



Rights exercised 75 cited

On Monday 75 University students were cited by assistant deans for manning tables on campus from which off-campus groups were doing one or more of the following activities prohibited by the University: 1) soliciting funds for off-campus organizations on campus without a permit; 2) soliciting members for off-campus organizations on the campus; and 3) soliciting participants for off-campus political and social action on campus.

TAKING OF NAMES BY THE DEANS

Each student's name was taken after he had been asked by the assistant Dean if he was aware that his activities were in violation of the University's regulations? At this point, another student would replace him at the table.

At 4 p.m. Monday afternoon, a meeting was held for all students who had been cited and had their names taken. The purposes of the meeting were to: 1) give an idea of where they stand to the involved students; 2) tell them what their legal rights are, as explained by lawyers from the American Civil Liberties Union; and 3) to organize them- so that they may be united against any action taken; a speaker at Tuesday's FSM rally stated "we want to prevent the Administration from 'picking off' a few of the students at a time (and thereby jeopardizing the rights of the others - editor).

Tuesday it was reported definitely that 75 names had been taken by the Deans. Throughout the Monday rally, reports of 25, 75, and some figures in between were mentioned as the number of students cited. A speaker at Tuesday's rally stated that they were specifically cited by the Deans for alleged violations of unconstitutional regulations.

ACLU LAWYERS

The American Civil Liberties Union has assured the cited students that enough lawyers will be available to give each of them individual attention. Cited students were advised to cooperate with the Dean's office but not to tell their story without a lawyer present.

The press conference that wasn't

On Tuesday November 10, a joint press conference was scheduled for a 4th floor room in the Student Union at 2 p.m. Jerry Goldstein, 1st Vice-President of the ASUC, and FSM leaders were to be the participants. Shortly after the press conference had been set up and agreed upon, it was cancelled. At 3:30 that same day the ASUC held its own press conference.

A press spokesman for the FSM related that at 1:45 the agreement to hold the joint press conference at the time and place indicated was

continued on page 2

Grads Man Tables -No Action

Tuesday - manning of the tables was taken over by graduate students and teaching assistants; 196 graduates from more than 17 academic departments had signed up to man to man tables.

At the informational meeting, Mario Savio stated that the Deans would be allowed into the circle (of tables) which surrounded the speakers' platform.

GRADUATE COORDINATING COUNCIL - STRATEGY

The strategy adopted by the Graduate Coordinating Council, an organization in the FSM, was that student-teaching assistants would not give their names nor show their reg card to any Administration official. The procedure would be the following: the person approached would show the list of names collected to the Dean and tell him "we have a spokesman"- then lead him down the aisle to the speakers' platform where a table would be. Savio stressed that they must discipline all of us or discipline none of us.

The participating graduate students sent a list of their names to the Dean's office. The administration has not yet decided what to do with the lists. At no time on Tuesday did any deans approach the tables.

The 75 students who participated in Monday's activities at the tables received notices to appear at the Dean's office for disciplinary action on Friday at a scheduled hour.

Mike Abramovitz, a graduate student in mathematics, indicated that the tables were not set up solely to defy the University's regulations; the groups do need money, he stressed.

ARE ORGANIZATIONS NEXT?

See P. 2

On the Inside

AN AGE OLD TALE	PAUL GILBERT	3
DEANS' OFFICE CHECKS TABLES - "ROUTINE"		2
FACULTY COMMITTEE REPORT ON THE 8 STUDENTS		2
FOR THE RECORD	EDITORIAL	5
"PASSAGE TO INDIA"	JIM BURTON	4
ROSS CALLS FOR "RADICAL RECONSTRUCTION" OF UNIVERSITY LABOR COURSES		3

settled upon; 5 minutes later, it was called off. The ASUC's president and 1st vice-president did not know about it - until this step had already been taken. He continued, we feel that there was opposition by the administration to the first joint press conference. Between 1:40 and 1:50, the entire situation had changed regarding the previously arranged press conference.

WHO CALLED THE CONFERENCE?

A Gate reporter noticed the sign - telling of the ASUC press conference - on the wall of the Public Information Office around 1:45 and notified the FSM press table of its existence; on returning to the PI Office, he learned from a staff member that she did not know when the sign was put up: 'they put it up'. She explained that a call had been received telling them the information, and that the ASUC had arranged the conference. She did not know who had provided the information or at what time the call was received.

Talking with Jerry Goldstein, the following information was disclosed: Dan Griset, senior rep-at-large, had arranged the 3:30 press conference and contacted the Daily Cal who called the Public Information Office.

Goldstein continued by explaining that Charlie Powell suggested to him that holding the 2 p.m. press conference (with the FSM) would not be advisable - in view of the ASUC press conference (now) scheduled for 3:30. He (Goldstein) stated that Powell wanted to make a statement that the Senate was beginning to act as arbitrator and he didn't want to make the announcement at a joint FSM press conference at which a debate might ensue over future motives.

FSM STATEMENT

An FSM spokesman gave the following statement: "We have been denied space in our own Student Union - acting as students with concerns which are based on our position as members of the University community."

"We, an organization composed of 18 groups representing 3000 students, were denied the use of the Union's facilities, not by direction of our elected students officials, but by direction of some students acting under the direction of Administration officials."

According to the spokesman, Jerry Goldstein had told him that there is a feeling that only organizations who represent the vast majority of students can use the Union. There was trouble over the first joint press conference; and they are not to be repeated in the future.

On this point Goldstein commented that with the scheduling of the ASUC press conference, the feeling was that it would not be appropriate to allow the use of student union facilities (i.e., a room) for a press conference in which the condemning group would be using the facilities of the organization which it was condemning.

DEANS' OFFICE CHECKS TABLES AS "MATTER OF ROUTINE"

Thursday, the Gate received a report from one of the persons manning an approved table that someone from the Dean's office had been 'checking the tables and noting which groups had set up tables around the Northeast end of the Student Union.' One of the cited students who had been manning the Women for Peace table at the time gave this account: I was sitting at our table when she approached. She asked me if I knew that doing this was in violation of University regulations? Next she moved to the W.E.B. Dubois Club table; seeing that it was unattended, she asked who's manning this table? I told her that I was and she left.

CHANCELLOR'S STATEMENT OF NOV. 11 - RELEVANT?

On Wednesday, November 11, at 5 p.m., the following statement was released by Chancellor Strong: Pursuant to the statement of November 9 that "students participating in violation of rules will be subject to penalties through established procedures," two actions are being taken.

1. Both undergraduate and graduate students who have engaged in observed violations of University rules are being called to the Office of the Dean of Students as the first step in the regular disciplinary procedures for student violations.

2. Steps are also being taken to withdraw the privileges and recognized status of any student group which is in violation of University rules.

Chancellor E. W. Strong

On the basis of the previous report and this statement, a reporter proceeded to the Dean of Students' office on Friday. A representative gave this account of the Thursday situation: we check the tables on a fairly regular basis. There was nothing special about this occasion. I happened to be passing by and stopped to talk with the persons at the tables. My job is to work with the off-campus organizations, to see that they are aware of the regulations and to help them in any way I can.

She stated that no action was planned against any organization at this time. And that no president or chairman had been contacted as a result of this reported incident on Thursday; she added that the Dean's office is in frequent contact with the heads of off-campus organizations purely as a matter of routine - without a specific violation necessitating such communication.

THE HEYMAN COMMITTEE

On October 19 a special committee of five professors was appointed to consider the cases of eight students suspended in late September for violating U.C. regulations against political action on campus.

The committee, appointed at the direction of the Berkeley division of the Academic Senate, held hearings to probe the suspensions and make specific recommendations to Chancellor Strong.

Continued on page 5

AN AGE OLD TALE

ABOUT THE WRITER

Paul Gilbert - say the name to anyone "in" among Bay Area folk music followers, and you get an instant indication of recognition, usually followed by the question "where can I hear him?"

Gilbert, originally from New York, has been in Berkeley for so long (3 years is regarded as long by local folk) that one local folk publication described him as a near legend among Bay Area folk singers.

Paul, who was in New York at the time of the "Free Speech I" demonstrations, wrote the following verses while traveling by train across country on his return to Berkeley. He expects to set the words to music and add another to his previous songs of protest and ballads of recent years.

The concrete sidewalks ache from crushing footsteps
The torrid asphalt moans in the raging sun
The streets they bear the stamp of weary wanderers
Toiling down a road they've just begun

The barren aged minds fall faint and fallow
The dim lit homes of fear lie barred and bare
The fountains of their dreams stagnate like swamplands
Polluted and abandoned without care

The tyrant's tongue is soaked in righteous anger
The bigot's boast is cloaked with cunning snares
The gambler gains his place with posted policemen
And the coward yields to all in sheer despair

Oh the colors on the canvas sadly murmur
with bloody crimsons flowing to the ground
And the mad maimed mouths in mutilated anger
frantic try to form a warning sound

The strangling venomd vine with craft is creeping
Clinging to the pillars of the past
Through shaded windows flickering lights keep seeping
The fertile fields outside just out of grasp

But the blaring horns and timely trumpets muted
Cannot forever lose their magic spell
And soon in wondrous beauty human heartstrings
Will stir in speech and song to freedom's knell

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U.C. STUDY - MANAGERS DOUBT ABILITIES OF SUBORDINATES

A University management study suggests managers have serious reservations about the abilities of their subordinates. In contrast, the managers appeared to have few doubts about their own abilities.

Responses from 215 line managers in four west coast firms showed particular doubt as to subordinates' abilities as leaders, according to the survey taken by Dr. Raymond E. Miles, Assistant Professor of Business Administration and Assistant Research Economist at the Institute of Industrial Relations at Berkeley.

The findings are published in the current issue of the Institute's quarterly journal.

Dr. Miles said the response from supervisors, ranging in organizational status from second-level supervisors to heads of major company departments or divisions, showed that although the manager generally accepts participation as desirable and useful, he has reservations in keeping with the doubts concerning abilities of those below him.

The professor said the managers saw themselves as "distinctly more capable than their own subordinates and extremely close to their own superiors in ability;... they (the managers) see themselves as almost equal to their superiors in terms of creativeness, alertness, aggressiveness, etc., but they view their jobs as requiring relatively less of those traits than jobs at their superiors' level."

Miles comments that "one is forced to wonder whether managers are aware that their subordinates may also see a conflict between self-image and job requirements."

In another journal article, Dr. Arthur M. Ross, Professor of Industrial Relations and Research Economist in the Institute, called for a "radical reconstruction" of university labor courses.

continued on page 4

FORMERLY ASUC

GRAPHIC ARTS

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Dr. Ross said the labor courses of today are obsolete, timely for the thirties and forties because of the emphasis on that period, narrowly economic materials, shallow, and unhistoric-al.

He recommended retaining "a great deal from the standard labor economics course, readapting it to the newer dimensions of the labor force as far as possible."

Other recommendations include adding subject matter ordinarily dealt with in a business school personnel course and borrowing heavily from industrial sociology and lightly from industrial engineering.

U.C. DEBATE TEAM IN TOURNAMENT

On the weekend of November 7-8, the Northern California Forensics Association held its tournament at which most of the schools in the Bay Area were represented.

The University team of Mike Buckley and Jim Butler took second place in the debate, winning 4-1 in the 5 rounds. The national champion University of Pacific team captured top honors.

Taking fourth place in the division for oral interpretation of original poetry was Drew Mendelson, a University freshman participating in his first collegiate tournament.

A second University team of George Nagle and Bev McGovern - the latter, one of the finalists in the Sproul debate contest, posted a 3-2 mark in the five round competition.

Advertisers' Directory

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EYEWITNESS REPORT CUBA:

NEXT WEEK, JERRY RUBIN WILL CONTINUE HIS ACCOUNT BY DISCUSSING THE ECONOMY, AND THE ARTS.

IN SUCCEEDING ARTICLES, HE WILL DISCUSS POLITICS, FOREIGN AFFAIRS, THE PRESS; HE WILL PRESENT ALSO A CRITICISM OF THE CUBAN REVOLUTION.

Passage to India

Many of our greatest plays are novels adapted to the stage. Often with time the novel itself has been lost to the world and the dramatic version carried on. While we may remember the mediocre novel from which a great play is taken, no one attempts to record all the failures at adapting fine novels into stage forms.

E. M. Forster's A Passage to India, from which this play is adapted (by Santha Rama Rau), is not a brilliant novel, destined to be remembered forever; but it also is not so bad as to deserve the incredible massacre given it here. Forster's people are only book people, they are nether real nor alive. But they are lifeful, vibrant people, and most importantly they are poetic. Rau's people are real, but still stage people, mere actors playing roles, and they lack all the beauty imparted by Forster. Had their lines the grace of Forster's writing, the play would not be entirely without merit. As it was, were I not compelled as a reviewer to write a just and unbiased column, I would surely have walked out early in the first act.

Imagine, if you can, a Perry Mason thriller three hours long, complete with a false rape accusation, stiff dull stereotyped characters, and climaxed by a dramatic trial in which the D.A. (usual TV fall guy) loses out and the hero, as usual, triumphes over all. Sounds dreadful? It really wasn't; everyone in the house was asleep long before this ghastly creation finally stumbled to a halt.

James Burton



Editorial: FOR THE RECORD

Many statements have been made by faculty, administration, and students on whether the FSM has broken the original agreement - the pact of October 2 - by its decision to exercise its rights oncampus.

Looking at the agreement, we find point 1: "The student demonstrators shall desist from all forms of their illegal protest against University regulations." "This statement does not restrict future protests; the administration would violate its verbal commitment if it interpreted this first section to be binding in the future."

'The explicit interpretation of point ^{one} must be that the students disband their protest of October 2 (which they immediately did), but Reserve THE RIGHT TO RESUME DEMONSTRATIONS (emphasis ours)." (Source: FSM Newsletter Vol. 1 No.1).

NORMAL CHANNELS

Under the statement "MEANS" (in the same source) are contained the following: "Why didn't you go through normal channels instead of practicing civil disobedience? (Answer). What are the 'normal' channels for redressing grievances here? No one pretends that this university is a democracy. The Chancellor can suspend all the students and fire many of the faculty; we cannot fire the Chancellor. When the Administration opens doors, they often lead nowhere. We are invited to petition, but there is no guarantee that we can inspire administrative action. We are most directly affected by university regulations but we have no guaranteed rights of redress. We use civil disobedience as the mildest effective means we can find."

The relevance of these words is still with us today; it should be re-examined in the light of the current happenings this past week.

The special committee, chaired by law professor Ira M. Heyman, included economics professor Robert A. Gordon, psychology professor Mason Haire, Richard E. Powell, chairman of the chemistry department, and Lloyd Ulman, director of the U.C. Institute of Industrial Relations.

The committee report was released on November 13.

In the report the Committee stated that it addressed a letter to the Chancellor on October 21 requesting that the students be temporarily reinstated pending action on our recommendations. This request was denied.

The proceedings were in large part adversary, but the committee members also extensively questioned witnesses who appeared before them. The chief witnesses for the University were Dean Arleigh Williams, Associate Dean Peter Van Houten, Assistant Dean George Murphy, and Mrs. Leone Weaver who is Dean Towle's administrative assistant.

Six of the eight students appeared as witnesses; two students, Mr. Sandor Fuchs and Mr. Arthur Goldberg failed to make themselves available when their cases were being considered.

This committee has interpreted its terms of reference to mean that it should render its report to the Berkeley Division of the Academic Senate, with copies of the report to the University administration, and the students involved.

It assumes that its recommendations in these cases will form a basis for Administration action concerning these students, but it realizes that its recommendations are advisory.

The committee, with assent of the parties, has considered only those events occurring up to the night of September 30, 1964 (Wednesday) when the students here involved were indefinitely suspended by the chancellor.

It has not been asked to, nor has it considered any events occurring after that time.

CHARGES AGAINST THE STUDENTS

Six of the cases under submission involve essentially two charges. The first is that the student operated a card table for an off-campus group without a required activity permit and for the purpose of raising money for unauthorized purposes. Two matters are central to this charge.

The first is that the setting up of a table requires a permit. Nowhere in the text of the University regulations or the Berkeley campus rules is there any explicit requirement of a permit to set up a table....In any event, permits for setting up tables seem to have been required over a number of years and the students here involved knew of this practice.

The second is in regard to raising money for unauthorized purposes. Here the language of the relevant part of the University Regulation titled "Use of University Facilities is specific and of long standing: University facilities may not be used for the purpose of rais-



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HEYMAN REPORT continued from page 5

ing money to aid projects not directly connected with some authorized activity of the University, except ...that the Chief Campus Officers may authorize a limited number of fund-raising campaigns by recognized charitable or public service agencies." The authorized exceptions have included only relatively noncontroversial projects such as the Bay Area United Crusade, Cal Camp, and the J. F. Kennedy Memorial Library. In the present cases, alleged money raising was carried on for the University Friends of the Student Non-violent Coordinating Committee (SNCC), the Young Socialist Alliance, and apparently non-profit funding of the SLATE "Supplement to the General Catalogue" which contains commentaries on courses and instructors at Berkeley. It seems clear that raising money for SNCC and YSA, no matter how laudable the objectives, is expressly prohibited by the Regulation in the absence of specific authorization by the Chancellor. Doubt exists whether the Regulation properly interpreted forbids "sale" of SLATE Supplements. But in view of the recommendations which we make in this report we find it unnecessary to decide that question.

REQUEST BY THE DEAN

The second charge common to these six students is that they failed to respond to requests to come into the office of the Dean of Students to discuss their alleged violations of University rules. This specific written policy invoked for this charge is of a most general nature. In essence, it states that the University will take appropriate action when a student neglects his academic duty or engages in "misconduct". "Misconduct" as defined by the Administration is the basis of this charge. The word "misconduct" is very broad and under certain circumstances might not fairly warn a student that conduct he is about to engage in is punishable. Failure to confer with a Dean when requested, however, would not seem to raise such problems of notice and warning.

....

The committee ruled at the outset that it was not competent to rule on claims that any University regulation violated rights of freedom of expression protected by applicable Federal and State Constitutional provisions.

....

ADMINISTRATION ACTIVITIES ON SEPTEMBER 30th

This committee does not know in specific detail what occurred among administration officials during the afternoon and evening of September 30th. We have been told that Dean Williams conferred with the Chancellor and presented to him various "working papers" outlining the actions taken by the eight students whose cases are here under review. In any event, at 11:45 p.m. the Chancellor issued a statement in which he announced the indefinite suspension of these eight students from the University. No action was taken against the signers of the petitions or against those who were sitting in Sproul Hall. (No attempt was made to obtain the names of the latter group.)

The procedures followed here were unusual. Normally, penalties of any consequences are imposed only after hearing before the Faculty Student Conduct Committee. Such procedure was not followed here with the result that the students were suspended without a hearing. This must be set against the extraordinary circumstances created by the sit-in and the cited students' refusal to confer with Dean Williams except on a condition unacceptable to him. One of Dean Williams' purposes in asking for such conference was in fact to explain the hearing procedures available before the Faculty Student Conduct Committee, although this purpose had not been explained to the five students involved,

Nevertheless, and in hindsight, it would have been more fitting to announce that the students were to be proceeded against before the Faculty Committee rather than levying summary punishments of such severity. We were left with the impression that some or all of these eight students were gratuitously singled out for heavy penalties summarily imposed in the hope that by making examples of these students, the University could end the sit-in and perhaps forestall further mass demonstrations.

ADMINISTRATIVE PROCEDURES

Throughout these cases two large issues seemed always to be present: On the one hand, it seems clear that the students violated regulations and interpretations of regulations. That their behavior was motivated by high principle may influence the severity of punishment recommended, but does not cause the violations to disappear. On the other hand, the procedure by which the University acted to punish these wrongdoings is subject to serious criticism. The relevant factors are: first, the vagueness of many of the relevant regulations; second, the precipitate action taken in suspending the students sometime between dinner time and the issuance of the press release at 11:45 p.m.; third, the disregard of the usual channel of hearings for student offenses--notably hearings by the Faculty Committee on Student Conduct; fourth, the deliberate singling out of these students (almost as hostages) for punishment despite evidence that in almost every case others were or could have been easily identified as performing similar acts; and fifth, the choice of an extra-ordinary and novel penalty--"indefinite suspension"--which is nowhere made explicit in the regulations, and the failure to reinstate the students temporarily pending actions taken on the recommendations of this committee.

We do not believe or suggest that the Administration was motivated by malice or vengeance in its reliance upon these practices. Indeed, we are sympathetic to the consideration that the unprecedented and potentially menacing context of events was instrumental in shaping its conduct. Nevertheless, it is an especially heavy responsibility of a distinguished institution to make sure that its acts are in the finest tradition in the administration of justice.

We have enumerated the felt shortcomings in the confident faith that the University Administration will be as desirous as we are of correcting them.

PENALTIES

The penalty of indefinite suspension should be expunged from the record of each student. Instead, the penalty for each of these six students should be recorded as that of "censure" for a period of no more than six weeks.

We recommend that the suspensions of Messrs. Goldberg and Savio should be for the specific period of six weeks beginning September 30, 1964.

The imposition of academic penalties on these eight students would amount to additional punishment, and of a severity disproportionate to the offenses. We recommend that, so far as is feasible for each student, he be permitted to complete his course work for the present semester, without academic penalty. We further recommend that each, at his option, be permitted to drop one or more courses, or to withdraw for the balance of the semester, without loss of academic credit or the imposition of other academic penalties.