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ACADEMIC FREEDOM \_\_\_\_\_ by Alister McAlister

Academic freedom is one of the least understood concepts in the entire catalog of the rights of free men. Conservatives, especially, seem virtually oblivious even to its very claim to existence, as was vividly illustrated by the flood of angry letters to the editor denouncing the "radical" and "hare-brained" Free Speech movement at the University of California, and calling for legislative investigation of "Communist" influence in the FSM. Unfortunately, misconceptions of the nature of academic freedom are not confined to the far right wing. Even some Democratic legislators who should know better have expressed shock that Berkeley students should take seriously their constitutional freedoms.

The heart of academic freedom, for both students and teachers, is the right, one might even say the duty, to seek truth wherever and whatever it may be, and to follow truth wherever and however it may lead. This indeed is the crux of the First Amendment to the U.S. Constitution. Yet somehow many find it difficult to grasp that free debate and political participation by teachers and students is the finest part of the educational process. Too many believe that education is merely the memorization of mathematical theorems and grammatical structures. Essential as that part of education may be, it is even more important to learn to cope with the great philosophical and ethical questions concerning the meaning and purpose of life. These issues are not observed in a test tube; they are studied best only in the crucible of life; the answers are not hard-and-fast but are subjects of debate between the greatest minds of history; and if students and teachers are not permitted to engage in the strenuous political and social conflicts which

are intellectualized in the competing philosophies they read about in books, then academic freedom is but a pious liberal moralism, honored solely in the breach.

The dispute over the Free Speech movement is but the latest manifestation of the struggle between those who fear that education cannot survive controversy and those who believe that education is controversy. Originally, the university tried to impose unreasonable restrictions on campus solicitation of funds and members for political causes, on the untenable assumption that the constitutional guarantees of free speech and assembly do not apply on public property or in favor of students attending a tax-supported institution. This overlooked the fact that the Bill of Rights should be enforced even more vigorously where public property and public money is involved. In fact, the express constitutional language says that neither "Congress" nor any "state" shall deny certain rights to the people. Would we really want to exempt a state university from the 1st and 14th Amendments?!

More recently, however, the principal struggle had been over the University's announced intention of punishing students for off-campus "illegal" activities. Thus, the University swung from one extreme to another -- from the denial of political rights on campus to the punitive regulation of activities off campus. This violated the spirit of the constitutional prohibition against double jeopardy; certainly the school has no business adding its punishment to that of a court.

In retrospect, it appears that free speech made a considerable advance when the Regents agreed that the 1st and 14th Amendment freedoms would be honored by the University. And it appears that the new Chancellor, Martin Mayerson, believes in the constitution and intends to respect its prohibition against double jeopardy. However, it is obviously an uneasy peace, and it must never be conceded that liberties declared by the Declaration of Independence to be "inalienable", are dependent upon the suffrage of the Regents.

The most shameful aspect of this controversy is the eager denunciation of the FSM by many so-called "conservatives". One would think that people who talk so much about "saving the constitution" and who are ordinarily the first to scream at the

slightest suggestion of government meddling, at least where it involves taxing or regulating their money-making activities, would be the loudest in defense of unfettered political freedom and the most critical of the "Big Brother is watching you" attitude of the Regents. Unfortunately, economic individualism is more important to this brand of "conservative" than the intellectual individualism of free speech and political action.

Perhaps the most ridiculous charge is that the students are communist-inspired. So long as the free speech ideals of the FSM are honored by this nation, we stand in no danger from Communism. But if we suppress or punish those who exercise free speech, we are imitating the very dictatorships we profess to abhor.

NOTE:

At their December meetings, both the Santa Clara County Democratic Central Committee and the County Council passed resolutions in support of efforts of liberals in the U.S. Congress to prevent the seating of the Mississippi delegation. The precinct democrat commends these efforts to bring a greater degree of true democratic representation into our Congress.

NEIGHBORHOOD CLUBS \_\_\_\_\_ by John B. Desmond

There has long been a tendency in CDC to create large citywide clubs which can make their voices felt with some force at the local convention and council meetings. I believe it is time that we in CDC take a second look at our efforts in club organization. I feel a strong case can be made for the small neighborhood club. First, there is the benefit of the short distance to be traveled for the club meetings making the need for a central location unnecessary. The members of the club are in almost daily contact with each other, attending meetings and working with friends instead of strangers. At election time the precinct worker calls on neighbors and becomes a much more effective worker. The small neighborhood clubs offer more opportunity for leadership than the one large club. Let us look at the one area where a neighborhood club has been formed within the 25th Assembly District.

Prior to the formation of the Sunrise Valley-Edenvale Democratic Club, the area had a Democratic registration of about 54%. Within five months of the formation of the club the Democratic registration rose to 67%. There were 30 people who took some part in the last election, even though all but 3 of the members had never taken part in politics before this year. It is true that many were not the "every minute" devoted workers that we have in some larger clubs, but all did something to help elect the Democrats in the area. It is very probable that 75% of these people would never have taken part in the grassroots movement of the Democratic Party if it had not been for the neighborhood club in their area. The attendance at the 8 club meetings held last year never fell below 60% of its members. In one four-block area there are 16 members and the Democratic Club has become the most active organization in the Sunrise Valley-Edenvale area.

I am not trying to make the point that a neighborhood club will accomplish as much work as a club like the 25th A.D. Club. But 6 to 8 clubs of the neighborhood type could be formed by using the leadership in the large clubs.

How do you start a neighborhood club in an area? You need one person interested in the Democratic Party; you then go door-to-door and request mem-

bers. You may be surprised by the results! The Sunrise Valley-Edenvale Club was formed in two hours by just this kind of work. I believe all who have had a part in the neighborhood club idea should be congratulated -- and a special thanks should be given to Frank Crosby for his work and to Hal Calkins, the first President of the Sunrise Valley-Edenvale Democratic Club.

PROPOSITION 14 -- AFTER THE DEBACLE

California voters as a whole passed Prop. 14 by a margin of 2-1. Two small mountain counties turned in the best record of NO votes; but they were followed closely by Marin County (48½% NO), San Francisco, and Santa Clara County (47% NO). In Santa Clara County, the best municipality was Gilroy (!) with a 58% NO vote. The second best was Palo Alto with 57% NO. In fact, all of northern Santa Clara County did well -- a reflection of an unusually effective campaign as well as the early and continuous NO position of the Palo Alto Times and the Palo Alto Realty Board.

San Jose produced a NO vote of 47% and Milpitas, surprisingly, only 45%. During the campaign, concern was voiced as to how Prop. 14 would fare in the Mexican-American community and among low-income Anglo voters. A group of 23 San Jose eastside precincts representing the heaviest concentration of Mexican-American voters turned in a strong showing of 61% NO. Similarly, low-income (primarily Anglo) areas in Tropicana Village and around the Gardner Elementary School both averaged 55% NO, as against the San Jose average of 47%. It seems that low-income and high-income areas produced the strongest NO votes. The "great middle" voted YES.

LOOPHOLES, LAWS, AND LAWYERS

The California FEPC has ruled that Prop. 14 does not invalidate California law requiring real estate brokers to operate without discrimination -- unless they act on explicit instructions of an owner to discriminate. Enforcement is only by private law suit (not the FEPC), and proof usually is hard to come by. It is rumored that Gov. Brown may ask for legislation directed at brokers who promote panic selling, and Assemblyman John Burton has introduced a bill forbidding all state licensees from discriminating. Unfortunately, the political climate produced by the passage of Prop. 14 makes it unlikely that any of these loopholes will be used to advantage.

In the meantime, several law suits are underway to test the constitutionality of Prop. 14. The strongest challenge is thought to be on the basis of the attempt by a landlord to use the State eviction law to evict a tenant solely because of race. It is argued that such an eviction would be discriminatory state action in violation of the U.S. Constitution. A case of this type is now under litigation.

#### AND NOW WHAT???

The battle against Prop. 14 drew together a more broadly based group than, perhaps, any other civil rights issue. The state committee against Prop. 14 has disbanded, but most of the local groups are trying to stay alive. This is true both in Palo Alto and San Jose. A federation of such organizations has formed in L.A. County and another in the Central Valley. Efforts to form a new state group have so far been unsuccessful.

Most of the local organizations have found serious technical difficulties in setting up a permanent structure. Should one have an organization of individuals or of groups? Is there a conflict with existing civil rights groups? Should one operate a listing service or otherwise enter the real estate market? And so on.

The fact remains that for the first time a vast number of Californians have become educated and dedicated to the issue of fair housing. Thus, while the electoral defeat was truly a disaster, it may still turn out that the campaign laid the ground work for fundamental progress in the future.

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#### HUMAN RIGHTS DAY

Human Rights Day was observed on December 10th in the San Jose City Council Chambers under the chairmanship of Mrs. Inez Jackson and the joint sponsorship of the Women's International League for Peace and Freedom, San Jose Women for Peace, San Jose Peace Center, Friends of SNCC, CORE, NAACP, Student Peace Union, and other San Jose civic groups.

History professor H. Brett Melendy of San Jose State College spoke concerning the History of Discrimination in California, based principally on his book of the same name. Prof. Melendy explored in detail the history of discrimination against persons of Oriental ancestry and traced the legal developments in the struggles both for and against discrimination down to the present day.

Mr. Fritz Tesik, an Indonesian student at San Jose State College, described the struggle for and progress toward women's rights in Indonesia.

Brief comments on the civil rights struggle in Mississippi were made by Margaret Aley of Milpitas, a SNCC participant in the Mississippi Summer Project, and Barbara Jean Johnson of Mississippi in whose home Miss Aley had lived during the summer. Miss Johnson's father lost his job because of his friendship for the SNCC people, and he has 10 children to support. Miss Aley, Miss Johnson, Melvin Whitfield (also from Mississippi), and Simeon Solomon sang with great vibrance several freedom songs while playing the guitar.

The meeting was adjourned when the audience rose, clasped hands, and sang the familiar yet ever-inspiring "We Shall Overcome". All of those present went home with the consciousness of being deeply indebted to those who have, often without fear of personal and family consequences, played such a vigorous role in the fight for equal opportunity, with the knowledge that much has been accomplished toward achieving equal rights for all men and women, but with an even more acute awareness of the vast needs that must yet be met before Human Rights Day becomes a day of historical commemoration.

***the Precinct Democrat***  
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*Simi Fujii*

*Hayward, Calif.*

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precinct democrats at work

At its regular annual meeting, held December 5, 1964, at the home of Patrick Hancock, new officers for the precinct democrat were elected and plans for the future of the paper were made.

New officers for the paper are:

Editor  
Assistant Editor  
Typing Secretary  
Mailing Secretary  
Production Supervisor

Lee Hancock  
Alister McAlister  
Miki Desmond  
Wayne Hultgren  
Otto Carlton

All other officers remained unchanged.

The group attending announced plans to publish the independent journal four times a year -- in January, March, May and October -- with provisions for special editions should the need arise.

The precinct democrat is an independent journal of opinion; its columns are open to all who wish to submit material for publication. Please direct articles to:

**PRECINCT DEMOCRAT**  
1283 Mace Drive  
San Jose, California

Articles should be in the hands of the editor by the first of the month in which the paper is to appear.