

## Commentary on a Crisis

A representative of *The Revelle College Dissenter* asked W. W. Bartley, III, Associate Professor of Philosophy, to comment on recent events. Dr. Bartley commented as follows: "I think I can reply to some of your questions. A very serious situation has been developing during the past five weeks on this campus - a situation connected with academic freedom, with fair employment practices, and with educational policy.

"I first became aware of the situation on December 16, just over a month ago. On the early afternoon of that day I learned from several of my colleagues that two graduate students, one in the department of philosophy and another in the department of linguistics, had been refused graduate assistantships in the dormitories of Revelle College on the basis of their political beliefs and activities, and that another resident assistant had been fired under peculiar circumstances. I discussed this with the chairman of my department, and decided to call on the provost of Revelle College to ask for an explanation.

"Provost Goldberg kindly spent three-quarters of an hour or so defending his procedure. I found his position alarming, and returned to my office to write a memo to him, dated December 16, part of which reads as follows: 'As you will remember, we had a long discussion this afternoon about some apparent irregularities in the hiring and firing of assistants in the halls of residence of Revelle College. You complained that people had been unwilling to hear your side of the story and asked me to hear you out. I did so, and wish to record a few comments in writing.

"You apologized for your introduction of political criteria during your interview with Bauerlein and Diepersloot as a "strategical error" on your part. One can only agree that, from your point of view, to allow to become public that you were using what would appear to be illegal and unconstitutional criteria was at least a strategical blunder. What is more alarming is that you continued to defend the use of such criteria. You told me that Bauerlein and Diepersloot were "proselytizers" and that it was your duty as provost to prevent such people from becoming resident hall assistants just as it would be your duty to keep a priest from becoming a resident hall assistant. Without in any way accepting your characterization of priests, or your suggestion that a priest would use a university office to convert people to his faith, I wish to point out that your use of the pejorative word "proselytize" already prejudices the issue here and is a violation on your part of academic freedom.

"In addition, I wish to record my surprise that you would introduce a parallel with religious issues in such a context. The legal and consitutional histories of political and religious discussion are quite distinct. There is a separation in American law between church and state; there is as yet no separation of political discussion from the state or from state institutions.

"I was also astonished at the barrage of arguments you brought forward to establish that you were on the "right" side, whatever that right side might be. For example, you insisted that you were "further left than Marcuse." Who cares? I happen to be a Republican and voted for Eisenhower. I am presumably further right than Marcuse. Who cares? What does that have to do with the

## The Goldberg Variations

### Editor's Note:

A series of events centering around the dormitories have raised grave questions concerning the nature and prospects of the experiment at the University of California, San Diego. The founding of this campus was heralded as a significant new development intended to overcome such problems in American higher education as computerized bureaucracies, huge student populations, and depersonalized student-teacher relations. The question arises whether such an experiment could ever work if dormitory life were not integrated successfully into the total structure of this campus. At the beginning of the first quarter there were strong indications that those responsible for the development of Revelle College did intend to initiate imaginative policies to achieve integration of this character.

present discussion? Nothing.

"In short, my impression of our conversation is that your position is incoherent, uninformed, alarming, dangerous to the development of Revelle College."

After reading this part of his memo, Dr. Bartley went on to comment: "Although this memo was written over a month ago, I did not send it to the provost until this morning, since Professor Popkin asked me to delay sending it until the provost had had an opportunity to reconsider his position. The provost has now had a month to reconsider his position. We have all tried during the past month - tried elaborately - to save the provost's face; and we may to a certain extent have lost our own souls in the process. Though we have been distressed for weeks now, we have been doing our best to keep the matter as quiet as possible, in order that a reasonable solution could be reached, so that mistakes made could be corrected quietly and a constructive atmosphere achieved. In view of the provost's recent decisions our hopes appear to have been made in vain; and it therefore becomes necessary to make this a public issue despite our ambivalent feelings about this, despite the possible distasteful aspects of discussing such issues in public.

"In effect, it is a question of determining the environment in which we are going to live in this little corner of San Diego, and a question of whether we professors will allow our students to be educated in immorality by our own failure to speak out. If we allow such behavior to go by unchallenged we lose our right to challenge any future misbehavior.

"I for one do not want to live in a community of throttled student newspapers, violation of academic freedom, violation of fair employment practices, discriminatory firing, cheating rings, and alcoholic dormitories. And this is why I make the following com-

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### The Organic Act

The organic act of the University expressly provides that no sectarian, political or partisan test shall ever be allowed or exercised in the election of professors, teachers, or other officers of the University, in the admission of students, or for any purposes whatsoever. 49 California Jurisprudence, 2nd Edition, 472, 492.

This has not happened. Quite the contrary. Repeatedly, those in de facto control of the dormitories have not allowed specific proposals even to be discussed seriously - proposals, that is, which were intended to prevent the repetition here of the old student-dormitory stereotype that has failed elsewhere.

If corroboration of this point were necessary, one would only have to look at what has happened in Revelle College this past quarter: One resident assistant was summarily dismissed, two candidates for the position of RA were denied jobs on dubious grounds, and the Head Resident (Mr. Ronald Kirkby) resigned in protest. The students of Revelle College have a right to know what has been going on.

## Chronology of a Crisis

### The Ideal

The provost's office issued last quarter a list of "Responsibilities of Resident Assistants," among which are the following: "To encourage students to take advantage of the intellectual, cultural, and recreational opportunities offered at the University; to promote individual and group activities that will facilitate and carry over classroom learning to the residence halls; to help provide opportunities for the students which will give them a chance to learn the responsibilities which must accompany freedom; to support the administration and faculty in actions which further the educational goals of the University." In an interview with Douglas Hopkins '69, Provost E.D. Goldberg remarked that his criteria in the selection of RAs are: foreign language ability, scholastic aptitude, acceptance of responsibility to his office, social and personal appearance, past experience, and motivation. The function of the RA, he said, is to integrate living and studying.

### The All-Too-Real

More recently the provost has remarked that the function of the RA is purely "administrative," and thus that the hiring and firing of RAs is entirely the business of his office. This appears to conflict with the impression conveyed by the provost earlier. Mr. Ronald Kirkby, Acting Assistant Professor of Philosophy and former Head Resident in the dormitories, wrote to the provost on December 17: "I have suggested to you, and I thought that you agreed, that the hiring and firing of RAs is for the most part a matter of educational policy. I believe that the source of the present difficulties is the fact that administrative personnel who are not members of the academic community here, and who cannot be expected to be committed to the same goals as the academic community, have been permitted to exercise control over policy in regard to the qualifications and desirability of RAs."

The "difficulties" just mentioned began on December 3, when the decision was made to fire Miss Erica Sherover, RA of Galathea Hall. A series of accusations against her was eventually produced in response to the inquiries of the students of Galathea Hall. According to a statement of the occupants of Suite 450: "Mon-

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# EDITORIAL PAGE

Vol. I, No. 1 of *The Revelle College Dissenter* is sponsored by the following registered students of The University of California at San Diego: Richard Blackburn, David Bouvier, Alice Cook, Andrew Feenberg, Gayle Fuji, L. A. Hitchcock, Stephen C. Jones, William Leiss, James Murphy, Ronald Pezenas, Robert Poe, Phil Ray, Naomi Schiff, Howard Schwartz, Vicki Sharp, Marlin Thommes, Michael Whitney, and Marion Yanke.

The staff of *The Revelle College Dissenter* are well aware that in publicly airing the whole Bauerlein-Diepersloot affair, they are making it very unlikely that either of these two students will ever be hired as resident assistants, in spite of the "flexibility" of the provost's office.

## The Making of a University

The most important issue confronting a new university is the question: what kind of a university shall it be?

The matter is to some extent determined by factors such as the locale, the funds available, and even the buildings. The most important factors, however, are the kinds of human beings who live and work in the university, the kind of students and faculty who are the human constituents of the house of knowledge.

This university prides itself on the fact that it accepts only the brightest students, that it has engaged a most distinguished group of scholars for its faculty, and that both faculty and students are engaged in a challenging experiment in education. And it is only right that a university which prides itself on the intellectual calibre of its faculty and students pride itself on the statement made by Chancellor Galbraith in his open letter of October 8 to the *San Diego Union*: "A university by its essential nature must maintain an environment of free inquiry and free discussion." Free inquiry and free discussion are indeed requirements made by intelligence itself, in order that it may carry on its continuing search for truth.

But intelligence is not something that functions only in the laboratory or in the classroom. "Academic affairs" are not a matter of memos and notes sent between various faculty offices to be safely laid to rest in file cabinets and desk drawers. Reason cannot be divorced from life and confined to a limited

area within which free discussion is allowable because the issues are guaranteed to be not really serious. A university is not a multi-nursery.

But if reason cannot be divorced from life, intelligence cannot be separated from morality, and the matter of the excellence of a university is inseparable from the question of the morality of this same community.

No university, no matter how "bright" its students nor how distinguished its faculty, can function as a university unless it commits itself to the principle of free and open discussion of controversial and even "dangerous" issues. No university, no matter how many of its students get "A's", and no matter how many of its faculty publish in important professional journals, can function as a university if it allows the fear of "scandal" to silence free and open discussion of "explosive" issues, even those issues which hit closest to home, even those issues which have to do with the inner workings of the university itself, even those issues which might be "settled" quite amicably by deals and bargains, promises and threats.

Professors cease to function as professors and students no longer function as students when deals are made and bargains are concluded. A university is not a stock market. Morality cannot be bought and sold. Intelligence without morality is hollow and a university that conducts its own affairs by secret diplomacy can only be a mockery.

## The Unmaking of a University

"You remember 'rent.' It was one of father's words - rent to the ideal, to his own faith in human nature. You remember how he would trust strangers, and if they fooled him he would say: 'It's better to be fooled than to be suspicious' - that the confidence trick is the work of man, but the want-of-confidence trick is the work of the devil."

- Margaret, in *Howards End*, by E.M. Forster

We would like to be as generous as possible to Provost Goldberg, but it is hard to believe his story that the sole reason why James Bauerlein and Jan Diepersloot were not hired was lack of funds. We cannot doubt the truthfulness of those faculty members who have reported to us that the provost repeatedly explained his exclusion of these students on the grounds of their political activism. Furthermore, the failure of the provost to take up the matter of this shortage of funds with his own financial committee casts a shadow on his story.

Suppose - to be as fair as possible - that the provost, in all good faith, was worried that Bauerlein and Diepersloot might misuse their positions as resident assistants to make political recruits. In their *Sandscript* editorial, Bauerlein and Diepersloot had indeed written of the political organization of the dormitories. After the outcry about the exclusion of these students for political reasons, it would be understandable if the provost felt obliged to shift his ground to the neutral issue of financial shortage.

Yet, given this interpretation - and it seems one which takes into account what is known about this incident as well as the good intentions that must be assumed to have been present on the part of all involved - did the provost do the right thing? We do not believe so.

The provost was of course justified in being concerned about the students in the dormitories; that much was his duty. And he may have been curious whether Diepersloot and Bauerlein would organize the dormitories politically but he had no right to question them on the subject. Furthermore, Diepersloot went

into an elaborate statement of his financial need (a matter that would ordinarily be considered private) to show his good faith, to show that he was not applying for a resident assistantship for some obscure political motive. The provost had no authority to ask political questions of these applicants, and certainly his suspicions should have been allayed by the explicit denials by Bauerlein and Diepersloot of intentions to organize the dormitories politically.

Of course there remained a risk; but there always does, no matter what we do or fail to do. Life is dangerous: the world is full of "might-have-beens" and "might-be's". And one of the premises of a free society is that there are some risks which are eminently worth taking. For example, our free society is based on the assumption that its citizens are innocent until proven guilty. In this case, Bauerlein and Diepersloot were "guilty" of at most arousing suspicion, not of perpetrating a thousand possible political pacts.

Furthermore, leaving aside the question of its wisdom, the *Sandscript* editorial - written before these students had any intention of becoming resident assistants - was perfectly legitimate as a statement of private belief. Later, the situation was radically changed; and the provost was legally and morally obliged to treat Bauerlein and Diepersloot as if they had never written their editorial at all.

Just as, during the McCarthy period, all a man's professions of faith in American ideals notwithstanding, his past associations and words were used to deny him employment, so today on our campus, it would appear that individuals may be assumed guilty before they act, on the basis of their past remarks. That this sort of thing should not happen is the vital premise on which a free society must rest, and in failing to live up to the requirements of this premise, our provost infringed on academic freedom. We may understand his action as individuals, but we cannot support it as citizens. We cannot allow the mentality of McCarthyism to rule the administration of our campus. If we were to allow this case to go unchallenged, we would have to give up all pretense of believing in democracy.

## BARTLEY INTERVIEW

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ments on academic freedom and educational policy at Revelle College, and on the cases of Messrs. Bauerlein and Diepersloot and Miss Sherover.

"To begin, the most important issue is one of educational policy." Dr. Bartley, who is a member of the campus Committee on Educational Policy, elaborated: "We have here at Revelle College a new departure in education, an imaginative attempt to eliminate some of the disadvantages traditionally associated with large state universities, such as depersonalized contact between faculty and students. Some attempt was to be made here to engage the faculty more actively in the life of the campus through such institutions as the college system - and to do so in a way that, far from diminishing the research and publication productivity of the professors, would stimulate both students and faculty to their mutual advantage, and to the advantage of the entire educational system of the state of California.

"What has happened here during the past month makes one wonder whether we are not working against this admirable aim rather than for it. In the course of the discussion about employment practices in the dormitories, it was frequently asserted by the provost that such dormitory appointments were the concern of the administrators and were none of the business of the various academic departments and professors. Indeed, the provost of Revelle College charged the philosophy department collectively with dereliction of duty when it commented on these matters and actively complained about his policy.

"Why this is alarming is obvious. Why it relates to educational policy needs to be explained. The intellectual environment of this college is not something that begins and ends in classrooms. The educational function of the college inevitably spills over into those dormitories and into the dining hall - which are after all only a few hundred feet away, only a few minutes' walk from the Humanities-Library building. We apparently live in an exciting and stimulating intellectual environment in which all questions may be discussed when we are in the Humanities-Library building. Apparently it is being suggested that one should return to a rather dull, lethargic, anesthetized atmosphere - staffed by 'uncontroversial people' - when one crosses the path to the dormitories. I wonder whether the faculty of the University of California would endorse such a schizophrenic situation?

"The question of the organization and staffing of the dormitories of Revelle College is, then, a serious matter of academic policy which should concern its faculty members. What I am suggesting is hardly new. It is often said that our college system is meant to emulate some of the better features of the college systems in operation at such institutions as Harvard, Yale, and the British institutions such as Oxford, Cambridge, and London. Although the college systems of these universities do not really compare on many important points with our own, one of the points on which they must compare if our own college system is to be taken seriously is in faculty participation in the creation of the environment in which students spend the majority of their time: the dormitories, the community, the dining halls."

Dr. Bartley, who was formerly lecturer at the Warburg Institute of the University of London and at the London School of Economics, and who has just been elected a Bye-Fellow in Philosophy at Gonville and Caius College, Cambridge University, stressed: "I speak on this matter with some feeling and with some experience. When I was an undergraduate at Harvard, I remember that someone remarked that the most important part of the Harvard education took place neither in the libraries nor in the classrooms. Rather, the most important part of the Harvard education consisted in growing four years older in extraordinarily good company in a superb environment: namely, in the houses or colleges where students lived, discussed, took their meals, studied.

"In short, one of the urgent matters facing this campus is the selection of staff to man its halls of residence and counsel its students. Are we to send some of our ablest men throughout the world to recruit a great corps of professors, and to treat as comparatively unimportant the environmental features which are created only by a high quality adminis-

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## THE GOLDBERG VARIATIONS

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day evening (December 13), interested girls from Galathea Hall met with the provost. At this time he produced the requirement list for RAs. When he talked about Miss Sherover's alleged deficiencies, the students countered his accusations with examples of her responsibility. Provost Goldberg seemed impressed with these, and said, "O.K., you won. We were wrong. But it may be too late to do anything about it." He mentioned financial arrangements as a difficulty, and also said that a new RA had been hired."

Similar charges were related directly to Miss Sherover when she inquired about her fate, and she too attempted to refute them. The crucial point appears to be that the decision to fire her was made *before* she was allowed to defend herself against what were (in her view) utterly false accusations concerning her performance as an RA. According to a statement in an interview with Professor Bartley (printed in full elsewhere in this newspaper): "The provost told me that he had to fire Miss Sherover because she was derelict in her administrative duties even though she was unusually competent and gifted in her academic duties. One rarely hears such double-think in a university of high quality. And I doubt that one would very often hear such talk if it were accepted, contrary to fact, that it is possible to separate one's academic and administrative functions neatly." The decision to fire her was not revoked. It is reported that the facts of this case will be reviewed by an independent committee.

### Go Back to Berkeley

New positions for RAs opened up shortly thereafter, and among the applicants were Mr. James Bauerlein and Mr. Jan Diepersloot. On Saturday, December 11, Mr. Kirkby talked with Miss Mary Avery, assistant to the provost, about the list of applicants for the position of RA. Miss Avery told Mr. Kirkby that Bauerlein and Diepersloot were unsuitable as RAs because their political views and activism made them controversial. Miss Avery claimed that if Bauerlein and Diepersloot were allowed to become RAs, the campus of this university would come to look like Berkeley. When Mr. Kirkby objected to her remarks, she told him that he belonged not here but at Berkeley.

Mr. Kirkby was questioned further by our reporter. He stated that "On Monday, December 13, Provost Goldberg, Miss Avery, and I looked over the application forms of the candidates. Having done this, Mary Avery reiterated her view concerning the unsuitability of Bauerlein and Diepersloot. She said that her mind was already made up, that nothing could change it; that their political activism made them too dangerous to have in the residence halls, where they could exert undue influence."

The applicants were interviewed on Tuesday, December 14. All the applicants were asked why they wanted to become resident assistants. All were also asked whether they would support the administration's rules for the residence halls, even if they disagreed with a specific rule. All answered, "Yes." Mr. Kirkby was then asked whether, on the basis of his own knowledge and of the interview, he considered Bauerlein and Diepersloot qualified to be RAs. He answered, "It was (and still is) my carefully considered opinion that both would make excellent RAs."

We asked Mr. Kirkby whether any kinds of questions were put to Bauerlein and Diepersloot which were not put to the other candidates. He replied that both were asked about their political intentions with respect to the dormitories, and that a large part of their interviews consisted of questions about political matters. The question was put to them, in several different forms, whether they intended to use their positions for political recruiting, proselytizing, or indoctrination; both answered consistently in the negative to all such queries. Mr. Bauerlein stated that in his interview he expressed his belief that "it would be criminal for a resident assistant to proselytize in the dorms." The other two applicants were not asked any such questions.

Mr. Kirkby related that after the interviews were over "Mary Avery stated that the interviews had done nothing to change her mind about Bauerlein and Diepersloot. She reiterated that the fact that they were controversial made them unsuitable as RAs."

The decision as to who would be selected to fill the position of RA was made by a vote of

the provost, Mary Avery, and Mr. Kirkby. According to Mr. Kirkby, the provost and Mary Avery voted in favor of the man who was hired. He stated that "Miss Avery said that he was less of a risk than either Bauerlein or Diepersloot. The provost agreed."

The provost had told Mr. Kirkby earlier that he had wanted Mary Avery to make the decision as to the qualifications and selection of RAs for the coming quarter. Mr. Kirkby had objected to this policy on the grounds that the selection of RAs was a matter of educational policy. The provost had finally agreed to take part in the selection process.

As a result of these differences Mr. Kirkby wrote to the provost: "I am very sorry to have to report that I can no longer work with your assistant, Miss Mary Avery. I think that she has been occupying herself with matters that are entirely outside her competence, namely with educational policy. The case in point is her outrageous statements about the two recent applicants for the position of Resident Assistant in the residence halls, Mr. J. Bauerlein and Mr. J. Diepersloot. As you will recall, she asserted that the mere fact that they were in some sense controversial is enough to exclude them from becoming RAs. She also commented that their political views and activism made them too dangerous to have in the residence halls, where they could exert undue influence. That sort of comment, and that sort of view of the nature of our task in Revelle College, I find absolutely reprehensible and intolerable." Mr. Kirkby asserted in this letter that he would have to resign unless the hiring and firing of RAs were to be determined by a faculty committee. His proposal was not accepted. His resignation was.

### UNIVERSITY OR MULTI-NURSERY?

"...don't you think that either consciously or unconsciously you will influence the thinking of the students ... these young students whose minds are so impressionable?"

Provost Goldberg to Jan Diepersloot  
Dec. 14, 1965

"The fact that Bauerlein and Diepersloot are controversial makes them unsuitable to be resident assistants."

Mary Avery to Ron Kirkby  
Dec. 13, 1965

"A university must by its essential nature maintain an environment of free inquiry and free discussion. The administration will maintain and protect that environment."

Chancellor Galbraith in an open letter to the *San Diego Union*.  
Oct. 8, 1965

### Provost's Position Shifts

Our reporters also interviewed Messrs. Bauerlein and Diepersloot on their experience. They replied: "Our interview was an affront and an insult. We were subjected to an interrogation of our political beliefs and activities. In our opinion, the line of questioning was intended to disqualify and eliminate us on account of our political convictions. This was exemplified by such questions as, 'Don't you think that either consciously or unconsciously you will influence the thinking of the students?' That same afternoon we were informed that we were not to be hired. To the best of our knowledge the provost subsequently admitted to several faculty members that the determining factor in the decision was the contents of an editorial written by us which had appeared in the school newspaper earlier this year.

"Most importantly, the provost never gave us an opportunity to explain and elaborate on what we wrote; he never asked us to clarify our statements. He never allowed us to say that the editorial was above all the result of our reaction against the stifling atmosphere of the undergraduate institution which we had attended, where our time and efforts had been spent in years of futile battle against the fraternity-sorority clique who controlled all major activities on the campus and perpetuated the socially-oriented, anti-intellectual atmosphere for which they are so well known. Our sole purpose in writing the editorial in question was to prevent this from happening here at UCSD (for there were signs that it might) and to keep the campus an intellectually stimulating and culturally rewarding place.

"The matter becomes more incredible when

it is realized that the provost himself influenced us, either consciously or unconsciously, in our decision to be actively engaged in campus activities. Throughout the quarter we had amiable conversations with him about affairs on campus and what was needed to make it more alive. He constantly applauded and urged us on in our activities. He was enormously cooperative in the organization of the Vietnam Day protest; he constantly reiterated the need for a alive, politically active campus; he told us he wanted the dorms to organize and engage in controversial activities; he wanted a newspaper called the *Revelle College Dissenter*; and so forth. These urgings were of great influence in our actions.

"Finally, as those who know the details of our case are fully aware, in rejecting us he clearly disregarded our experience and need."

### Faculty Becomes Involved

Almost immediately this issue became known to various faculty members. Over a period of days many of them spoke at great length to the provost and also met together in groups. A number of faculty members sent letters to the provost charging him with violation of academic freedom, the Fair Employment Practices Commission laws, due process, and the first, fifth, and fourteenth amendments to the United States Constitution. The provost replied that he failed to see the justice of the charges leveled against him, conceding only that perhaps he had made a "tactical" error in the case.

On or about December 17, as a result of further meetings, the provost agreed to a four-point program to solve the difficulties. The first two points were agreed to on condition that money could be found to finance them. They were: (1) Bauerlein and Diepersloot would be hired; (2) Erica Sherover would be given another position in the dormitory (with room and board), perhaps as assistant to the Head Resident. *The provost gave firm assurances that the funds would be available.* Point three consisted of two parts: (a) the Head Resident would assume complete responsibility for academic matters in the dorms, while Miss Avery would be responsible for administrative matters; (b) the duties of the Head Resident and of the Assistant to the Provost would be kept entirely separate and both would be responsible to the provost. Point four stated that it would be helpful for the provost to consult with a group of administrators, faculty, and students on dorm affairs, this group to determine the general characteristics of dorm policy. On the following day, however, the provost informed a faculty member that he was withdrawing his agreement to the four points, but he denied that he had changed his mind as a result of a meeting with the Chancellor.

Early in January a meeting was held between the provost and a number of faculty members from various departments. The provost reportedly expressed anger at what he considered harassment from a segment of the faculty, and said he was prepared to present a bill of particulars, defending his position, to the Academic Senate of the faculty. He asked to be relieved from the promise he made concerning Bauerlein and Diepersloot so that he would be able to hire them as a free agent. Also at this meeting, Dr. Liebermann stated that his committee had found no violation of academic freedom. The provost therefore asked to be given a clean bill of health. The assumption of several faculty members there was that the provost was acting in good faith and that the clean bill of health was a mutual gentlemen's agreement. In addition, Douglas Hopkins, former reporter and editorial writer for the *Sandscript*, told our reporter that he had informed Dr. Clark Kerr, president of the University of California, by letter about the situation. According to Hopkins, President Kerr was upset and tried to influence the provost to hire Bauerlein and Diepersloot. (Hopkins remarked that this information came from "reliable sources," but said that he had no proof of it.)

### Dorms Without Problems

Provost Goldberg gave his interpretation of the whole affair to our reporter. He noted that there were no problems in the dorms at present, so there was no necessity for hiring additional RAs. Next quarter there was a possibility that more RAs would be hired, in which case Bauerlein and Diepersloot would be at the top of the list of candidates. The issue in the case of Bauerlein and Diepersloot

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sloot, he explained, could not be one of academic freedom, since the jobs that were refused them were of a purely administrative nature. Certain individuals on the faculty did not understand this and therefore saw the problem as one of academic freedom.

On the larger issue of job discrimination because of political beliefs, the provost said that his office was blameless. When asked about the *Sandscript* editorial written by Bauerlein and Diepersloot, the provost replied that (apart from its political content, which did not concern him) it was offensive to him in terms of the hiring of RAs. The job of RA, he said, is not meant to be used for the purpose of political organization, and no person who stated that he intended to use the job for such purposes would be hired. On the other hand, since Bauerlein and Diepersloot stated that they did not intend to use the job in this manner, this consideration was not important in the decision not to hire them. The other applicant was more qualified, he said.

#### Musical Chairs

There are chronological anomalies involved in attempting to explain the order of staffing the dormitories. The provost has stated many times with reference to the interviews that only one position was available at that time (the position was filled by Mr. John Nuber); the provost has also repeatedly asserted that Bauerlein and Diepersloot are and always have been his first alternates for an RA position "when funds become available." Yet sometime during that same week funds became available for the hiring of Mr. Werner Raffke for the dormitories, who (according to our information) was to be a special counselor concerned with the language program of Revelle College. Additional funds became available in January when another RA, Mr. Mike Monahan, was promoted to the position of Head Resident, filling the vacancy caused by Mr. Kirkby's resignation the previous December. Yet, instead of hiring Bauerlein or Diepersloot to fill the vacancy caused by Mr. Monahan's promotion, the provost's office decided to make Mr. Raffke a regular RA. In view of these transactions, perhaps the provost will explain more clearly what he means by the availability of funds for Bauerlein and Diepersloot.

#### En Attendant Godot

At the present moment Messrs. Bauerlein and Diepersloot have not been hired, although they have been told on innumerable occasions by many different individuals that they will be hired "when funds become available." The provost claims that his handling of this entire matter has been investigated by two committees - the chancellor's administrative committee and the Senate committee on academic freedom - and that neither committee has found a violation of academic freedom or any other irregularities.

Professor Leonard Liebermann, chairman of the Academic Freedom Committee of the Academic Senate, said in an interview with our reporter that a formal charge was brought before his committee by a faculty member in the case of Bauerlein and Diepersloot, that an extensive investigation was conducted and is now complete, and that the conclusions (but not the proceedings) will be made public in an official report to the Academic Senate within a few weeks. He remarked that it was his understanding also that Bauerlein and Diepersloot are at the top of the list of applicants and will be hired as soon as funds are available. The issue would be revived, he said, if someone were hired before them; and he thought that a great many faculty members would support them at that time.

However, neither Messrs. Bauerlein and Diepersloot nor (to the best of our knowledge) the provost have been interviewed formally by these committees. Only informal conversations have been held. The parties concerned have not had the opportunity of cross-examination on disputed points. Moreover, there is no evidence that these committees have investigated the circumstances surrounding the shifting of RA positions since December, to determine whether this constitutes a violation of the promises concerning Bauerlein and Diepersloot made by the provost. It is not known at the present time whether or not the investigations will be re-opened.

#### Plus c'est la meme chose, plus ca change

The provost closed the interview with our reporter by explaining his views on civil liberties. He claimed to be deeply committed to civil liberties - in fact, almost radical on the subject. The provost said that he believes the function of the University is to lead the community, and that he has never been interested in stifling discussion here in order not to shock important circles in San Diego. The issue concerning RAs must be approached in this manner: If the function of the job excludes political organization of the students by the RA (as it does), then the interview must ask a prospective RA whether or not he would use this position for the purposes of political organization. If the answer is "yes," then he must be excluded. If it is "no," then whatever his political views, the individual may not be excluded on account of them. It is only in this sense that questions touching on civil liberties may be asked in relation to the position of RA.

This means that a question of this form - "Would you through your own convictions use the job for the purpose of political organization?" - is absolutely to be avoided. The job and the person must be distinguished. Provost Goldberg stated that his "mistake" was to ask a question on this subject to Bauerlein and Diepersloot in a form that was either somewhere between the two forms presented above, or subject to such an interpretation, or confusing. This led them and others to the conclusion that they were being excluded on the grounds of political beliefs. In fact, the provost concluded, it has been demonstrated that whatever he said in the interview (and he said that he did not remember exactly what he said), political considerations never entered into his decision.

#### BARTLEY INTERVIEW

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trative staff? Or should we not also send some of our abler personnel to recruit people of sophistication to supervise the dormitory life, to act as medical advisors, to act as psychological advisors, in order to counteract some of the conflicts imposed on our students when they begin to emerge, in this university, into western civilization?"

When asked to elaborate on the issues of academic freedom, Dr. Bartley said: "The provost has correctly claimed that the committee on academic freedom exonerated him of the charge of having violated academic freedom. I admit that I am baffled not only by the provost but also by the committee on academic freedom. One wonders how the committee went about investigating the charge, since several crucial pieces of information seem never to have reached its attention. Did it interview all the parties to the discussion? Was there sufficient cross-examination? Such questions seem to me to be both interesting and importantly relevant. And sufficient new information appears now to have come to light to require that the committee on academic freedom reexamine the entire issue exhaustively.

"I have been told informally," Dr. Bartley continued, "that although some of its members believed that the provost had in fact violated academic freedom, the committee on academic freedom did not wish to make such a formal accusation provided that the provost corrected his mistake, and provided places in the dormitories for these two young men. In short, if the provost recognized his mistake, there was no point in leveling at him the very serious charge of having violated academic freedom. It appears that there was a kind of gentlemen's agreement here: that the academic freedom committee would not go through with this investigation, regardless of whether the accusation was correct, and that in return the provost would correct his mistake. If this is what happened, one could hardly object. But it is apparent that no such agreement was followed through. In fact, after the provost's official clearing, the rules of the game sud-

denly changed. At this point the provost suddenly demanded that the fact, that the committee on academic freedom had exonerated him of having violated academic freedom, be printed in the proceedings of the academic senate - in short, made public - and he went on to demand what he claimed was the logical implication of this clearing: namely, that he was a free agent to choose the personnel of the residence halls as he pleased."

When asked whether he had anything further to say about Bauerlein and Diepersloot, Dr. Bartley said: "Yes, there was a peculiar feature in the present situation. I am referring to the editorial which Bauerlein and Diepersloot contributed to *Sandscript*. I regard this editorial as not only unwise but as silly, and I made my views known to the writers immediately after it was published. The writers accepted this criticism, and assured the provost at the time of their interview that they would not attempt to organize the dormitories politically. Moreover, they have pointed out that a number of printing errors had crept into their original editorial - errors which seriously distorted its meaning. So, mistakes on both sides of the fence appear to have been made, even if only on one side of the fence a different line is being hoed. In short, our graduate students showed that they could make mistakes, and that they could learn - learn about politics and about the nature of a university. In failing to accept Bauerlein's and Diepersloot's withdrawal of their editorial remarks, does the provost suggest that they are not capable of learning? And if our graduate students are not capable of learning, what is the point of having a university here?"

"This by no means sums up my thoughts on Bauerlein and Diepersloot, but I can elaborate them when necessary. The case of Miss Sherover is, if anything, even more serious. I do not have complete information about the summary dismissal of Miss Sherover; in fact, as far as I know Miss Sherover does not have complete information either: the explanation of why she was dismissed has changed from day to day depending on to whom the provost has talked. I understand that this whole matter is to be referred to a review committee where one hopes that justice will be done. The only comment I shall make is this: The provost told me that he had to fire Miss Sherover because she was derelict in her administrative duties even though she was unusually competent and gifted in her academic duties. One rarely hears such double-think in a university of high quality. And I doubt that one would very often hear such talk even if it were accepted, contrary to fact, that it is possible to separate one's academic and administrative functions neatly. The very idea that one could fire a person for failing in some minor administrative task when that same person was performing another very important part of her duty in a distinguished way is bizarre.

"Moreover, let me repeat that it is not yet established that Miss Sherover was ever derelict in her administrative duties. If the wild tales one has heard about administrative assistants being fired because they advocated the discussion of birth control in the dormitories are correct, this campus will become a national laughing stock.

"To sum up, the issue of Miss Sherover - like the issue of Bauerlein and Diepersloot - relates to the question whether there can exist in Revelle College the sort of separation between administrative and academic appointments which exist at some of the other campuses of the university, or whether there must not be a large number of appointments at this campus in which administrative and academic functions are recognized to overlap so considerably that reviews of hiring and firing must concern the faculty. The kind of personnel who advise students here must be a faculty concern. These people play an enormously important educational role in the life of our students; and their selection and review can hardly be turned over to people who are out of touch with America and with western civilization."