loom, who received his Ph.D. in endocrinology, spoke on "Redefining Priorities in Health Care and Education."

The Gold Cane Award, for the medical graduate voted most devoted to his patients by his fellow students and fac-

Continued on next page

Press Publications

Scientific Series


Books


"The true nature of the university...is best expressed in these words of John Masefield:

There are few earthly things more splendid than a University. In these days of broken frontiers and collapsing values—when every future looks somewhat grim and every ancient foothold has become something of a quagmire, where a university...exists the free minds of men, urged on to full and fair enquiry, may still bring wisdom into human affairs.

...It is a place where those who hate ignorance may strive to know, where those who perceive truth may strive to make others see; where seekers and learners alike banded together in the search for truth will honor thought in all its finer ways—will uphold ever the dignity of thought and learning and will exact standards in these things.

"The University of California has for over one-hundred years been a splendid thing, but as you graduates of 1970 prepare to leave her, she is in serious trouble, externally and internally. If I may sound for a minute like a classic commencement speaker, I hope you will remember one thing as you leave to take your place in the larger society: You leave behind a living institution which depends for its life on the confidence and support of the people of California. Speak up for your University and give us your support; and also help make it a better place by speaking to your University of the things about it you like and those you don't. The University has become a part of your life, and I hope that the challenge and excitement of the true University will stay with you for the rest of your life.

Continued on next page

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Assemblyman Willie Brown of San Francisco addressed the group. More traditional ceremonies were held by Stevenson College and Cowell College.

Graduate degrees were conferred at an afternoon ceremony in the Upper Quarry. Helen Merril Lynd, author of "Middletown" was awarded an honorary degree and addressed the assemblage.

Santa Barbara

Chancellor Vernon I. Cheadle addressed the graduating class at commencement ceremonies. Format of the exercises, held at Campus Stadium on June 14, was determined by ballots mailed to the candidates for degrees. In a blend of the traditional and the innovative, four students read a "student declaration" of concern about conditions in contemporary society, and graduates and the audience joined in the reading of a "statement of commitment." About 95 percent of the graduates attending chose to wear traditional caps and gowns, though some were adorned with arm bands.

Glenn Durflinger, Professor of Education, was awarded emeritus status.

Los Angeles

The one main ceremony for UCLA's 51st Commencement was held on June 17 at the Track and Field Stadium. Both President Hitch and Chancellor Charles E. Young spoke at the ceremonies, and the main speaker was Dr. Warren H. Schmidt, Assistant Dean of the Graduate School of Business Administration. His topic was "A Parable: Is it Always Right to be Right?"

The Reverend Charles S. Casassa, S.J., Chancellor of Loyola University, offered the invocation and the benediction. Music was provided by the University Concert Band.

Riverside

William F. Buckley, Jr., gave the main Commencement address at a cap and gown ceremony on June 17 at the Tower Mall. Following a pattern instituted last year, the twilight ceremony was preceded by six smaller programs in the afternoon at various campus locations in which each graduating student was individually recognized.

Irvine

UC-Irvine held its fifth annual Commencement program in Campus Park on June 13, with President Hitch awarding the degrees and Chancellor Daniel G. Aldrich, Jr., addressing the largest graduating class in campus history. Although the ceremonies were traditional in form, some graduates wore...
Commencement Ceremonies (cont’d)

white arm bands over black academic robes.

Dr. Harrison Scott Brown, Professor of Geochemistry and Science and Government at the California Institute of Technology, spoke on “The Environment and the Future of Man.”

San Diego

President Hitch and Chancellor William McGill, who leaves this month to assume the presidency of Columbia University, shook hands with each degree recipient at a traditional outdoor ceremony on June 14 at Revelle Plaza. This was the fourth graduation in the history of UCSD.

The ceremony began with the traditional “Triton Fanfare” played on conch shells, and the official party and graduates marched to the accompaniment of music played on an electronic instrument. Commencement speaker was R. Buckminster Fuller, professor at Southern Illinois University and author of “Operating Manual for Spaceship Earth.”

Hastings School of the Law

Hastings College of the Law held its Commencement on June 12.

“It bring you greetings from President Hitch and the other 23 Regents of the University of California. I convey also the fact that you have several million benefactors in addition to those who are here—citizens of the State of California—doctors, lawyers, merchants, butchers, bakers, hardhats, button-down and blue collars of every color, creed and national origin whose tax dollars paid for what yours didn’t...”

—Travis Cross, Vice President—University Relations, at Hastings College of the Law Commencement

“The success of peaceful evolution depends upon catalyzing the great center of our people in the process. Basic issues of survival require the attention of every individual in this Nation. The measure of our success will be our ability to solve our internal problems peacefully. As the President has said, we must listen to each other, we must communicate our differences, and come upon solutions for the good of the majority. Whether this requires a compromise on the part of one, two or many, or the realignment of power structures, the future of the Nation and its people depends upon it.”

—Commencement address, UC–Davis College of Letters and Science, HEW Undersecretary John G. Veneman

Juris Doctor degrees were awarded during the ceremonies in Masonic Auditorium.

The highest ranking woman judge in the United States, Justice Shirley Hufsteter of the U.S. Court of Appeals, Ninth Circuit, delivered the main address.

“We may not always agree with particular points of view. Some in the campus community and in the surrounding community may— and probably will—disagree with points of view expressed on this campus.

“But I can think of nothing more essential to the preservation of the American dream—and we must never forget this—than our encouragement and protection of the right of every man to express publicly his point of view, no matter how critical or unpopular!

“This is, of course, the essence of American freedom and American democracy.”

—Chancellor Daniel G. Aldrich, Jr., UCI Commencement

List of Books in the University’s Centennial Publications Program

These publications have been published as part of the University’s Centennial publications program:

The Centennial Record of the University of California, compiled by Verne Stadtman, 560 pages, Price $20. Encyclopedic description of the University and its development. (Sales and distribution handled by the Office of the Vice President—University Relations.)

Fiat Lux, by Ansel Adams and Nancy Newhall, 192 pages. Photographic representation of the contemporary University depicting both the institution and its services to California. (McGraw-Hill, $22.50.)

The University of California: A Pictorial History, by Albert G. Pickerell and Mary Dornin, 326 pages. Story of the University’s 100-year history in photographs, with captions and occasional paragraphs of text, covering the development, growth, and contributions of each of the nine campuses. (University of California Press, $12.50.)

The University of California 1868–1968, by Verne Stadtman, 608 pages. The first narrative history of the total University to be published since 1930. Ideas, events, trends, and people significant in the development of the University from the Gold Rush days. (McGraw-Hill, $12.50)

“I take it that however caught up you are in the romanticisms that sweep the world, you will not deny the occasional uses of reason.

“Reason is to be sure in disrepute, because reason has been used to construct whole systems we abhor. Reason must be denied when it becomes presumptuous, which is what it goes forward as rationalism. Michele Cake­shott reminds us that in the civil order, rationalism is ‘making politics as the crow flies.’ We have done a fair amount of that kind of thing in recent times in America, and have bred ourselves great frustrations. We’ve used rationalism with Utopia, and the results fair blew our minds. ‘To some people,’ Cake­shott observes, ‘government’ appears as a vast reservoir of power which inspires them to dream of what uses might be made of it. To capture this source of power, and to use it for imposing their favorite projects upon their fellows, is what they understand as the advance of governing men. They are, thus, disposed to recognize government as an instrument of passion; the art of politics is to enflame and direct desire.” Even so, in recent years, America gave itself over excitedly to the promulgation of Utopian goals. In so doing we watered dissatisfactions which we are unable for metaphysical reasons to appease. The resulting disappointment is especially acute because many Americans take their ideals literally, having had so very romantic an experience with history on the whole.”

Commencement address, UC–Riverside, William F. Buckley, Jr.

“The judiciary has so far survived the pressures upon it and, I think, the institutions of the system are sturdy and yet flexible enough to withstand a good deal more assaults from the right, the left, and the vocal middle. But the judiciary is neither monolithic nor impervious to stress. The fact of survival to this point is not a guarantee of immortality. Whether or not the judiciary survives as an independent branch of government, whether it becomes more or less responsive to the needs of all Americans, depends in greatest measure upon the strength of the Bar.

“It is the Bar that must exercise restraint in presenting causes—the courts have little control over the kinds of litigation presented. It is the Bar that must defend the courts against unwarranted attacks—the courts can not defend themselves. It is the Bar that must insist that quality controls be created and maintained over the selection and tenure of judges.”

—The Honorable Shirley M. Hufstetter, U.S. Court of Appeals, Ninth Circuit
Academic Senate

San Diego Division Mail Ballot

The faculty at UC–San Diego have defeated a resolution proposing that classes be adjourned for one or two weeks prior to the November elections to allow students and faculty more time to campaign for or against candidates and issues.

More than half of the members of UCSD’s Academic Senate voted, in a mail ballot, to reject the resolution, 156 to 85. UCSD students polled on the same question also turned the idea down, 360 to 134.

The resolution read: “Whereas the continuing present crisis has demonstrated the need for increased student and faculty participation in our democratic system, “Be it resolved that classes be adjourned for a period of one to two weeks, subject to administrative considerations, prior to the November, 1970 elections, and “Be it further resolved that the academic calendar be revised so that no days of instruction will be lost in the fall quarter, and that “The Chairman of the Division shall take appropriate action to effect this recess and calendar change on the San Diego campus and to encourage similar action on the remainder of the campuses of the University.”

Change in Travel Regulations

On May 22, 1970, President Nixon signed P.L. 91-258 into law which provides that effective for air transportation beginning after June 30, 1970, all domestic air travel tickets are subject to an 8 per cent federal excise tax.

The tax is applicable even though the tickets are purchased before July 1, 1970.

Tickets for international flights beginning in the United States after June 30, 1970, are subject to a tax of $3. In the case of flights to Alaska and Hawaii, the $3 tax applies rather than the 8 per cent tax. In the case of a round trip beginning before July 1, 1970, the return flight is subject to the tax if the return flight begins after June 30, 1970.

By express amendment, the University is no longer exempt from this tax, either as a state governmental agency or as a tax exempt institution of higher education. Therefore, it is no longer appropriate to file an exemption certificate (Internal Revenue Service Form 731) for excise tax on air transportation.

Education vs. Political Activism

“...But the fundamental issue is this: Should the university transform itself into a political instrument? Should the university, as an institution, sponsor and reward political efforts in behalf of a particular cause, regardless of whether that cause has the support of a majority or minority of the state’s citizens? The answer—by law, by tradition, by common sense—is that the university cannot do this if it expects to continue independent and free ...”—Los Angeles Times editorial, May 27, 1970.

Academic Senate

Davis Division Holds Mail Ballot

The Davis Division of the Academic Senate recently rejected a call for a two-week recess immediately prior to the November 1970 election.

This is a result of a mail ballot submitted to the Division’s nearly 900 members. The ballot was taken following a voice vote during one of the Division’s meetings in May which supported a revision of the academic calendar to allow time for students and faculty to campaign for candidates of their choice without loss of any days of instruction.

This represents the first time in the history of the Davis Senate that a mail ballot overturned the results of a vote taken during a meeting. Some 100 members of the Senate had approved the now nullified resolution on May 13. The vote tally showed 453 opposed to and 215 in support of the so-called “Princeton Plan.”

Committees (cont’d)

University are members, ex officio, of all standing committees except the Committee on Audit.

The Regents’ principal representatives on the Coordinating Council for Higher Education and the Superintendent of Public Instruction shall be ex officio members of the Committee on Educational Policy.

The Regents’ representatives on the Coordinating Council for the year commencing July 1 are: W. Glenn Campbell and William C. Farrer (members) and Joseph A. Moore, Jr., and John H. Lawrence (alternates).

Regent Campell was designated chairman of the Regents’ representatives of the Coordinating Council.

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Regents Adopt
Motion Concerning
Educational Process

At their June meeting, the Regents adopted this statement:
"The Regents reaffirm the following as University policy:
"Students who enroll on the campuses of the University of California are parties to a moral and contractual relationship in which the University, on its side, is obligated to provide quality education, to recognize student achievement with grades and degrees which have an accepted meaning for transfer to other institutions, for graduate work, and for careers. The Regents are responsible to the people, to the faculty, and to the students to see that the University is faithful to this contract. They have the responsibility to see that the value of the diploma is not diluted, that it maintains its meaning to graduates and to future employers. They are responsible to ensure that public confidence in the University is justified. And they are responsible to see that the University remain aloof from politics and never function as an instrument for the advancement of partisan interest. Misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student effort, constitutes misuse of the University as an institution.

"It should be understood that the Board of Regents has always recognized the importance of an "open forum policy" on the campuses, of a free exchange of ideas, and of pursuit of the truth wherever it may lead—popular or unpopular though that may be. There are many hours available during the daily activities of students and faculty for free discourse on matters of concern to them as citizens. It cannot be argued successfully that it is necessary to interrupt progress of an academic course or to modify grading procedures to provide for such discussion. It is the Regents' responsibility to the very concept of a University to protect the institution from the misuse of the classroom and to ensure the rights of all to teaching and learning.

"Therefore, it is the Regents' policy that no campus, no academic college, no department, and no instructor distort the instructional process in a manner which deviates from the responsibilities inherent in academic freedom. This includes introducing subject matter foreign to the regular course content, using classroom facilities and supplies, or other non-free speech areas for political purposes. The right of students to have their classes held on the regularly scheduled basis and to be taught by the instructor whose responsibility it is to teach the course in question is to be upheld.

"The Regents hereby request the President to bring to them at their July meeting a plan for implementing the foregoing, and at their September meeting a complete report on violations of the policy during the spring quarter together with the statement of disciplinary actions taken."

The approval was made following the Regents' responsibility to the very issue of the University, to the faculty, and to the students to see that the University is faithful to this contract. They have the responsibility to see that the value of the diploma is not diluted, that it maintains its meaning to graduates and to future employers. They are responsible to ensure that public confidence in the University is justified. And they are responsible to see that the University remain aloof from politics and never function as an instrument for the advancement of partisan interest. Misuse of the classroom by, for example, allowing it to be used for political indoctrination, for purposes other than those for which the course was constituted, or for providing grades without commensurate and appropriate student effort, constitutes misuse of the University as an institution.

It was while caring for infants in UCSF's Intensive Care Nursery that Dr. Gregory decided to use the continuous pressure technique. Initial pressure, just enough to keep the alveoli from collapsing, varies from 6 to 12 millimeters of mercury pressure. Usually between the third and fifth day after birth, cells lining the air passages of infants with hyaline membrane disease begin to produce the vital surfactant which are the terminal points in millions of tiny air-ways throughout the lungs... to keep them open. This use of carefully controlled pressure enables the infant to survive the first few days until cells in the alveoli start producing a substance that coats the air passages and keeps them from collapsing.

Research on the cause of hyaline membrane disease was started at UCSF about ten years ago in the Cardiovascular Research Institute by Drs. John A. Clements and William H. Tooley.

Breathing is assumed by most of us to be a purely reflex action. To scientists and physicians who are concerned with lung function, however, breathing is a complex process. Still unsolved is the mechanism that initiates the first breath of air the newborn takes.

Research on hyaline membrane disease has been supported at the University of California, San Francisco, by grants from U. S. Public Health Service.

Appointment of Dean

The appointment of Dr. David H. Templeton, Jr., as Dean of the College of Chemistry on the Berkeley campus was announced by President Hitch and Berkeley Chancellor Roger W. Heyns following approval by the Regents.

Dr. Templeton, a professor of chemistry on the Berkeley campus, is a leading investigator in the field of crystallography—the determination of the structure of crystals. His research has determined the structure of some of the most important hydrogen bonding crystals and has added greatly to the knowledge of xenon compounds and transition metal complexes.

Dr. Templeton, 50, received a bachelor of science degree from Louisiana Polytechnic Institute in 1941, an M.A. from the University of Texas in 1943, and a Ph.D. from the University of California, Berkeley, in 1947. He joined the Berkeley faculty as an instructor in chemistry the same year.

He was made an assistant professor two years later, and became an associate professor in 1954, the same year his work earned him a Guggenheim Fellowship. He became a full professor in 1958.

He will replace Dr. Harold S. Johnston as Dean of the College. Dr. Johnston has asked to return to full-time teaching and research after heading the college for the past four years.

SAN FRANCISCO — Premature babies with severe respiratory disease are being saved by a technique developed at the University of California, San Francisco. These tiny infants... many of them weighing three pounds or less... have trouble breathing because their lungs are not quite ready to function as air-breathing organs. It has been estimated that more than 20,000 infants die each year in the United States from this condition called hyaline membrane disease. During the past nine months, 13 of 15 babies severely ill with hyaline membrane disease (all had less than a 30 percent chance of survival with conventional therapy) have survived through treatment at UCSF.

Dr. George Gregory, Assistant Clinical Professor of Anesthesia and Pediatrics, explained that the treatment used at UCSF involves maintaining constant pressure through a tube placed in the baby's trachea. This allows the baby to breathe without the aid of a respirator and puts enough pressure on the alveoli... which are the terminal points in millions of tiny air-ways throughout the lungs... to keep them open. This use of carefully controlled pressure enables the infant to survive the first few days until cells in the alveoli start producing a substance that coats the air passages and keeps them from collapsing.

It was while caring for infants in UCSF's Intensive Care Nursery that Dr. Gregory decided to use the continuous pressure technique. Initial pressure, just enough to keep the alveoli from collapsing, varies from 6 to 12 millimeters of mercury pressure. Usually between the third and fifth day after birth, cells lining the air passages of infants with hyaline membrane disease begin to produce the vital surfactant and the pressure is reduced as the lungs improve.

Research on the cause of hyaline membrane disease was started at UCSF about ten years ago in the Cardiovascular Research Institute by Drs. John A. Clements and William H. Tooley.

Breathing is assumed by most of us to be a purely reflex action. To scientists and physicians who are concerned with lung function, however, breathing is a complex process. Still unsolved is the mechanism that initiates the first breath of air the newborn takes.

Research on hyaline membrane disease has been supported at the University of California, San Francisco, by grants from U. S. Public Health Service.
UCLA Administrative Changes Announced

To meet student, academic and institutional needs of the future, Chancellor Charles E. Young of UCLA has announced a reorganization of his top administrative staff.

"The 1970's will present a challenge to UCLA as it will to all colleges and universities," he said. "We are preparing for it with the most sophisticated, well-trained and responsive managerial staff we can devise."

Reorganization grew out of the retirement on June 30 of Vice Chancellor William G. Young, and the return to teaching of Vice Chancellor Rosemary Park and Vice Chancellor Paul O. Proehl. Miss Park will become a professor of higher education in UCLA's Graduate School of Education, while Dr. Proehl will return to his role as professor of law.

Dr. David S. Saxon, who as The Vice Chancellor in Chancellor Young's administration has fulfilled essentially the functions of an executive vice chancellor will continue in this role. Under him will be all schools and colleges, academic personnel, libraries, computing, ethnic centers, organized research, and institutional information, and Miss Beverly Liss, Assistant to the Chancellor, with responsibility for the academic personnel office, the communications services and staff services.

Vice Chancellor-Administration James Hobson's office will remain essentially the same with some internal reorganization. It includes such areas as campus police, discipline, systems, physical plant, business and financial services, auxiliary services. To it have been added the office of architects and engineers, formerly under Vice Chancellor William G. Young and the Office of Extramural Support formerly headed by Dr. Carl York, now an assistant to Dr. Lee Dubridge, President Nixon's scientific advisor.

Vice Chancellor Appointed At the Berkeley Campus

The new vice chancellor-administration on the Berkeley campus will be Robert F. Kerley, now vice president for administration at The Johns Hopkins University in Baltimore, Maryland.

The appointment of Kerley to fill the important executive position on the campus was announced by President Hitch and Chancellor Roger W. Heyns following approval by the Regents.

Kerley replaces Robert L. Johnson, who left the Berkeley campus administration to serve as vice president-administration in the office of the president. Kerley's appointment is effective August 17, 1970.

The vice chancellor for administration at Berkeley has major responsibilities for general campus operations as well as for student affairs.

As with Johnson, the position will now include the responsibilities formerly held by a vice chancellor for student affairs —a position that will be discontinued in the campus administration.

Under a reorganization of student affairs functions, several assistant vice chancellors will aid Kerley in the administration of specific areas of student relations and services.

Kerley, 49, is a native of Oakland, Calif., and a 1951 honor graduate (in business administration) of the Berkeley campus. He served as a major in the U. S. Army during World War II.

After graduation, he served on the Berkeley campus as a research administrator (1951–54), assistant business manager (1954–58), and business manager (1958–60). In the U.C. statewide administration, he was assistant to the vice president–governmental relations and projects (1960–64); then for five years was vice president–business affairs and treasurer at the University of Kentucky (1964–69); and during the past year was vice president for administration at Johns Hopkins.

In addition to his responsibilities in campus administration, Kerley has also served in several capacities with national organizations in projects aimed at improving national policies in higher education.

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Recent Retirements

The following staff members officially retired as of May 1, 1970, or on the dates indicated:

John P. Harrison, Senior Buyer, Los Alamos Scientific Laboratory (May 2, 1970).
Orville Hottel, Electrician, Lawrence Radiation Laboratory, Berkeley.
Clint H. Jakway, Assistant Painter Foreman, Los Angeles.
Lloyd W. James, Field Assistant, Berkeley.
Victor P. Jensen, Senior Machinist, Lawrence Radiation Laboratory, Berkeley.
Ruth F. Johnson, Clinical Social Worker, Berkeley.
John H. Lawrence, Professor/Director, Donner Laboratory, Berkeley (May 14, 1970).
Glenn R. Maynard, Technical Information Specialist, Lawrence Radiation Laboratory, Berkeley.
Virginia N. McNerney, Admitting Worker, San Francisco.
Mary M. Merrill, Admitting Worker, Los Angeles (May 9, 1970).
Iola H. Oties, Linen Service Assistant, San Francisco.
Frank S. Parker, Custodian, Davis.
Frieda E. Rasmussen, Food Service Supervisor, San Francisco.
Victor J. Sousa, Principal Clerk, Lawrence Radiation Laboratory, Livermore (May 23, 1970).
Raymond E. St. Clair, Laboratory Assistant, Berkeley (May 9, 1970).
Laura C. St. John, Librarian, Berkeley (May 2, 1970).
Emil Toya, Special Materials Technician, Lawrence Radiation Laboratory, Livermore (May 2, 1970).
Floyd W. Truitt, Technical Coordinator, Lawrence Radiation Laboratory, Livermore.
Ivy Tunick, Secretary-Stenographer, Los Angeles.
Joseph C. Viera, Administrator of Physical Plant, San Francisco.
Andrew J. Wimler, Laborer, Los Angeles.

Press Publications

Scientific Series


Radio Programs

Science Editor

Current developments in scientific projects throughout the world. KCBS, San Francisco, 10:30 p.m., Saturday, July 4; KNX, Los Angeles, 10:50 p.m., July 4, and 10:20 and 11:20 p.m., Sunday, July 5; KCBS, 9:35 p.m., Tuesday and Thursday, July 7 and July 9; and KNX-FM, Los Angeles, 6 a.m., July 9.

University Explorer

"A Delicate Balance," Vice Chancellor Gordon MacDonald, Santa Barbara, explains how man may bring his earthly environment down in ruins. KFI, Los Angeles, 9 a.m.; KMPC, Los Angeles, 9:30 p.m.; KCBS, San Francisco, 11:30 p.m., Sunday, July 4; and KNX-FM, Los Angeles, 6:15 a.m., Tuesday, July 7.

Copies Available of Recent Speech To the Commonwealth Club

Copies of President Hitch's recent speech "What Else is Happening at the University of California," printed in the June 15 issue of the University Bulletin, are now available in booklet form. Copies may be ordered from the Office of the Vice President—University Relations, 131 University Hall, Berkeley.

Geier Named to New Post

Lee E. Geier has been named to the position of Assistant Vice President—University Relations in the Office of the President.

The Regents approved the appointment, effective July 1. Geier, who joined the University in September, 1969, is deputy to the Vice President—University Relations. The University Relations office is responsible for gifts and endowments, publications, internal communications and public information for the Office of the President.

News from the Campuses

A Fragile Compact

"The University was designed to be apolitical, that is, to be an arena in which students had access to all ideas, however unpopular. In reality, the university has often been the target of politics. The growth to greatness of the University of California is really the story of the resistance, sometimes successful, sometimes not, to the efforts and pressures of generations of enthusiasts and demagogues to alter the purpose and character of the institution so that it serves some partisan end.

"The greatness of the university is not to be found in statistics of size and product but in the attempt of the men and women associated with it or giving it support in its effort to pursue truth and wisdom and understanding through the civilized means of dialogue and study. This is a fragile compact which is often attacked.

"Yet whether that attack comes from right or left, or any extreme of doctrine, or any movement which claims a monopoly on truth, it is to be resisted.

"From the beginning to the present day, the University of California has had to contend with these pressures. We must hope it has the strength to continue that struggle against the distortion of its purpose and function."—Robert Kirsch in The Los Angeles Times, May 20, 1970.

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Radio Programs

Science Editor

Current developments in scientific projects throughout the world. KCBS, San Francisco, 10:30 p.m., Saturday, July 4; KNX, Los Angeles, 10:50 p.m., July 4, and 10:20 and 11:20 p.m., Sunday, July 5; KCBS, 9:35 p.m., Tuesday and Thursday, July 7 and July 9; and KNX-FM, Los Angeles, 6 a.m., July 9.

University Explorer

"A Delicate Balance," Vice Chancellor Gordon MacDonald, Santa Barbara, explains how man may bring his earthly environment down in ruins. KFI, Los Angeles, 9 a.m.; KMPC, Los Angeles, 9:30 p.m.; KCBS, San Francisco, 11:30 p.m., Sunday, July 4; and KNX-FM, Los Angeles, 6:15 a.m., Tuesday, July 7.

Copies Available of Recent Speech To the Commonwealth Club

Copies of President Hitch's recent speech "What Else is Happening at the University of California," printed in the June 15 issue of the University Bulletin, are now available in booklet form. Copies may be ordered from the Office of the Vice President—University Relations, 131 University Hall, Berkeley.

Geier Named to New Post

Lee E. Geier has been named to the position of Assistant Vice President—University Relations in the Office of the President.

The Regents approved the appointment, effective July 1. Geier, who joined the University in September, 1969, is deputy to the Vice President—University Relations. The University Relations office is responsible for gifts and endowments, publications, internal communications and public information for the Office of the President.

News from the Campuses

A Fragile Compact

"The University was designed to be apolitical, that is, to be an arena in which students had access to all ideas, however unpopular. In reality, the university has often been the target of politics. The growth to greatness of the University of California is really the story of the resistance, sometimes successful, sometimes not, to the efforts and pressures of generations of enthusiasts and demagogues to alter the purpose and character of the institution so that it serves some partisan end.

"The greatness of the university is not to be found in statistics of size and product but in the attempt of the men and women associated with it or giving it support in its effort to pursue truth and wisdom and understanding through the civilized means of dialogue and study. This is a fragile compact which is often attacked.

"Yet whether that attack comes from right or left, or any extreme of doctrine, or any movement which claims a monopoly on truth, it is to be resisted.

"From the beginning to the present day, the University of California has had to contend with these pressures. We must hope it has the strength to continue that struggle against the distortion of its purpose and function."—Robert Kirsch in The Los Angeles Times, May 20, 1970.

Press Publications

Scientific Series


Sheats, Paul H., Professor of Education, Los Angeles: Fellow, National University Extension Association, and the Delbert Clark Award of West Georgia College for his dedicated and resourceful leadership in the field of adult education.

Singh, Atwarr, Associate Professor of Engineering, Los Angeles: 1970 Thomas A. Middlebrooks Award for paper, "Bonding, Effective Stress and Strength of Soils," by American Society of Civil Engineers.

Tarjan, George, Professor of Psychiatry, Los Angeles: American Association on Mental Deficiency's 1970 National Award for Leadership.

University Extension Media Center, Berkeley: Blue Ribbon Award, American Film Festival, Educational Film Library Association, for "A Nice Kid Like You."

Wellman, Harry Richard, Vice President of the University, Emeritus: honorary Doctor of Laws degree from the University of Wisconsin.

Elections

Backlor, Byron, Director, Office of Extramural Support, Los Angeles: member, Executive Committee, Board of Directors of Associated Western Universities, Inc.

Baisden, Richard N., Dean of University Extension, Irvine: President, Orange County chapter of the American Society for Public Administration.

Fulrath, Richard M., Professor of Ceramic Engineering and principal investigator with the Inorganic Materials Research Division of the Lawrence Radiation Laboratory, Berkeley: Vice President, American Ceramic Society.

Hardeman, Mrs. Ada Mae, Program Coordinator, University Extension, Irvine: Secretary-Treasurer, Orange County Chapter, American Society for Public Administration.

Heyns, Roger W., Chancellor, Berkeley: vice chairman, National Science Board, the policy-making body of the National Science Foundation.

Mayer, Joseph E., Professor of Chemistry, Berkeley: Vice President, American Philosophical Society.

Morrell, Emil M., Chancellor Emeritus, Davis: chairman, Assembly Science and Technology Advisory Council.

Starr, Chauncey, Dean, School of Engineering and Applied Science, Los Angeles: Vice President, National Academy of Engineering, for a four-year term.

Viterbi, Andrew J., Professor of Engineering, Los Angeles: chairman, Institute of Electrical and Electronics Engineers Information Theory Group for 1970.

Appointments

Chen, Yung-Ping, Associate Professor of Economics, Los Angeles: member, Education Committee, Advisory Committee on Senior Citizens to Mayor, Los Angeles, and member, Income Maintenance Committee, International Association of Senior Citizens.

Frautschy, J. D., Assistant Director, Scripps Institution of Oceanography: member, California Regional Water Quality Control Board.

Editor's Note: The photograph appearing in the May 25 issue of the University Bulletin shows a meeting of the university presidents identified in the caption as they discussed Federal financing of higher education during a meeting approximately two weeks prior to May 7.

Hildemann, W. H., Professor of Immunology and Immunogenetics, Los Angeles: Visiting Professor of Immunology, University of Otago Medical School, Dunedin, New Zealand (August, 1970, to January, 1971).

Ingersoll, Alfred C., Associate Dean, Continuing Education, Los Angeles: member, Los Angeles Advisory Committee on the Application of Aerospace Technology.

O'Leary, Thomas F., Director, Public Information and Publications, Saint Mary's College: Public Information Officer, Santa Cruz.

Otto, S. S., Professor of Engineering Physics, San Diego: member, Education Committee of the International Astronautical Federation.


Vosper, Robert G., University Librarian, Los Angeles: member, Government Advisory Committee on International Book and Library Programs, U. S. Department of State.

Weeks, Elizabeth H., Librarian, Smithsonian Institution, Astrophysical Observatory Library, Cambridge, Massachusetts: Head, Monographs Department, University Library, Riverside.

Publications

Adams, Hazard, Professor of English and Comparative Literature, Irvine: "William Blake, Jersalem, Selected Poems and Prose" (Holt, Rinehart & Winston).

Caldwell, James L., Associate Professor, and Harold E. Taliver, Professor of English and Comparative Literature, Irvine: editors, "Essays in Shakespearean Criticism" (Prentice-Hall).

Eberhard, Wolfram, Professor of Sociology, Berkeley: "Studies in Taiwanese Folktales" (The Orient Cultural Service, Taiwan).

Elliott, Robert C., Professor of English Literature and Chairman of the Department of Literature, San Diego: "The Shape of Utopia: Studies in a Literary Genre" (The University of Chicago Press).


Kagan, Benjamin M., Professor of Pediatrics, Los Angeles: co-editor with Sydney S. Gailes, Professor of Pediatrics, Tufts Medical School, Boston, of the fourth edition of "Current Pediatric Therapy" (Saunders Company).

Kavanau, J. Lee, Professor of Zoology, Los Angeles: translation into Polish: "Water and Solute-Water Interactions" (Holden-Day).

Lenczowski, George, Professor of Political Science, Berkeley: editor, "The Political Awakening in the Middle East" (Prentice-Hall).

Ludwig, Frederic C., Professor of Pathology and Radiological Sciences, California College of Medicine, Irvine: "Physiopathology of Radiation Injury in Man and Mammals," written in Spanish (University of Sao Paulo Press, Brazil), under the auspices of the Brazilian Atomic Energy Establishment and the International Atomic Ag


Sheehan, Joseph G., Professor of Psychology, Los Angeles: "Shuttering: Research and Therapy" (Harper & Row).

Stone, James C., Professor of Education, Berkeley, and Frederick Schneider: "Teaching in the Inner City"; Volume III of the "Commitment to Teaching Series" (Thomas Y. Crowell Co.).

Wright, Charles, Assistant Professor of English and Comparative Literature, Irvine: "The Grave of the Right Hand" (Wesleyan Press).

Art Exhibits

Brown, Dorothy, Professor of Art, Emeritus, Los Angeles: one-man exhibition of 45 paintings, watercolors, drawings and poetry, Darwin Gallery, Sonoma State College, and elsewhere in the West, including the Long Beach Museum of Art.

Prestini, James, Professor of Design, Berkeley: 20 designs, National Collection of Fine Arts permanent collection, Smithsonian Institution, Washington, D.C.

Musical Performance

Imbrie, Andrew W., Professor of Music, Berkeley: Second Symphony, world premiere, by the San Francisco Symphony Orchestra, conducted by Josef Krips.

Editor's Note: This is the final issue of the University Bulletin for the academic year 1969-70. The Bulletin will be produced every other week during the summer. The next regularly scheduled issue will appear July 13.

University Bulletin

Volume 18 Number 37 June 29, 1970

DRAN C. JOHNSON, Editor

Issued by the Vice President—University Relations, 151 University Hall, Berkeley, each Monday in the fall, winter and spring quarters, except during between-quarter recesses, and every other Monday during the summer.

Editor's Note: The photograph appearing in the May 25 issue of the University Bulletin shows a meeting of the university presidents identified in the caption as they discussed Federal financing of higher education during a meeting approximately two weeks prior to May 7.

208 UB-6-29-70
Professor Leon Letwin
#6 The Cables
Valle of Health
London NW 3
England

Dear Letwins,

Are you merrie in olde England?

The most important news from home—which I am sure you will welcome with a sigh of relief—is that Vice-Chancellor (now Executive Vice-Chancellor) Saxon and I have returned to amicable terms. He told me that if I ever talked to him again as I did on the occasion of our disagreement, I would regret it for the rest of my career at UCLA.

And I accepted his apology.

The enclosed may amuse you.

Love,

Dave

P.S. Just got lecture letter that you are at Wassermass so I'm killing two birds with one stone. Available

Deck: the evidence did not support your prediction in spite of the fact that it was true (we philosophers have no trouble with such distinctions).
Miss Angela Davis has now been formally charged with involvement in the recent horrifying events in San Rafael. In contrast to past controversies surrounding Miss Davis's association with UCLA, neither academic freedom nor constitutionally protected rights of political dissent are in question here. No reasonable person could imagine that those principles can protect anyone from the legitimate consequences of illegal actions. Precisely this distinction, between advocacy of unpopular ideas and unlawful activity, has been the foundation of our position throughout this past year. Should it be established that Miss Davis was criminally involved in these terrible events, the Department would of course be obliged at once to reconsider her fitness to teach at this University.

We would think it improper at this time to take any action that implies a presumption of guilt. It is one of the most fundamental principles of our system of justice that a person shall be presumed innocent until proven guilty. However, we are gravely concerned that all the facts concerning Miss Davis's alleged connection with the events at San Rafael should come to light as quickly as possible, and above all, if possible, from her.
TO ALL FACULTY MEMBERS:

The recent charges against Angela Davis in connection with the San Rafael slayings, and her continued absence from the authorities, has been considered by the Academic Senate Angela Davis Fund Committee. Because the Academic Senate is not scheduled to meet until the beginning of the Fall Quarter we have had to make decisions without instructions from the Senate as to how to proceed in this difficult matter.

We feel it is vitally important to make the distinction between the original principles which the Academic Senate voted to uphold and the current charges against Miss Davis. The Committee was instructed to raise money for the support of Miss Davis' salary and for the costs of litigation in the suits initiated by her and by various taxpayers in their attempt to enjoin the Regents from dismissing Miss Davis in September 1969 for membership in the Communist Party. This case has been heard by the California Supreme Court and a decision is expected shortly. We do not feel that this principle, or the need to defend it, has been changed by any events which have occurred since the issue was first raised. Thus, until further instructed by the Senate, we will continue to accept contributions to the Fund for legal expenses involving this critical issue of academic freedom and political dissent: for even proof that Miss Davis was criminally involved in the events at San Rafael would not fundamentally change the need to see through the legal process the case brought against the Regents last year.

In the matter of Miss Davis' salary and benefits, the Committee wishes to report that her July salary and one half of her summer stipend was disbursed prior to the announcement that charges had been filed against her. We wish to avoid any action at this time that would imply a presumption of guilt, hoping that we reflect the unanimous view of the faculty that due process requires the presumption that a person is innocent until proven guilty. However, given the fact that Miss Davis has been charged with a non-bailable criminal offense, which will make it virtually impossible for her to assume teaching duties in September, the Committee would not wish to make further salary payments, pending further instructions from the Senate, if by 30 August, Miss Davis has not reestablished her ability and desire to assume the teaching duties and scholarly endeavor for which the support of the Academic Senate had been pledged.

The Committee requests that each Chairman and Dean call the attention of each member of the faculty to the foregoing statement.

Gary B. Nash, Chairman

Academic Senate Angela Davis
Fund Committee
We don't know whether Angela Davis is guilty or innocent of the capital crimes with which she is charged.

But we do know that she is a fugitive from justice.

And we do know that the case of Angela Davis, which began as a controversy about academic freedom, has become one of the most difficult and indeed dangerous public issues in California.

Consider what has happened. In the spring of 1969 she was hired as a teacher of philosophy at UCLA. It came to light that she said she was a member of the Communist Party. A public outcry was raised over whether her Communist Party membership disqualified her or didn't.

The University of California Board of Regents wanted to fire her. The courts said no.

The controversy arose again last spring: should she be appointed for the normal second year? The UCLA philosophy department and a special faculty committee requested by the regents reviewed her qualifications as a teacher; and found them adequate and unexceptionable. The university's 1940 regulation forbidding the hiring of Communists had gone to the courts for adjudication. That being so, the faculty committees found no reason not to hire her. UCLA Chancellor Charles E. Young agreed.

A majority of the regents, however, voted to fire her. They gave as their major reason four of her public speeches. The special faculty committee found these speeches inappropriately unrestrained for a faculty member but, in effect, found they were not so inappropriate as to disqualify her from teaching. What was in those speeches?

According to the information given out by the regents they were standard New Left stuff: belief that academic freedom is meaningless unless it promotes political and social freedom; criticism of education; assertions that society has taken punitive action against blacks and Mexican-Americans; claims that the university is an outmoded feudal place run by a board of regents made up of "unscrupulous demagogues"; support of mass demonstrations to achieve the ends she seeks.

The Angela Davis case has damaged, severely, the good name of academic freedom. It has tarnished the reputation of the UCLA faculty and Chancellor Young. It will, deplorably but inevitably, touch on the question of race in the public mind, for Miss Davis is black, and her apparent cause is the cause of black revolution.

It will make it hard indeed to argue convincingly that the regents should refrain from passing on the qualifications of instructors in the university.

And it does, in retrospect, place in a new
ron, support of mass demonstrations to achieve the ends she seeks.

Coarse, yes; offensive to most Californians, certainly. Incendiary? No. Cause for dismissal? The faculty committee thought, and we agreed, that to fire Miss Davis for saying those things would be applying to the university that kind of vague political test which the spirit of tolerance and personal liberty prohibits.

Many faculty members thought, and we agreed, that for better or worse the case of Angela Davis had become an issue of academic freedom, and for the regents to force it would precipitate the very kind of university disruption that the Angela Da-