

FACULTY REBELLION AT BERKELEY

William Petersen

University of California, Berkeley

Whether it was a "student strike" that all but shut down the University of California for three days last December is, in my opinion, a moot question. Consider this freshman, whom I take to be typical of a very large number of students. She was torn between antipathy toward the Free Speech Movement and sympathy with her acquaintances who had been arrested; but on balance, after due consideration, she decided not to join the strike protesting the arrests. Her English instructor, however, dismissed the class, with a brief uninformed statement on the issues. Her professor of psychology came to an auditorium with an overfull attendance (for students in addition to those regularly enrolled in the course had come to hear his advice), gave a speech on academic freedom so platitudinous that every television station quoted it for the rest of the day, and dismissed his class. The auditorium where her class in political science was to be held had been turned over to a meeting of several hundred professors, who were discussing whether or not to support the strike. Only two of her five classes were held. Her physics instructor lectured to well over half the normal attendance. In her French class, the instructor lost her sympathy by attacking the strikers in what she thought was vindictive language and, contrary to his usual practice, keeping a record of attendance. (In the humanities generally, those on the faculty who held out against the widespread support of the strike were under strong attack from their colleagues, and sometimes overreacted.)

In a number of departments, teaching assistants consulted with the faculty on how they could omit giving their classes without running afoul of the California law that, in ambiguous terms, apparently prohibits a strike by state employees. In deference to these revolutionaries on the cheap, the faculty - who are protected by tenure - dismissed the classes of their teaching assistants. In short, these professional educators conspired with their students on how to break the law with impunity.

The Berkeley faculty is large and heterogeneous, and with respect to any of the issues involved in the crisis it is something of a misnomer even to speak of "the" faculty. Yet however expressed - by enthusiastic or partial endorsement, by hostility, by apathy or ineffective opposition - their attitude toward the FSM has been crucial. One can accept too easily the explanation of the "generational revolt," excellently expounded by Professor Lewis Feuer in The New Leader. So far as I was able to judge, the vast majority particularly of the undergraduates have done their best to follow the confused and changing lead of their professors. If they know any well enough to seek personal guidance, they seem to have sought it; if not, they have veered to the corporate leadership expressed in faculty statements. In order to understand why the main tendency of the faculty has been to mislead, to guide its charges toward support of the small radical minority of the student body, we must first look at the FSM and review briefly the conditions under which it arose on the Berkeley campus.

The first fact one must know about the Free Speech Movement is that it has little or nothing to do with free speech. During the months of rancorous dispute and rising crises, one of the few subjects not at issue has been the right of students to speak on campus in support or denunciation of anything whatever. Not only is every variety of radical politics freely advocated, but these abstract principles on the reorganization of society are spelled out in the form of specific recommendations of immediate innovations. Some weeks ago a representative of Slate, one of the extremist student groups, asked me to preside at a meeting at which a student would advocate the imbibing of marijuana as a healthful practice. It was not my cup of tea, I replied; but the meeting took place without me. When student opponents of the FSM carried picket signs supporting a "Free Sex Movement," the joke fell flat: it might have been meant in earnest. After all, there had been a meeting demanding that the Student Union put contraceptives on sale.

The radical students' talk of constitutional guarantees has been echoed not only by their supporters on the faculty but, paradoxically, by administrative spokesmen, including the Regents, and responsible faculty committeemen, who have hoped to dispel the revolutionary ardor of the students by repeatedly granting them, or recommending that they be granted, the right of free speech and advocacy. Some of this repetition has helped to specify the time, place, and manner of the free speech already existent on campus, but in the main the official and quasi-official statements have served only to validate the ultra students' demagogy.

The public, not surprisingly, has been taken in; the Big Lie has seldom been so widely believed. When John F. McCarthy, Republican leader of the California Senate, spoke on the Berkeley crisis before the Commonwealth Club of San Francisco, a rather conservative businessmen's group, even he, addressing this audience, found it expedient to remark that "of course" he did not condone the abrogation of constitutional liberties on campus. When the television networks showed two policemen dragging FSM leader Mario Savio away from a microphone, at least one news editor did not bother to explain to the viewers that, by Savio's novel interpretation of the First and Fourteenth Amendments, no one - not even the President of the University at a meeting convened by all the department chairmen - has the right to speak on campus unless there is a representative of the Free Speech Movement present to rebut him.

If not free speech, what then is the issue? In fact, preposterous as this may seem to those on the outside, the real issue is the seizure of power. The guiding principle of the radicals heading the revolt is one of Lenin's favorite aphorisms, which he borrowed from Napoleon: "On s'engage et puis on voit." Roughly translated, this appeared on one picket sign as "Strike now, analyze later." If the whole of American society is evil, if our alienation from "the system," "the power structure" is total, as speaker after speaker blares forth through FSM loudspeakers, then where one begins to attack

this monstrosity is important only in a tactical sense: the issue shall be one able to attract the broadest support.

At the beginning of each semester, Slate issues a "Supplement" to the University catalogue of courses, in which these are evaluated on the basis of a student poll. Last semester, the "Supplement" included also a former student's open letter to undergraduates, calling on them to "begin an open, fierce, and thoroughgoing rebellion on this campus."

"Go to the top. Make your demands to the Regents. If they refuse to give you an audience, start a program of agitation, petitioning, rallies, etc., in which the final resort will be Civil Disobedience.....Organize and split this campus wide open!"

The language has become all too routine, but this particular example of manifestese is a bit special. The open letter was published some time before the change in rules that, it is now alleged, provoked the student revolt. In early September the demands that Slate was putting forth were to abolish grades in undergraduate courses and discipline in student dormitories, and in other ways to achieve "a permanent student voice which is effective (that is, independent) in running University affairs." The only carry-over from the "Supplement" to the actual struggle to date has been such standard demands as that President Kerr (often spelled "Cur" on picket signs) resign, together with all other "top administrators who might employ slick diverting tactics."

When classes started last September, out of the more than 27,000 students at Berkeley, the perhaps 200 to 300 radicals were primed for rebellion. They needed only something specific to rebel against. In earlier semesters they had tried to engage the campus in campaigns against capital punishment or against atomic weapons or against the House Un-American Activities Committee; but these efforts had failed. The issue that enabled them to muster support was not substantive but administrative - the new enforcement of campus rules, long ignored, prohibiting the organization of political activity on campus.

Once started, the revolt grew rapidly, reaching a first climax in about two weeks. The University suspended eight students for collecting, contrary to the rules, money and names of supporters for various political organizations; 400 others demanded that they also be suspended. When the police attempted to arrest a former student for trespass (he was also breaking one of the University regulations), their car was entrapped and used as a rostrum from which student agitators denounced the "police state." Police were assaulted by Leonard Glaser, out on parole on a narcotics charge, and, allegedly, by Mario Savio, who bit a policeman on the thigh and, by such intransigence, developed in a few days from a junior in philosophy to the top leader of the student revolt.

The evening of October 2, with some 7,000 sympathizers and spectators jammed into the plaza before the administration building, disaster was imminent. Joan Baez, the beJaguared songstress of the dispossessed, had announced that she would come to sing revolutionary songs from the roof of the police car, further inciting the already stimulated rebels. There was to be a football game the next day, and it was rumored that at the pre-game rallies liquor was

32
33
flowing freely; as soon as it got dark it was expected that fights would break out between the radicals and the fraternity crowd.

I was one of a group of fifteen or twenty faculty members who tried to negotiate some compromise that would get the crowd dispersed. Chancellor Strong told us there was nothing to negotiate. President Kerr said it was too late for discussions: he told us that at six o'clock, when the police ringing the plaza were to move in to restore order, "blood would flow." If these tactics were intended to exert pressure on the radical students, they did not work. At the last moment the President reversed his stand; he and a group of student rebels accepted, with important revisions, the agreement we had drawn up. Temporarily the negotiations moved indoors, with a number of committees working to find a solution for what was still seen, with persistent naivete, as a temporary crisis.

Whether students should be given permission to organize on campus political activities to take place off the campus is a complex and difficult question. In any case, this dispute became obsolete on November 20, when the Regents revised the earlier regulations and granted the students the right to use the campus for political organization with only one proviso, that the off-campus activities be within the law. Apart from this exception, this was all that the students had originally demanded; and all of the dispute since that date has been around one or another version of one question: do college students have the right to determine, at their own discretion and without sanctions from a tax-supported educational institution, whether they shall obey any particular law? The buildup to the next climax, thus, was partly to protest the letter sent to four of the ultra leaders, instructing them to appear before an administrative committee to answer charges that they had broken civil laws, partly to support the "right" that students say they have to use the University as a sanctuary from which to make illegal raids on the general community. In support of these demands, the administration building was illegally occupied for the third time, and when the almost 800 students and nonstudents refused to leave or to walk to the police cars, they were arrested and dragged out.

The principal reason, of course, that large sectors of the University and the general community have supported the radicals' demand for sanctioned illegality is that civil disobedience is a weapon of the civil-rights movement. A few of the FSM leaders have spent a summer in Mississippi; and there is a persistent effort to equate the situation there with that in Berkeley, which in general is a nonviolent and law-abiding community. Most of the activist students participated last year in the sit-in at San Francisco's Sheraton-Palace Hotel, protesting the alleged discrimination against negroes in its hiring policy. On the Berkeley campus today, it seems, only a reactionary would suggest that those who want to further civil rights in the state make use of California's excellent agency for enforcing fair employment practices. As the students tell me, for them civil disobedience is not an ultimate weapon but the only device they can use to intimidate an opponent. I struggle to explain to them why, in terms of their alleged goals, these tactics are ultimately self-defeating. Civil rights, like

Law - a primary concern

democracy itself, exist only in a legal context; without a rule of law there are no rights either for minorities or for anyone else. In the South, the principal effort of the civil-rights workers has been to uphold laws broken by those in authority - for example, the laws granting suffrage irrespective of race. Sometimes bad laws - that is, those that would not be upheld by a judge - are deliberately broken in order to get the issue before a court; this was the purpose of disobeying the laws that segregated the races in schools, in buses, or at lunch counters. It is an entirely different matter to attack legal authority indiscriminately, as a means of blackmailing the community, and then to whine when one is arrested.

But, the radical students protest, they do not want to evade the law; they want only to avoid "double jeopardy." They are "willing" to be subject to the jurisdiction of the courts, they say, but not also to incur punishment as students for off-campus activities. This seemingly plausible argument has won much support for the FSM among both students and faculty. Yet it is false, on several counts.

1. In fact, the students have not been subjected to "double jeopardy," for President Kerr has protected them against this, even in the face of considerable community pressure. Those arrested at the Sheraton-Palace or the other brawls in the area, thus, have incurred no disciplinary action of any kind by the University.

2. While orating about "double jeopardy," the ultras have managed time and again to break laws and evade sanctions by either the civil authorities or the University. Thus, when a supermarket near campus that allegedly discriminated against negroes in its hiring policy had its business repeatedly disrupted, the management chose not to press charges against those responsible but to close the store; and the University also did not act against the students involved. Unlawful acts committed on campus - preventing an arrest, commandeering a police car, assaulting policemen - have not been reviewed by either University or civil authorities, though they were committed in the full view of hundreds of witnesses.

3. And when the advance agents of the civil courts, the police, came to apprehend those illegally occupying the administration building, the student radicals did not rejoice that at last, in response to their persistent demand, they were being treated like other citizens, no longer being subjected to the obnoxious paternalist protection of the University. Their howl of outrage at their arrest set off a strike that immobilized the campus.

4. It is not clear to me, with my meager knowledge of the law, that "double jeopardy" is really involved. Even if we consider a conspiracy on campus to commit a crime and its commission off campus to be a single act, it does not follow that the University should remain aloof from the responsibility of seeing that laws are obeyed. A felon is denied such civil rights as suffrage, or membership in professional societies like the bar and medical associations. Should a student who deliberately breaks the law be permitted to retain, as a right that cannot be challenged, the privilege of attending a tax-supported institution of higher learning? Should he have this right even when he disrupts the most fundamental purpose of a university, which is to seek truth through

calm and rational deliberation? In educational terms, the strongest indictment of the Free Speech Movement is that it tries to prevent, by the exertion of brutal intimidation, the free and open exchange of ideas.

The Free Speech Movement is reminiscent of the Communist fronts of the 1930's, but with several important differences. The key feature, that a radical core uses legitimate issues fraudulently in order to manipulate a large mass, is identical. The core in this case, however, is not the disciplined Communist Party, but a heterogeneous group of radical sects, which compete to get to the most extremist, and thus generally the most irresponsible, position on each issue. The careful camouflage of the archetypal front still exists, particularly in the repetitive assertions that only a minority of the students are radicals. This is true, as it has been true of every front organization; the question is, which minority? The ultras directing the revolt hardly bother to hide their radical associations.

The openly radical student groups active on campus include the following: The Young Socialist Alliance, the official Trotskyist youth group; the Independent Socialist Club, organized when a Trotskyist employee of the University split off the left wing of the democratic socialists; and the DuBois Club, the half-disguised youth group of the Communist Party. (When I told one of the assistants in the Chancellor's office that the DuBois Club is both a Communist front and close to the right wing of the ultras, I do not think he believed me.) There are also several leftist groups about which I have no further knowledge: Campus Women for Peace, Student Committee for Travel to Cuba, and possibly one or two others. In some few cases, the individuals are more easily identified than the groups; one of the principal FSM leaders, thus, is Bettina Aptheker, who shows no inclination toward generational revolt against her father, a national leader of the Communist Party. Three of the most active radical groups are more heterogeneous: Slate, the oldest radical organization on campus, and Core and SNCC, nation-wide civil-rights movements with little central direction, which on the Berkeley campus are more extremist than the national bodies.

During the presidential campaign a number of Republican groups (both Goldwaterite and moderate) were active, as well as at least one that seemed to be farther to the right than Goldwater; and some of these were included in the student "united front" operating in September. When the Free Speech Movement was organized in early October, however, most of these were excluded; and by the end of the year they either disappeared altogether or became opponents of the FSM. As window dressing the FSM has also included the Young People's Socialist League, the youth affiliate of the Socialist Party; Young Democrats; and two competing groups of Republicans. Over one weekend in October, the representatives of these last groups were dropped from the FSM Steering Committee; for, as one radical student told me, such "bourgeois flinks" become surplus as we approach a state of "dual power." But the momentum was not quite at that rate, and a few days later the YPSL's and YD's, apparently unabashed, were

back again holding up the same fig leaf.

How many of the FSM leaders are "card-carrying members" of these various parties and sects I do not know, nor is it especially relevant to an analysis of the movement. The radical leaders on the Berkeley campus, like those in Latin American or Asian universities, are not the less radical for being, in many cases, outside the discipline of a formal political party. They are defined not by whether they pay dues to a party, but by their actions, their vocabulary, their way of thinking. The best term to describe them, in my opinion, is Castroite. That some of the leaders make a point of their sympathy with the Castro government is true, but almost beside the point - which is that in crucial respects all of them imitate the Castro movement. *which imitated all revolutionary movements*

The FSM, that is to say, is an extremist student movement of a type new to the United States. In the 1930's the radicals in colleges were half-ashamed that they were not proletarians, working in a factory and organizing workers. Today, the radical students in underdeveloped countries - and at Berkeley - see themselves as the true intellectual leaders of the revolutionary movement, and perceive the other students as their most susceptible and potentially most useful targets. That from Marx and Lenin down virtually all revolutionary leaders were of the middle class had once to be explained away; in what we may designate the Castroite perspective, this fact is accepted, and made use of.

A second new feature of the FSM is its indifference - relative to earlier student movements - to revolutionary theory. The Socialists and the Trotskyists active in the 1930's, for example, dissipated much of their energy in differentiating themselves from the Communists; if the corridors of C.C.N.Y. were noisy, most of the clamor came from battles between one student group and another. Today, the spectrum of world Communism is so complex, and changes so rapidly, that only solid scholarship can delimit Maoists from Stalinists, Khrushchevites from Titoists, Ceylonese Trotskyists from Vietcong Communists, and so on. A few students continue in the Talmudic tradition of earlier theoreticians, but most of the FSM leaders seem to be content with a Castroite amalgam, heavily garnished with Castroite demagogy. To analyze where one should go is, by present standards, far less important than getting going.

If today's radical students are activist to a new degree, their mode of action is also - with proportions guarded - reminiscent of Castro's. The twelve men in the Sierra Maestra mountains, the tiny nucleus of the Castro movement, never grew to more than a thousand or two; yet this minute force was able not only to take power (as indeed was Lenin, in the aftermath of a devastating war), but even (unlike Lenin) to generate the conditions of its victory. Castro's hit-and-run raids provoked the Batista regime into a brutal and indiscriminate counterterror, which alienated the government's supporters and eventually the army itself. Provocative tactics applied against not a dictatorship but the liberal, divided and vacillating administration of the University proved to be enormously effective. Each provocation and subsequent victory is a step to the next. For those totally opposed to "the system," the solution of lesser problems are steps on the way to a total social transformation,

never the end to riots and demonstrations.

During the Christmas holiday, muddled by feverish committee meetings and competing rumor circuits, I escaped to my living room to listen to The Messiah - which brought me back to thought of the FSM leaders: "That is written: Death is swallowed up in victory!" And therefore: "O death, where is they sting?" If the FSM is killed on the Berkeley campus, in the opinion of its leaders its well publicized death throes can be used to generate the nationwide revolutionary student movement that Savio has begun to organize, and beyond that - for these are not reasonable or modest young people - perhaps a broader revolutionary party. The FSM fights for victory, but it would also consider martyrdom a victory.

That a tiny number (to repeat: perhaps two percent of the student body, a few hundred out of more than 27,000) has been able to disrupt the campus is the consequence only in part of their vigor and skill. To understand how this minuscule minority succeeded in getting so many students and faculty into motion, one must consider two other important participants: off-campus assistance of various kinds and the University administration.

Everyone who has watched the efficient armylike organization of the demonstrations has a reasonable basis for believing that skilled personnel and money are being dispatched into the Berkeley battle. During the demonstrations commanders of operations on campus - "in the field," one might say - keep in touch with the FSM headquarters with walkie-talkies. A public information center of the FSM distributes an endless stream of propaganda, a portion of which has been duplicated by University personnel with University materials. When the police arrived in the illegally occupied administration building, the first person arrested was a lawyer well known for his left-wing activities. Around the Berkeley community a dozen "ad hoc committees to support" this or that element of the student revolt sprang up, as though spontaneously out of nowhere.

The University administration, the President and the Chancellor and all of their various aides, have followed a simple formula, which can be illustrated best by an example in microscopic scale. The scene is the outdoor Greek Theater, filled to overflowing with faculty and students who came to hear President Kerr deliver an important policy statement. At the conclusion of the meeting, Savio rushes to the microphone and is dragged off by two policemen. Only then, someone thinks of turning off the microphone, and the other FSM types, who followed Savio onto the stage, shout inarticulately and gesticulate wildly, thus comically relieving the explosive potential. As we file out, Professor Robert Scalapino, who chaired the meeting, turns on the microphone again to tell us that this had not been a denial of free speech, really; that Savio can go and talk to his own meeting on the other side of campus; that this was a faculty meeting, with a fixed agenda; and so on. Silence for a few moments, and again the voice of Professor Scalapino, saying that Professor Joseph Tussman just explained to him that "Mr." Savio merely wants to offer two announcements, which he is now allowed to make after all. (Charles Powell, the elected president of the student body, also requested permission in advance to announce a

meeting in opposition to the FSM rally; his request is never granted.) Savio's first "announcement" is a denunciation of Professor Scalapino, the council of department chairmen, and President Kerr for not letting him speak. The second is to tell the crowd of the FSM meeting, starting immediately, which will answer the "outrageous" proposals of the President; and an invitation to any faculty members who "dare" to come and speak there.

The formula exemplified in this episode was followed also with respect to more important decisions. Its elements can be specified as follows:

1. Define an issue, or accept the definition offered by the FSM. The matter can be large or petty; it is important only that everyone understands that here is another direct confrontation between the radical students and the administration.

2. Develop your case as fully as possible, so that whoever yields will lose face. Your argumentation need not be well based; for example, the prohibition of collecting money on campus was supported by statements from the Chancellor's office that it was against state law (false), and that it would impede traffic (hardly).

3. Yield to the FSM. The President, and Chancellor Strong acting under the President's direction, established a well-nigh perfect record on this point. Until the Governor sent in police to arrest the demonstrators, or until the Regents sounded a contrary note at their December meeting, the FSM had only to push for a policy to get it. *Why? are they right?*

4. Attack on another front, and thus create another issue; repeat da capo. Thus, it will be recalled, on November 20 the Regents set a new policy permitting the on-campus organization of any legal political activities; and this revision might have been the basis for isolating the FSM again from its supporters among the more moderate students. Five days later the Chancellor cited sixty students for having broken the old regulation while it was in force, thus driving them back into cooperation with the ultras. *83*

If a system had been devised to foster a rebellious student body, it could hardly have achieved this end more effectively than the composite practice of the various administrative officers. To set up dubious regulations and defend them by unreasonable arguments are bad enough, but the worst feature of the system has been that the students have not been subjected to any sanctions that did not in the end evaporate. As Bronislaw Malinowski once remarked, that the "submission of every member of the tribe to its laws" is "instinctive," however widespread this notion may be, is false. There is no such thing as "automatic acquiescence." Obedience to norms is developed when it is suitably rewarded, and when noncompliance is suitably punished. That professional educators should need to be reminded of this axiom indicates how deep the roots of the crisis lie.

Administrators who had created a power vacuum at the top and, in this sense, contributed to the disruption of the Berkeley campus would soon, one would think, be replaced by men with deeper understanding and greater courage. But the most persistent demand of the FSM has been that Chancellor Strong and President Kerr resign; whatever little power they might want to exert has been compromised by the continual rumors that Kerr is accepting a post in Washington,

that Strong is resigning because of ill health, and so on. And those on the faculty, or on the Board of Regents, who have been most appalled by the inefficiency of the administration have generally considered it necessary to defend it; to prevent the FSM from gaining yet another symbolic victory.

In December, even so, Chancellor Strong went on an extended leave. He was replaced by Acting Chancellor Martin Meyerson, a young man relatively new to the campus. The disputes between the President, who wanted a soft policy toward the rebellious students, and the Chancellor, who wanted to enforce the rules on his campus, were now to disappear. *what kind of rules?* In his first press interview, Meyerson stated that until he had studied the record he could not state whether the sit-ins had been justified. He offered to act as a character witness for the arrested students from his college. He had the University furnish the FSM with a loudspeaker of greater amplification, and he permitted its use on the steps of the administration building - thus cancelling a ruling the FSM had persistently defied. In general, his tactics seemingly have been to grant demands almost before they could be voiced, thus preventing the FSM from using any issue to muster support.

But the crucial reason that the extremists won so many battles has been - to return to the opening theme - the attitude of the faculty. Perhaps their most notorious capitulation to the FSM was the resolution passed by the Academic Senate on December 8, by which the faculty gave notice not merely that they supported all of the radical groups' demands but, in effect, that they were willing to fight for them against the Board of Regents, should that become necessary. When this passed by an overwhelming majority - by 824 to 115 votes - it more or less killed the anti-FSM student organizations. Most of the discussion since that date has been in terms of the resolution, which deserves a detailed analysis. Apart from a hortatory introduction and final point, its four propositions can be summarized as follows:

1. "There shall be no University disciplinary measures against members or organizations of the University community for activities prior to December 8." This has become the routine opening of all proposals from the faculty or the administration: let us wipe the slate clean and start fresh, with no punishment for any activities prior to (insert today's date).

2. "The time, place, and manner of conducting political activity on the campus" shall be subject only to "the minimal regulations necessary" to prevent interference with the normal functions of the University.

3. "The content of speech or advocacy should not be restricted by the University. Off-campus student political activities shall not be subject to University regulation. On-campus advocacy or organization of such activities shall be subject only to such limitations as may be imposed under section 2."

In part, these two points say nothing new, reaffirming the freedom of speech and advocacy that has existed except in the propaganda of the FSM and its friends. In part, however, they constitute a considerable extension of constitutional liberties. In

which we didn't have

itself, the statement that on-campus organization of political activities shall be subject only to minimal regulation concerning their time, place, and manner leaves open whether these activities must be within the law. But this ambiguity was removed by a proffered amendment, specifying that the activities organized on campus must not be directed to the immediate use of force and violence off campus: and this amendment was voted down. In short, the position of the faculty is that the University should remain aloof from whether its students use its facilities to plan and organize illegal acts off campus, even when this infraction of the law intentionally involves the use of force and violence.

4. "Future disciplinary measures in the area of political activity shall be determined by a committee appointed by and responsible to the . . . Academic Senate." The principal argument made against this, after it was passed, has been that it runs counter to the Standing Rules of the Board of Regents, and thus would require so fundamental a revision of the University's operation as to be impractical. In any case, by a more principled argument, the rules should not be changed.

That this particular administration can be subjected to just criticism for its manner of punishing, or not punishing, student offenders is no logical basis in my opinion, for revising one's concept of how the administration and the faculty ought to divide their joint task. It is unreasonable to hold the administration responsible for the maintenance of order on campus, and yet to shift to the faculty the sanctions by which this order can be kept. The prime duty of the faculty is to teach, and if one has to discipline a student it becomes more difficult, as every professor knows, also to teach him and his fellows. Thus, by mixing the proper functions of the administration and the faculty, the execution of both would suffer.

Faculty members, moreover, are notoriously unwilling to perform administrative tasks, and a striking example from this period of crisis indicates how inefficiently they are likely to carry out the duties they now demand should be turned over to them. In September, it will be recalled, one of the original causae belli was that eight students had been suspended for disobeying the new regulations; and some weeks later an ad hoc faculty committee was chosen by the Academic Senate to judge the suspended students. Like children with a new toy, the professors set up an elaborate new judicial procedure, which functioned with more protocol than any probation board hearing the cases of prisoners with a life sentence. But at its own discretion, following the request of the suspended students' lawyers, the committee decided to limit its jurisdiction to the period up to September 30, the date of the suspensions, ignoring the fact that on October 1 and 2 some of these same students had allegedly participated in the commandeering of the police car and the assault on policemen. It was like a parole board, in other words, that judged the nature of the offense and the way the punishment was imposed, but passed over the fact that the offenders had led a prison riot, destroyed prison property, and attacked prison guards.

Continuity

There is no one reason why the Academic Senate voted for this resolution by more than seven to one. If I try to describe the motives of my colleagues, as I understand them, I shall of course be accused of impugning those motives. In defense, I note only that this large body of highly vocal men offered not a tittle of the high principles they now profess until they were goaded into this position by their radical students. When professors are taught by students, as when students bite policemen, one can reasonably perceive this situation as anomalous and look for unusual motives, in addition to the statements of principle that various members of the faculty have adduced for their stand. Some of the most important motives, either alleged or underlying, are the following.

Civil Libertarians: Free speech has hardly been an issue on the Berkeley campus in any direct sense, yet many faculty members have supported the Free Speech Movement in response to the largely demagogic demand that its name implies. With respect to some, this contradiction may be the consequence of ignorance -- for in the welter of rumors and false statements, it was all too easy to lose one's way. Some of the faculty, however, including three law professors, interpret the constitutional right to free speech as guaranteeing "freedom of expression"; and one may express oneself, it was pointed out, not only by talking but also by acts -- such as, presumably, the occupation of a public building.

Defenders of Civil Rights: That the radical students allegedly fight for civil rights is another important reason that the FSM garners support among the faculty. As Professor Herbert McClosky, the original author of the Senate resolution, noted in an article in the Berkeley daily, a great many of the students "have shown themselves superior in courage and moral conscience by their activities on behalf of civil rights."

It so happens that I am in a fairly good position to judge the degree to which the faculty is seriously interested in supporting those who fight for civil rights. Last year my wife and I, with some assistance from a very few others, solicited funds from members of the University faculty and staff for the NAACP Legal Defense Fund. This organization not only initiates legal cases on its own (including the crucial 1954 school-desegregation case before the Supreme Court), but also pays for about nine-tenths of the legal costs of the entire civil-rights movement, no matter which of the several organizations is involved. Contributions to the Fund, thus, are a reasonable measure of meaningful support of civil rights. Unfortunately, we did not get anything like a seven-to-one vote for our effort: out of the faculty of about 1,700, only 181 contributed. In contrast, the \$8,000 fee for the bail of the arrested students was oversubscribed in a day or two. One professor who tried to sabotage our campaign was highly vocal more recently in support of the FSM.

Anti-Enclavists and Pseudo-Enclavists. In the long struggle to establish and maintain academic freedom on European and American campuses, one of the key principles has always been to protect the university from direct political pressures. The Board of Regents that has ultimate control over the University of California, thus, is in fact a fourth branch of the state government,

interesting contradiction

not directly responsible to the executive, the legislature, or the judiciary; and from before the First World War until the recent events, the Regents also did not intervene in the immediate operations of the University. It was in order to separate the University from the political arena that University personnel (faculty and staff as well as students) were prohibited from engaging in political activities on campus. This was the intent of the administrative regulations that the FSM successfully attacked: students were permitted freely to advocate political positions but not to "mount" political activities. Now that this distinction has been abandoned, and particularly if the University indeed becomes officially indifferent to whether the students based in its facilities break the law to gain their political ends, it would be absurdly naive to hope that these attacks will be made along a one-way street. The volume of mail to the Governor's office about the Berkeley crisis, I am told, is the largest in California's history, and by more than nine to one it is hostile to the FSM and its faculty supporters. If the radical right portion of the electorate intervenes -- say, by an initiative to change the constitutional structure of the University of California -- the danger to one of America's great institutions of higher learning would be serious.

There is no consensus among the faculty majority on whether the University should remain an enclave, and if so in what sense. In a composite document distributed by Professor Jacobus ten Broek, for example, we are explicitly informed that "a university is no longer an isolated enclave in which the members are content to exchange ideas among themselves and to train their successors . . . What is learned on the campus is not remote from life, but must be made central to life." On the other hand, in the words of Professor Carl E. Schorske, "The primary task of the University [is] teaching, learning, and research -- not political activity. Our students, however, are citizens, and should enjoy the right to political expression and activity on the campus. . . Illegal acts or expression should be punished by the law; offenses against the University community should be punished by the University." The consequence of this stand, of course, is that police must come on campus to effect the control that the University refuses to exercise. Yet many of those who advocated this division of function also have held to the traditional position that police have no right on a university campus.

Romantics. Under this catch-all heading one finds the Nobel laureate who rushes momentarily from the laboratory to sign a manifesto or issue a pronouncement, the professor of English who is apt at referring to Milton's Areopagitica or Thoreau's On Civil Disobedience but has never read Lenin or Trotsky, those who orate on constitutional guarantees in the abstract but with no attention to how the campus has been operating in this respect, the sizable number who flirted with Communism in the 1930's or supported Wallace in the 1940's and whose middle-aged blood courses faster at the recollection of those seemingly simple fights of good against evil.

Administration Haters. One of the amazing minor elements of the Berkeley crisis is what one finds under any stone that the radical students have lifted. In supposedly serious explanations of why they had voted for the Senate resolution, my colleagues

have pointed out that the quarter system is being foisted on us by the administration, that we faculty voted against a parking fee but are forced to pay it anyway, that -- in a hundred instances -- the administration has been wrong and inefficient. Between two of the recurrent crises over the FSM, the Academic Senate met to consider a completely unrelated case of academic freedom and passed -- correctly, in my opinion -- a resolution in "condemnation" of the Chancellor and President for their handling of it. A number of Berkeley professors have publicly voiced their gratitude to the FSM for conducting a more general fight than the faculty had been able or willing to undertake. The usual antipathy between administrators and professors is not enough to explain such a sentiment: on the other campuses of the University, the divisions of the Academic Senate voted to support the administration rather than the Berkeley faculty.

Administration Supporters. Paradoxically, some of those who voted for the resolution may have been influenced by their loyalty to the administration. Some time before the meeting of the Senate, the department chairmen were convened and told that the resolution had the backing of President Kerr; and most of them apparently returned to their departments to report this to their colleagues. From a carefully worded statement read on the floor of the Senate, one could infer in the context of the prior events that the President supported the resolution, even though this was not explicitly stated.

There is now considerable doubt whether this information was correct. Various rumors are circulating among the faculty, and the President -- the only person who knows the whole truth -- has chosen not to clear the air by telling it. President Kerr apparently knew that his name was being falsely used to garner support for a resolution with which he disagreed, but he decided not to inform his faculty of this at their meeting because he feared that he would be booed again, as he was at the meeting in the Greek Theater. The manipulation of the vote -- if that is what it was -- was completed by a parliamentary device to cut off debate. The most important decision the Academic Senate has ever made was completed on the basis of what may have been false information, and with no opportunity even to hear some of the counter arguments.

FSM Tolerators. In various ways, faculty members have condescendingly depreciated the importance of "the students" or, as they are typically designated in this context, "the kids." Thus, Professor McClosky tells us in the article already quoted that "many of us have forgotten that the so-called 'rebels' and dissenters are our own students -- young men and women of quality and intelligence . . . Some have disobeyed the law, but they are not 'criminals.' A few are passing through youthful flirtations with revolutionary political movements". Or Professor Joseph Fontenrose, in a similar vein, termed the all-night illegal occupation of the administration building "harmless loitering after hours," passing over the fact that its purpose, in Savio's words, was "to bring the University to a grinding halt."

FSM Supporters. As in the student body so also in the faculty, this was originally a small minority, but an active and vocal one. One assistant professor, for example, has spoken at a

number of FSM rallies, where on one occasion he termed Kerr the Mao-Tse-tung of the United States. When Kerr spoke at the meeting in the Greek Theater, it was he who led the booing claque. One might suppose, in the abstract, that such behavior is unbecoming a member of the faculty; but in fact it constitutes a kind of moral tenure, following the pattern in Mary McCarthy's novel, The Groves of Academe. The protection of academic freedom is so absolute at a campus like Berkeley that political irresponsibility may actually cancel a negative judgment based on academic mediocrity.

Together with its other successes, the FSM also was given increasing support from some of the faculty. Some 250 professors, for example, signed a petition to the judge trying the arrested students, asking that the cases be dismissed -- not as a matter of expediency or mercy, but "in furtherance of justice." In this perspective, it is the students who did not break the law who were at fault -- in their lack of courage, or lack of sufficient concern about civil rights, or whatever. And as we have seen, the Acting Chancellor has neither supported nor opposed this view that the sit-ins were justified.

Conformists. Once the organizing group, centered in the departments of Political Science, Sociology, English, and Philosophy, had got their steamroller moving, the pressure to go along with the majority was all but irresistible. I know a beginning assistant professor who disagreed with the majority; he was able to maintain his integrity only by remaining at home and avoiding all unnecessary contacts with his fellows. He was squeezed between virtually all the senior members of his department above and most of its graduate students below. Those faculty members who came out in public support of one or another of the FSM demands have been bathed in warm approbation, administered by both their students and in many cases their own teen-age offspring. The punishment of faculty who openly oppose the FSM, on the other hand, is unpleasant. In my department, the students have sunk to the level of writing scurrilous comments on the walls of the men's room about one of the main faculty opponents of the FSM. (Fortunately, the worst that I can report is that, the day after the Senate vote, a professor of adult education whom I have known for years cut me dead on campus.)

Munichmen. If I had to weight the significance of the various factors that contributed to the capitulation to the FSM, I would list fear as the most important. The FSM was holding a gun to the heads of the faculty, and if we yielded the threat might go away. The debate in the Senate was simultaneously broadcast to a vast throng of students outside, which cheered or booed each of the speakers. After the meeting, one of the professors who had dared speak for amending the resolution was accosted outside the building, and one of the FSM leaders asked him, "How much did they pay you for that?"

A few days after the meeting, a colleague told me, with some chagrin, "I was the Halifax to Professor X's Chamberlain. What do we do now?" My reply was, "Since you cast me in the role of Churchill, I also predict blood, sweat, and tears." As I write, all the plans offered by the administration and by the new Emergency Executive Committee of the Academic Senate have one feature in common: appeasement. Berkeley has still to learn that

when one feeds a totalitarian body its appetite increases. "Peace at any price" may lead to a temporary lull, as it did at the end of last semester; but in the longer run it leads to no peace at a higher price.