

University of California

Interim Report of the Committee on
Academic Freedom to the Academic
Senate, Northern Section, of the University of California

February 1, 1951

THE CONSEQUENCES
OF THE ABROGATION OF TENURE

An Accounting of Costs

CONTENTS

PREFATORY REMARKS	5
I. Loss of Staff	9
(26 Faculty Members Ejected; 37 Resignations in Protest)	
II. Disruption of Program	14
(55 Courses Dropped from the Curriculum)	
III. Reactions in the Profession	21
(Signed Protests from over 1200 Colleagues in more than Forty American Colleges)	
IV. Refusals of Offers of Appointment	36
(To Date, 47 Refusals of Offers of Appointment)	
V. Resolutions of Learned Societies	45
(Condemnatory Resolutions by 20 Professional Societies and Groups)	
CONCLUSIONS	. 56

It should be further noted that declinations of offers received to date precede in many cases official proscriptions of this University by the learned societies of the disciplines which the “decliners” represent. And of course, all precede that most serious condemnation, a resolution (which appears likely) of censure by the American Association of University Professors.

Finally, it will perhaps not be too repetitious to turn again to the “quantitative” argument.

At a recent meeting of the Board of Regents, one member of the Board is alleged to have countered the announcement that at that time twelve men had declined appointments here with the retort that sixty had meanwhile been appointed. This remark was presumably facetious in intention. It is impossible to believe that anyone with even rudimentary knowledge of the nature of a University could seriously reckon loss and gain “by the head.” The number who have declined invitations either to the permanent or to the summer staff is, in fact, much increased since this eccentric comment was made. At the moment of writing this report, it has reached a total of 47 on this and on the San Francisco Campuses. In addition, three declinations are described as possibly the result of the Regents’ actions. But again, the loss to the University is not to be reckoned quantitatively, for among those who have declined appointment here are figures who would have reflected a lustre on the University evident to the dullest eye. Specifically the men who have refused to come to the University of California as the result of what has been done by the action of the Regents to tenure and academic freedom are men of surpassing eminence, national and international leaders in the profession. Among them are the following:

Professor Howard Mumford Jones, Professor of English at Harvard University, former Dean of the Graduate School of Arts and Sciences at Harvard. President of the American Academy of Arts and Sciences, representative of the Humanities at the World Conference of Scholars with which Harvard celebrated its Tercentenary. Poet, scholar, playwright, and author of many books.

Professor Jones was invited as Visiting Professor for the 1951 Summer Session at U.C.L.A. He wired in reply:

“In view of the good repute of the University of California until recently, and

especially in view of the unique opportunities for scholarly research in the Los Angeles area I am strongly drawn to your offer of a visiting summer term professorship in 1951. I hope this offer can be renewed under happier circumstances. But until your board of regents ceases to violate the ordinary principles of academic tenure and honest agreement between parties to a contract I cannot in good conscience accept. In view of the condemnation of the unparalleled action of your board by professional bodies and groups of scholars and scientists over the country I am regretfully taking the liberty of making this reply public.”

The story of Professor Jones’ refusal was carried in newspapers throughout the nation.

Professor Robert Penn Warren, Professor of English, University of Minnesota, Pulitzer Prize Winner in Fiction, 1947, holder of the Chair of Poetry at the Library of Congress 1944-45, one of the founders and editors of *The Southern Review*, author of *All the King’s Men*, etc., wrote:

“I am sorry to have been so long in answering your kind letter of July 25, but I was waiting for news of the action of the Regents at their meeting of late August. I have, of course, now had that news, first from the newspapers and more lately by reports from California. I consider that news deeply distressing, not only as it may affect my personal situation but as it will certainly affect the whole temper of the academic community in this country. It seems to me that the action of the Regents of the University of California would reduce the academic community, both faculty and administration, to the level of hired hands serving at the whim of a group of men whose acquaintance with intellectual life and its responsibilities is, in some cases at least, of the most rudimentary order. Under these circumstances, it is impossible for me to consider the extremely attractive and flattering prospect which the University of California has held out to me. If circumstances should change, and if you and the Department of English should then wish to reopen the discussion, I should be very happy. But for the present there is no course open to me but that of declining your offer.

“Perhaps I should say one more thing, at least for the record. I am not and have never been a member of the Communist Party or of any organization associated with it. Therefore my refusal to come to the University of California is motivated simply by the conviction that the present policy of the Board of Regents constitutes a threat not only to academic freedom but in the end to ordinary freedom and decency.

“And one thing more: I am very grateful to you for your personal interest and long patience.”

Professor Rudolf Carnap, Professor of Philosophy, University of Chicago, described by a member of the Department of Philosophy as “one of the three leading philosophers alive today,” invited here to deliver the annual Howison Lecture, declined as follows:

“When I returned to Chicago at the beginning of this month, I found your letter of September 7, renewing the invitation to give the Howison Memorial Lecture on the Berkeley Campus in the spring of 1951. I wish to express my best thanks.

“When I indicated to Professor Dennes last spring my willingness to accept the invitation if it were renewed for 1951, I assumed that a fair solution of the controversy concerning the loyalty oath would be found. This hope has not been fulfilled. I regard the peremptory dismissal of eminent scholars, without regard for their tenure rights and their long distinguished service to the University, as a shocking violation of academic freedom. As long as these conditions prevail, I am unwilling to accept an honor from the University, and therefore I decline the invitation with sorrow and regret. For the same reason I have refused to be considered by the Department of Philosophy of the Los Angeles campus for their Flint visiting professorship.

“I wish both refusals to be regarded as expressions of solidarity with the dismissed colleagues, and of protest against the violation of the principle that scholarship, teaching ability, and integrity of character should be the only criteria for judging a man’s fitness for an academic position. I am in deepest sympathy with all efforts to restore full academic freedom at the University of California, and thereby to help the University to regain its old honored place among our universities.”

Professor Joseph R. Strayer, Dayton-Stockton Professor of History, Princeton University, Chairman of The Department of History, Vice-President and Fellow of the Mediaeval Academy of America, Delegate to the American Council of Learned Societies, writes:

“I have long wanted to visit Berkeley and in ordinary circumstances I should be delighted to teach in your Summer Session. I know that I would gain a great deal from association with you and members of your Department, and that life in Berkeley would be most pleasant.

“Unfortunately, I feel that accepting a position on the summer staff would constitute approval, however unimportant, of the recent actions of the Regents of the University. I cannot take an appointment in a place where the basic rules of academic tenure are violated and where a man in my own field, whom I respect and admire, has been unjustly treated.*

“Perhaps I can visit Berkeley in happier times; I have too much confidence in the Faculty of the University and the people of the state to believe that the present difficulties will long continue. You know that I write this letter with deep regret and with the friendliest feelings towards you and your colleagues.”

Professor Henry Scheffé, Professor of Mathematical Statistics, Columbia University, former Consultant and Senior Mathematician, Office of Scientific Research and Development, Member Board of Edi-

* Professor Strayer is evidently here referring to Professor Kantorowicz. Cf. p. 9.

tors, *Annals of Mathematical Statistics*, Member National Research Council, etc., declined an invitation to teach in the Summer Session as follows:

“Many thanks for your invitation to teach in the 1951 summer session at Berkeley. Much as I would enjoy this opportunity for scholarship and seeing old friends, I feel I must deny myself the pleasure because of the present poor state at the University of California of academic freedom, tenure, and faculty control of university affairs.”

Others declining invitations to come here (or to U.C.L.A.) include: the Chairman of the Department of Physics at a major west coast university, “One of the ablest theoretical physicists in the country”; Chairman of the Department of Anthropology at a great mid-western university, a fellow of the A.A.A.S., consulting editor of *The Encyclopedia of Social Sciences*; a practising landscape architect, described as the most widely known and greatly admired landscape architect in the world today; a distinguished author and student in the field of Political Theory, Chairman of the Research Committee of the American Political Science Association; a Professor of International Relations, Member of the U. S. Delegation at the Dumbarton Oaks Conference, Consultant to the State Department; a distinguished anthropologist, and former official in the O.S.S.; a Professor of Sociology at Columbia University, etc., etc. Their letters of declination provide evidence patent enough of what illustrious men in the profession regard as “minimal standards” in tenure and academic freedom, and of this University’s present failure to meet these standards. Characteristic ones are here given:

“I need scarcely reiterate my devotion to the University of California and my interest in seeing it resume its distinguished academic reputation. My loyalty to my country is also unquestioned. It is based on a profound faith in the traditional values expressed in its founding documents. I am deeply concerned by attacks on those traditions from radicals of the extreme right and extreme left. I recall my distress at the supine role of many intellectuals when Germany was coming under the Nazi Party. The miserable moral position of intellectuals in the USSR is too well known to need comment. I should not like to be counted among those who will justify any means for ends that may be laudable. However futile gestures against such means may sometimes be, not to make them is the beginning of personal and social degradation. In all conscience I cannot feel that I would be loyal to our country if I abet the adoption of methods used by ideological systems antipathetic to those of our democracy.