

"I do not believe that it can be too often repeated that the freedoms of speech, press, petition and assembly guaranteed by the First Amendment must be accorded to the ideas we hate or sooner or later they will be denied to the ideas we cherish."

Justice Hugo L. Black, 1961,
McCarran Act Dissent

FREE SPEECH

VICTORY

"A Fateful Moment..."

Who saw the shadow of silence fall across the campus- June 5th, 1961- when the Supreme Court voted by the slim margin of 5 to 4 to uphold the registration provision of the McCarran Act.

President Truman vetoed the McCarran Act, in 1950, warning that its provisions "move in the direction of suppression of opinion and belief..."

Congress overrode the veto. During the era of McCarthyism -conformity and fear- the Communist Party waged a ten year legal battle against the Act. At the same time, classroom texts and library shelves were swept clean of new and provocative ideas labeled "subversive". The teachers and students of that era of silence were persecuted by the House Un-American Activities Committee and educational standards took a nose dive.

Today's student generation stands in sharp contrast to the silent generation of the McCarthyite fifties, and has reasserted its rights of free speech, free exchange of ideas, and free association. This new generation is in the forefront of the movements for peace, for integration and for civil liberties.

It is no accident that the modern McCarthyites- the Birchites, Southern racists and Nazi groups- are using the McCarran Act as their new weapon to suppress our freedoms.

"The first banning of an association because it advocates hated ideas -whether that association be called a political party or not- marks a fateful moment in the history of a free country. That moment seems to have arrived in this country."

Justice Hugo L. Black, 1961, McCarran Act Dissent

The ban on free speech on the campuses of the City University was the first real attempt to implement the McCarran Act, without pretense of judicial proceedings. The denial of the right of students to hear Communists and other controversial speakers was not simply the denial of the right to speak and the right to hear, but a threat to the very purpose of education -a free mind exploring ideas, exchanging experiences and learning from the history of man.

The students began to fight back. They organized, educated, sought and won support both in the academic community and in the community at large. The story of that fight and how it was won is the story of America and its traditions.

In the past year McCarranism in the form of bans on free speech, free press, and free association threatened the right to learn on many campuses throughout our country. We present this important story so that everyone may draw strength and courage from the real victories won by America's youth. THE STRUGGLE FOR CONSTITUTIONAL LIBERTIES CAN AND WILL BE WON.

Sincerely,

Youth Committee,
CITIZENS COMMITTEE FOR
CONSTITUTIONAL LIBERTIES

Davis Banned From Speaking At CU

City Colleges Bar Communists From Speaking on Campuses

By ROBERT H. TERTE

The Administrative Council of the City University ruled yesterday that no known member of the Communist party of the United States could be permitted to speak on any of its campuses.

A seventeen-page statement said the ruling was based "upon the best and most competent legal advice the council could obtain."

On the specific case referred by Dr. Harold W. Stoke, president of Queens College, the council said its judgment was "that the college educational authorities are prohibited by law from approving the invitation to speak which was issued to Mr. Benjamin Davis, Secretary of the Communist party of the United States."

Dr. Stoke had nullified the invitation by a student group, citing "recent decisions of the Supreme Court." He had also asked for a review of the policy on speakers by the Administrative Council, which consists of the chancellor and the presidents of the municipal colleges. On Oct. 10, the council temporarily banned campus speeches by Communists pending the review.

In its statement yesterday the council said that the administration of a university "is charged with maintaining the proper atmosphere for free inquiry." It added:

"The faculties and administrative officers are also

charged with making certain that the time of students is properly spent in the examination of the various facets of human experience which can give the greatest educational value.

"There can be no assumption that a commitment to free examination and discussion relieves the professional staff of its duty to discriminate and choose among the welter of ideas, positions, convictions, facts and theories which represent themselves for consideration."

The council said that policies regarding "the approval of speakers" should be decided at each campus in terms of the best educational judgment available in each institution's faculty and administration."

It listed four criteria to guide such decisions: the university commitment to the independent search for truth, the preservation of an atmosphere of free inquiry, the preservation of the university's intellectual integrity and the necessity of all parts of the university to obey the laws of the state and nation.

The council concluded that Communists should be excluded from the campuses on the last count alone.

It said its decision was based on laws passed by Congress and affirmed by the Supreme Court defining membership in the Communist party and the party's aims.



400 students gather outside Remsen Hall to protest alleged infringements of the freedom to listen.

On the following day a permanent ban on Communists was proclaimed.

NEW YORK TIMES
OCT. 27, 1961

PHOENIX, QUEENS COLLEGE
NOV. 18, 1961

The Legal Answers Weren't Questioned

By Sue Solet

CITY COLLEGE

NOV. 9, 1961

THE CAMPUS

The so-called legal basis for the speaker ban is grounded on a totally unjustified assumption—unjustified by law, that is—and a ridiculous interpretation of law. The assumption is that a Communist and the Communist Party are identical, and that a Communist is always working for the illegal ends of his party. The first part of the assumption is a figment of the imagination of the "legal expert"; the Supreme Court has specifically ruled that a Communist and the Party are *not* identical.

The "legal experts" attempt to justify the second part of the assumption psychologically. Since it is so difficult to be a Communist in this day and age without being put into jail, all Communists must be particularly hard-working and dedicated people. The conclusion: all Communists are working day and night to serve the illegal ends of the Party.

To compound the absurdity, we come upon an absolutely fantastic interpretation of a clause of the Smith Act. The clause, among other things, makes it unlawful to "help to organize" a group to overthrow the government by force and violence, i.e., the Communist Party. The "legal experts" say a college president who lends his facilities to one of those hard-working, dedicated Communists is clear-

ly helping to organize the Communist Party. Or if that isn't definite enough, perhaps he is participating in a conspiracy to help to organize the Communist Party. Such is the convoluted reasoning of the lawyers who advised the Administrative Council.

But college presidents don't ask questions of lawyers. After all, they're not experts, are they? They just set the educational policy of their institutions. Their field is academic. Why bother their heads with all this stuff about laws and the Constitution and the Supreme Court?

Why indeed? Because if we can't expect that much from college presidents, what can we expect from students? When a group of educated men is willing to disregard the importance of intellectual integrity, academic freedom and academic standards in favor of a shoddy argument by so-called "legal experts," what are we to expect from uneducated men?

The Administrative Council's ban is shameful, not so much because it is unprincipled, but because it was unthinking. The "legal experts"—fortunately for themselves—remain anonymous. They have certainly not served the cause of law. But the Council will be remembered for having failed the cause of education.

IS IT "LEGAL" ?

The New York Times.

Freedom and the City Colleges

Communists and conservatives are being barred from speaking at two of the city's public colleges under circumstances that impair their standing as citadels for the free exchange of ideas. Queens College has nullified an invitation by the student Marxist Discussion Club for a campus speech by Benjamin J. Davis, the Communist party's national secretary. Hunter College has refused to continue an old arrangement for renting its assembly hall to The National Review, a publication far off to the right.

At Queens College, where the audience would have been undergraduates, the authorities have shown too little faith in the good sense of their students. Freedom to listen, to discuss and to make sound judgments is the essence of learning. It was in this spirit that Dr. Buell G. Gallagher, during his presidency at City College, not only permitted a ranking Communist to speak on the campus but publicly debated with him.

The recent 5-to-4 decision of the Supreme Court that the Communist party must register as an agency controlled by a foreign power does not suppress the party or strip it of its right to speak.

NOV. 18, 1961

AC Still Quiet On Rebuttals Against BAN

By Vic Grossfeld

As of last night the Administrative Council had not moved toward reconsideration of its speaker ban. The Council has received three refutations of its legal argument within the last week.

Queens College President Harold W. Stoke reported that he had received no word from the chancellor's office of a meeting to reconsider the legal arguments.

Chancellor John R. Everett was not available for comment yesterday.

Dr. Stoke added that he had received a copy of the legal brief submitted by the American Civil Liberties Union last Tuesday and that he had "seen" the statement issued by six constitutional law professors of the City University which challenges the Council's legal stand.

The Council also has in its possession a letter, a statement and a legal analysis prepared by Prof. Samuel Hendel (Chmn. Political Science).

Professor Barnard Bellush (History), Chairman of the College's chapter of the American Association of University Professors, said yesterday that "the AAUP will submit an analysis of both the statement and legal brief issued by the Council before the end of this week."

He said the analysis "competently refutes the contentions of the Administrative Council," adding that "the Council's brief just doesn't hold water."

PROTEST BEGINS!

6 YOUNG DEMS PETITION FOR LEGAL ACTION

PHOENIX, Wednesday, November 8, 1961

A resolution asking that the Administrative Council of the City University present "its legal case to an impartial panel of lawyers" was issued by the Queens College Young Democrats last Thursday.

The group declared its opposition to the Council's barring of Communist speakers from "appearing on the City University campuses as a violation of . . . the basic ideals of a free university in a free society."

The student governments of the City Colleges were urged "to continue to lead the campaign to establish an open speaker policy for the City University."

The resolution emphasized that the students of the City University are capable of handling "the rights of assembly, of selecting speakers and discussing issues" of their choice without the imposition of restraints by college "authorities." It went on to say that the statement by the Administrative Council issued last October 26, expanding the policy of "in loco parentis," takes these rights away from the students.

The Young Democrats indicated that any attempt to restrict the students' "freedom to listen and learn" is "both detrimental to the pursuit of truth and the expansion of knowledge, and alien to the ideals of a free university in a free society."

They feel that the Administrative Council is "stretching" the recent Supreme Court decision, requiring the Communist Party to register as an agency of a foreign power, to imply that Communist speakers should be banned from the City University campuses. They ask that lawyers "review the relevancy of the present speaker policy vis-a-vis the recent Supreme Court decision."

QUEENS COLLEGE

CITY COLLEGE

Speaker Regulation—An Historical View

On March 12, 1957, Queens College Head Thomas B. Garvey rescinded an SG Public Affairs Forum invitation to John Gates asking him to participate in an Academic Freedom Week program.

Dr. Garvey's executive action of banning the then Daily Worker Editor from the QC Campus set off a five year chain of BHE reversals of speaker policies. They finally ground to a halt yesterday with the Administrative Council of College Presidents decision to bar all "known" Communists from the City University.

The Administrative Council maneuver was effected by the same tripleplay—Queens College to Council to BHE—that led to the imposition of the 1957 Smith Act Speaker restrictions.

The drive for the latest modification in policy began when Queens College President Harold R. Stoke cancelled a speaking invitation to Benjamin Davis from a QC Marxist Discussion Club. Pres. Stoke followed exactly the procedure used by Dr. Garvey.

Dr. Stoke then issued a statement calling upon the Administrative Council of College Presidents to review its speaker policy. Ditto for President Garvey.

Declaring that State law requires the College to employ only teachers who support the constitution of the National and State government, Garvey maintained that this provision of the Feinberg law applied also to "those who teach at the College in a speaker capacity."

A scheduled meeting of the Administrative Council of College Presidents took place the next day.

Presidents Shuster, Gideanse, Garvey, Willig and Gallagher participated in the council's unanimous decision which stated that "the practice of refusing the courtesy of the campuses to persons under indictment for any reason or awaiting appeal from conviction will be extended to exclude persons convicted under the Smith Act."

That ruling unlike the present one did not prohibit communists not convicted under the Smith Act from speaking at the College.

This modus vivendi was the suggestion of President Buel G.

Gallagher who along with the other four members of the body were daubed "the fearful five by Gates."

Dr. Gallagher stated that he had presented it as a compromise resolution to keep the BHE from declaring a blanket ban on all communists. "We had no choice," he said.

The first test of the boards decision occurred the following term when the college's Marxist Discussion Club invited Elizabeth Gurly Flynn, then a candidate of the Peoples Rights Party for a State Assembly seat. President Gallagher barred Miss Flynn on October 25 saying that the Council ruling leaves no room for discretionary power in the hands of the individual President with regard to speakers. Miss Flynn who was indicted under the Smith Act had fulfilled all qualifications for candidacy in the municipal election.

In the next two years Robert Thompson and Benjamin Davis both members of the CPUSA national council were barred from the College.

Last April 11, the Smith Act ban was quietly, very quietly removed by the Council of College Presidents. No announcement was made of its action until two weeks later when the council issued a statement which said that "the 1957 restrictive action which served a purpose at that time is no longer necessary."

According to the statement the barring of Smith Act violators "did not . . . and was not intended to . . . bar known communists who had not been convicted under the Smith Act.

That was six months ago.

The Ban Stand on View

CANNED FREE SPEECH

GREAT DEBATE

Benjamin Davis and William Buckley, refugees from the city colleges, will publicly debate on Academic Freedom, Columbia University has announced.

The debate, to be staged at the Columbia University campus, was unanimously approved by the Student Board of the University last week.

Time, place, and date will be announced.

BBC to Play Tape Of Davis Talk at 4

A tape recording of Communist Party Secretary Benjamin Davis' speech at Columbia University two weeks ago will be played today at 4 in Lewisohn Lounge.

CAMPUS, CITY COLLEGE
NOV. 15, 1961

Ben Davis To Talk Here Via Tape Recorder

The voice of Benjamin J. Davis, secretary of the Communist Party of the United States, will be heard on the Queens College campus today at 1 pm in Rea 23A. A tape recording featuring speeches by Davis, State Assemblyman Mark Lane, and CCNY Professor John C. Thirwall, will be presented by the Young Democrats, NAACP and Dissent.

Mr. Davis addressed over 900 students at a protest rally at Columbia University last Thursday on Academic Freedom and the Speaker's Ban.

PHOENIX, QUEENS COLLEGE, NOV. 18, 1961

PHOENIX, QUEENS COLLEGE
OCT. 31, 1961

• Poll Shows 86% Oppose Ban •

Nearly four of every five students at the College are opposed to the City University's temporary ban on Communist speakers, a survey indicated yesterday. If the ban is made permanent, 86 per cent would be opposed, the poll showed.

CAMPUS, OCT. 24, 1961

It appears that the Administrative Council, Acting President Rivlin, Chancellor Everett and even Student Council have forsaken the principles of free inquiry, free speech and open discussion because of an insane fear of hearing a Communist idea presented. The right to hear all forms of ideas and beliefs is basic to the student's search for truth in the academic community. This is the issue at stake and this is the principle which all rational people must defend. Ben Davis is not the issue, but merely the example.

CAMPUS, OCT. 18, 1961

More Groups Join Ban Fight

Support for student efforts to rescind the speaker ban has been voiced by the Student Senate at the University of Connecticut and by the National Board of the Campus Division of the Americans for Democratic Action (ADA).

In a resolution passed on November 29, the Student Senate supported the student councils of the City University "in their effort to assure themselves of a broad education in an atmosphere of academic freedom by trying to revoke the decision of their administration to forbid the appearance of Benjamin Davis and Malcolm X."

The Senate also stated that "it is a most anti-intellectual and dangerous principle for . . . an institution [of higher learning] to ban speakers for reasons of law despite opinions to the contrary of competent attorneys."

In a similar statement, the Campus Division of the ADA said that "each individual should be educated to the point where he can discriminate between ideas. It is our conviction that only by permitting controversy to be aired can it be properly examined and rejected if need be.

"We call on the Administrative Council to reconsider its position in the light of these considerations and to rescind their order," it stated.

OBSERVATION POST
DEC. 7, 1961

OBSERVATION POST
CITY COLLEGE

Ban Is Scored By NSA Unit

The City University Communist speaker ban was cited as "an example of a current problem in American educational policy" at a nation-wide conference of students and educators in Racine, Wisconsin the past weekend.

"Opposition to the ban was very nearly unanimous," according to Ted Brown, the College's delegate to the "Aims of Education" Conference attended by about sixty campus representatives. The conference was sponsored jointly by the National Student Association and the Johnson Foundation, a non-profit midwestern educational group.

The ban was cited by one speaker as an example "of a veto group in the community, which places outside pressure on a public or semi-public institution." Another called the ban a blow to academic freedom, defined earlier as a "thrusting for truth."

Brown added that about twenty-five student representatives promised to bring requests for action on the ban to their respective student councils.

The conference, aimed at discussing the role of education, raised chiefly the question of creating an intellectual elite or educating as many members of society as possible "by means of a homogenous educational curriculum."

The delegates also discussed the problem of how institutions of higher learning could foster "involvement in contemporary society." Paul Potter, an NSA officer, urged that students not press for change only within the academic community, "but should actively enter society and attempt to change the very context in which the university exists."

ALUMNI -

LETTERS

—to the editor

Graduate Grudge

The following is a letter sent to Dr. Stoke from the Queens College Alumni Association of Greater Boston.

We were deeply distressed to learn that the administration of Queens College had prohibited Benjamin Davis and Malcolm X from speaking to the Queens student body. These unwise actions compel us to protest.



We can not agree with your statement defending the banning of Mr. Davis; international tension can not possibly justify your position. Indeed, we fail to see the relevance of this objection.

The recent Supreme Court decision that the Communist Party must register its members as members of an agency controlled by a foreign power does not legally deny them the right to speak or the students the right to hear them. We can not sanction an extra-legal interpretation of that decision which requires the suppres-

sion of Communist speakers on the Queens College campus. Such an unwarranted extension of the court's opinion can only contribute to a dangerous situation where freedom is eroded and education impaired.

We were disturbed to learn that local groups urged the banning of Mr. Davis, and were particularly unhappy to learn that you allowed these pressures to influence your decision. There are times when leaders must withstand popular pressures. We believe that this was such a time.

We look forward to that time in the near future when Mr. Davis, Malcolm X, and other invited guests may once again speak at Queens College.

Sincerely,
Mrs. Rhona Hartman,
Secretary
Queens College Alumni
Assoc. of Gr. Boston

The above letter was adopted by the members of the Queens College Alumni Association of Greater Boston at their October 27, 1961 meeting.

25 on Faculty Sign Letter

Text of Letter

We oppose the action of the Administrative Council which last week barred Communists from speaking at the Municipal Colleges. Although the decision can be criticized on many grounds, it is most deplorable for an academic community dedicated to free inquiry.

Freedom of thought is fundamental to a democracy, and institutions of higher learning must be its most jealous protectors. Therefore, we feel that the exclusion of any ideology undermines the most precious function of the College.

Repression has never protected intellectual liberty; even when it is directed against those who, like the Communists, do not deem this liberty indispensable.

Milton L. Barron, Chairman, Sociology and Anthropology; Hillman M. Bishop, Asst. Professor, Political Science; Alfred A. Cave, Instructor, History; Sidney Ditzion, Ass't. Professor, History; Ivo Duchacek, Assoc. Professor, Political Science; J. A. Elias, Lecturer, Philosophy; Stanley Feingold, Lecturer, Political Science; Marvin E. Gettleman, Lecturer, Political Science; Samuel Hendel, Chairman, Political Science; Kennan Hourwich, Fellow, Political Science; K. D. Irani, Ass't. Professor, Philosophy; Frederic C. Jaher, Instructor, History; Hans Kohn, Professor, History; Michael Kraus, Professor, History; Y. H. Krikorian, Professor, Philosophy; Harry Lustig, Professor, Physics; Henry M. Magid, Assoc. Professor, Phi-

FACULTY SPEAK UP

losophy; David Newton, Ass't. Professor, Student Life; Aaron Noland, Assoc. Professor, History; Gerald M. Pomper, Ass't. Professor, Political Science; Henry Semat, Chairman, Physics; John C. Thirwall, Professor, English; Philip P. Wiener, Chairman, Philosophy; Irwin Yellowitz, Instructor, History; Elliot Zupnick, Assoc. Professor, Economic.

OBSERVATION POST

TUESDAY, OCTOBER 17, 1961
CITY COLLEGE

PHOENIX, Wednesday, November 8, 1961 •

QUEEN'S COLLEGE

The Time to Boycott is NOW



THE CAMPUS

CITY COLLEGE, NOV. 9, 1961

A Plea for Action: The Boycott Upheld

By Vic Grossfeld

Why I will boycott classes for two hours today . . . or, a plea in behalf of direct action.

Today students are boycotting their classes for two hours in an attempt to illustrate the intensity of their feelings against the Administrative Council's speaker ban. Sober and meaningful objections raised by both students and faculty have served to make the decision to stage the boycott a responsible one.

Hours of debate have gone into this decision. Hours spent poring over the Council's legal brief aided in this decision. Hours spent exploring the possible motives of the Council in imposing the ban have affected this decision. Hours spent deciding the actual meaning of such a form of action have resulted in this decision. The fact that a boycott was organized after all this deliberation has served to give those of us who support it confidence that it was right decision.

It is to those who could not participate in this debate and deliberation that I direct this column.

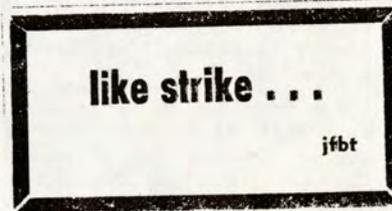
The strongest argument against the boycott may be stated as follows: At present it is premature to take direct action such as a boycott. For not until a legal brief has been submitted to the Administrative Council can such action be taken in good faith. Since the question is a legal one, we must, in a democratic society, exhaust every legal recourse before taking direct action or we must demonstrate, by submitting a legal brief and having it rejected, that the Council is acting in an irrational and non-legal manner. A boycott of classes is a rather drastic form of direct action and thus it cannot be utilized until such other methods such as petition, letter-writing campaigns, etc. have been used.

On the face of it, this sounds like a solid argument. Thus the need for the many hours of careful deliberation. It can, however, be successfully refuted on several of its basic points.

First, it is not premature to stage a boycott at this time because it has already been demonstrated that the Council has acted non-legalistically and irrationally. Yielding to pressure from the American

Legion and other civic groups is certainly non-legalistic. Using minority opinions and quoting completely out of context from judicial decisions is both irrational and non-legalistic. Imposing a ban [the temporary ban] before reviewing an issue is similar to judging guilty until proven innocent and thus is not legalistic. Not allowing the courts to decide a legal issue is non-legalistic.

The argument against the boycott also holds that it is drastic action. A strike would be. This is not. It is similar to a rally. But it is of greater import than a rally because it demonstrates that students are willing to give up two class hours to illustrate their feelings against the ban. It is symbolic of the ban itself because students are showing that missing their



classroom education is virtually the same as missing the opportunity to hear all ideas. The argument against the boycott is erroneous again, because it assumes that today's action is solely against the legal argument. This is not so. The boycott also protests the arbitrary power which has been given to each and every City University president to ban any speaker from his campus. The boycott is, overall, an illustration of the student body's intense desire for academic freedom.

This desire obligates me to boycott classes for two hours today.

Anti-Ban Boycott Gains Momentum

STUDENTS TO CUT CLASSES

By DON BROWNSTEIN

An overwhelming majority of Senate, riding the crest of the city-wide student protest wave, voted for a Thursday strike against the Administrative Council speaker ban, Friday. Over 100 students were present as the Student Association passed the boycott resolution 23-2.

The strike will be the latest in a series of student boycotts and rallies that have swept the municipal college campuses since the ban was imposed.

Strikes have already broken out at C.C.N.Y. and on both Hunter College campuses. The class boycotts came as a result of the Administrative Council of the City University's decision to ban known Communists and other speakers from the CU campuses.

QUEENS COLLEGE

PHOENIX

NOV. 14, 1961



JAN. 9, 1962

Student Protestors

Demonstrated Against Ban

CITY COLLEGE, NOV. 30, 1961

Join The Line

The Board of Higher Education has shown no evident signs of unrest over legal attempts being made to undermine their ludicrous speaker ban decision. The College's Alumni Associations, professors, and special lawyers hired by these groups have worked scrupulously over legal briefs. But replies from the other side have not been forthcoming.

No longer can students sit idly by while others fight their battles for them. The student bodies of Hunter, Queens, and Brooklyn Colleges are being urged to take their most concerted action to date. We cannot over-emphasize our plea to the students here to turn out in plentiful numbers to picket BHE headquarters Saturday. It's been said before, but this time it holds more truth than in the past, that only through a show of concern by the people most affected by the recent decision — the students themselves — can the true harm of the decision be brought home to the minds of these belittlers of academic freedom. Definite forthright action at this time can no longer be requested or urged. It must be taken.

OBSERVATION Q&RT

Rally To Protest Ban Set; Others Hit Speaker Curb

By ELLA EHRLICH

A rally protesting the recently imposed ban on Communist speakers at the City University will be held Thursday on the South Campus Lawn.

The call to protest was initiated at a meeting organized by Student Government President Irwin Pronin, Fri-

day. Various executives from college groups attended the meeting to discuss actions that could be taken to affect a rescinding of the ban.

CITY COLLEGE

OBSERVATION POST

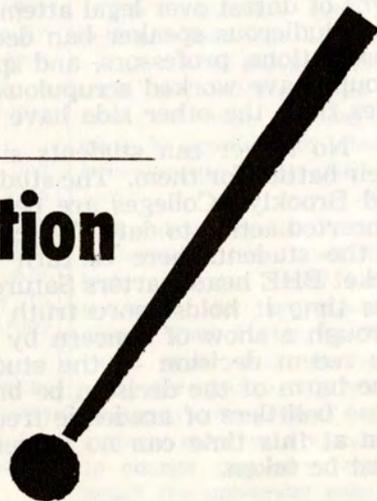
We, the students at this College are being denied the privilege of complete, uninhibited exposure to all ideas. We are going to be denied the right to think, for without a free airing of all facts, thinking is a fruitless exercise.

There are times when petitions are effective, but that is long past now. The only alternative left for the students at the College is direct action, a mass rally, for example. The campaign has to be a continuing one, for that is the only way that our opinions will be heard.

Student and faculty opposition to the temporary ban has been disregarded; there is no reason to believe that petition drives against the new permanent ban will be any more effective. There is a clear and present danger that minority opinions will never again be heard at the College.

The time for ACTION IS NOW.

Action



1000 AT RALLY OKAY STRIKE



—Photo by Sudakin

OBSERVATION POST

FRIDAY, NOVEMBER 3, 1961

401

CITY COLLEGE

Our Protest — At a Glance

● About 1,000 students — and a few faculty members — gathered on the south campus lawn to protest the City University's speaker ban. They gave resounding approval to a student government suggestion that the College's students hold a two-hour boycott of classes here next week — the details of which SG decides today.

● SG members report that about 800 copies of its pamphlets on the ban were distributed during the rally. Also, it was reported that about 750 "Ban the Ban!" buttons have been sold.

● The American Civil Liberties Union, represented at the rally by Political Science Chairman Samuel Hendel, stated its opposition to the Administrative Council's legal arguments.

● At the rally, a pre-recorded speech by Benjamin Davis, national secretary of the Communist Party, was played. The question asked by SG representatives was: would they ban the tape?

Exec to Plan Boycott At Meeting Today

By Vic Grossfeld

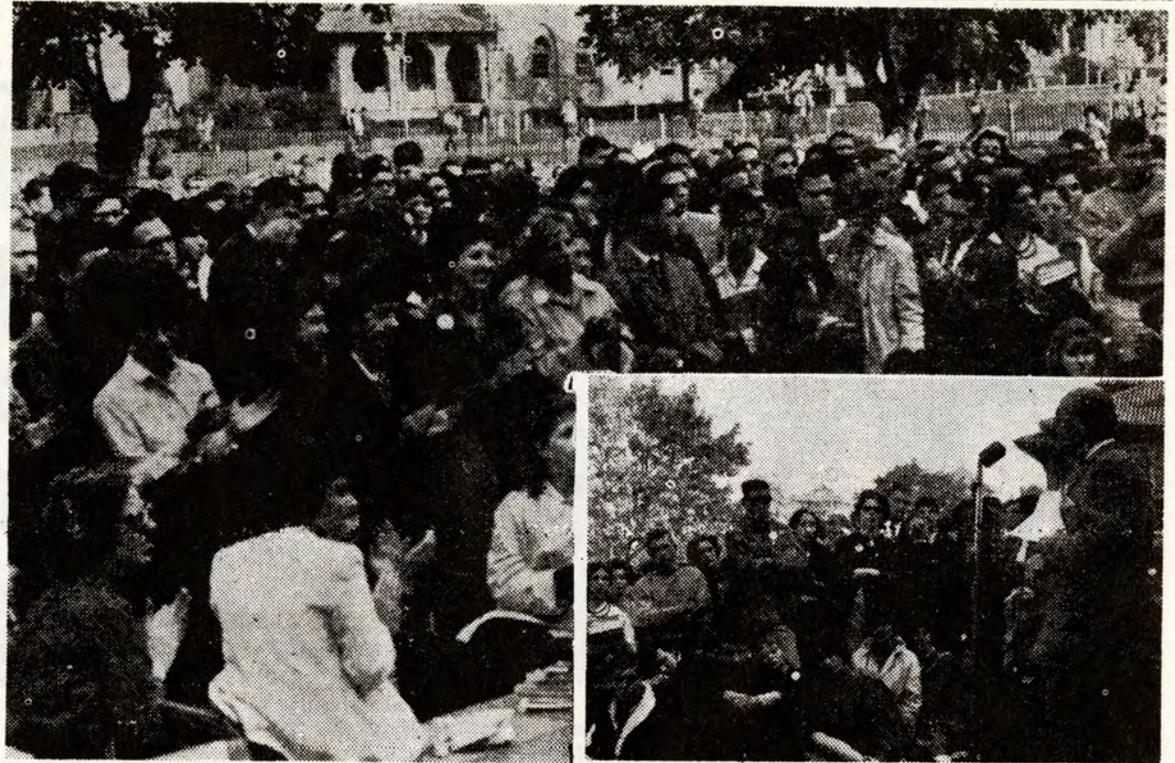
The largest assemblage at a College rally in fourteen years gave its approval yesterday to a two-hour boycott of classes to be held sometime next week.

At a rally on the south campus lawn against the Administrative Council's speaker ban, an estimated thousand students heard speeches voicing the legal, moral and academic arguments against the ban. At the rally's conclusion, they were asked whether they would support a "two-hour symbolic boycott of academic classes next week."

The proposal drew the largest ovation of the day from the group of students, faculty and alumni.

Demonstrations Erupt At Hunter, City In Protest Against Speaker Limits

PHOENIX DEC. 31, 1961 QUEENS COLLEGE



Warner: "Do We Want Open Policy"— 400 Freedom Rallyers Answer "YES"

*Lane, Lenz, Gittell Join Crowd
In Al Fresco Attack On Ban*

By STUART A. SHAW

More than 400 students gave out with a lusty "yes" to SA President Ken Warner's query "Do we want an open speaker policy?" This question and answer rounded out a mass rally in which the proposed speaker ban was blasted by faculty members Dr. Harold Lenz and Dr. Marilyn Gittell, NSA Academic Freedom Coordinator Neal Johnston, and State Assemblyman Mark Lane. The rally was held last Wednesday on the steps of Remsen.

STRIKE THURSDAY!

THE phoenix

Flushing 67, New York—Tues-day, November 14, 1961

THE
Vol. III No. 8

THE ISSUE

The following statement by Ken Warner, Student Association President, describes the purpose of the proposed student strike.

Mr. Warner stated that the issue that has forced him to advocate a strike by the student body of Queens College is twofold:

(1) We are opposed to the philosophy of education which underlies the Student Speaker Policy. We, as students attending the City University, have been reduced to the position of children by this policy. The policy denies us any voice in the final decision to accept or reject an invited speaker. Our conception is one in which the student is a participant in the University community, taking a meaningful part in decisions which affect him directly.

(2) The legal opinion, which the Council claims as justification for their position, has been branded specious and sophistic by the New York Times. Competent lawyers and respected faculty in the city have condemned the opinions of the Council on these same grounds. WE CONCUR.

QUEENS COLLEGE NOV. 8, 1961

Ban Lifted by Administrative Council;

Ben Davis to Speak

THE CAMPUS TUESDAY, DECEMBER 19, 1961

CITY COLLEGE

The Administrative Council last Saturday reversed its speaker ban on known Communists. The ruling was welcomed enthusiastically at the College by students, faculty and alumni.

One reaction came in the form of an invitation yesterday to Benjamin Davis, a leading Communist, to speak here Thursday at a meeting of the Student Government Public Affairs Forum. Mr. Davis promptly accepted. No objection was raised by the administration.

The Administrative Council's decision to lift the ban, which was imposed on October 26, was announced in the form of a three-page statement. The Council revealed that it had "requested the help of the Association of the Bar of the City of New York" in arriving at its decision.

The Council declared that "educational authorities on each campus are legally free to approve or disapprove invitations to Communists . . . as they were heretofore."

A five-page report by the Bar Association's Bill of Rights Committee accompanied the Council statement. The report concluded that "a faculty or administration of the City University is legally entitled to permit known United States Communist party members to speak on their campuses."

The report refuted the Council's original legal stand by stating that

"under existing laws . . . a member of the Communist party who spoke out at an open meeting to which the student body and faculty were invited would not commit a criminal act no matter how ardently he might urge his party's objectives."

The report also noted that the Supreme Court "has held that advocacy of forceable overthrow as an abstract doctrine is constitutionally protected speech."

The New York Times.

FEB. 18, 1961

A Victory for Free Speech

The Administrative Council of the City University of New York has wisely withdrawn the ban against Communist speakers on its college campuses. The council was wrong when it imposed the ban in October. Although it tried to justify its action by reference to the opinions of unidentified attorneys, there never was any doubt that the edict was counter to the basic principle of free speech.

The Committee on the Bill of Rights of the Association of the Bar of the City of New York has now given the council the "considered opinion" that "a faculty or administration of the City University is legally entitled to permit known United States Communist party members or officers to speak on their campuses."

The bar association has performed a vital service in getting the university administration out of an absurd position. Much credit also goes to others who have taken a strong stand in demanding a reversal of the ban. In addition to the Academic Freedom Committee of the American Civil Liberties Union, impressive numbers of faculty members at the colleges have spoken out fearlessly, both on the principles of freedom and on the meaning of law and the Constitution.

The fact that the responsibility to approve or disapprove campus invitations has been returned to the individual colleges merely makes it more important than ever for the separate administrations to live up to the reputation of free institutions. The issue of Hunter College's refusal to rent its hall to The National Review, a Right-Wing publication, still remains to be resolved. Although under different circumstances, this also involves the basic issue of free speech.

The lesson to be learned is that a university, instead of seeking out legalisms to cover a retreat from principles, ought to stand firm on the courage of its convictions and ideals.

LETTERS

ALL THE WAY

Dear Editor:

To you, to your fellow paper, *The Campus*, to the Student Government, and to the hundreds of students who actively supported the movement to revoke the Speaker Ban, go the fruits of victory, the sweet rejoicing and exultation in your triumph and the knowledge that once again we students can pursue our academic and intellectual yearnings in a free and unshackled manner.

Whatever part I have played by buying a BAN THE BAN Button, by attending the protest rally, and by observing the boycott, I am proud of. But I am more proud of my fellow students for their mass determination and unflagging perseverance in fighting the BAN all the way. It is indeed an honor to attend an institution like City College.

Steve Wasserman '65

OBSERVATION POST

CITY COLLEGE

DEC. 23, 1961

STUDENT VICTORY

Dear Editor:

The recent demise of the speaker ban is indeed a great victory for freedom, a victory in which the student body, the student newspapers, the faculty and alumni all had a part and a victory they all may rejoice in.

While we rejoice, however, let us not be unmindful of the more subtle threats to our freedom which still exist. While there is no longer any speaker ban at the Municipal Colleges, the Smith Act and the Internal Security Act which jointly spawned the ban are still very much the law of the land. The House Un-American Activities Committee, which, by the threat of repercussions, inhibits free speech and the process of learning, is not only still in existence but is flourishing. These specific examples, coupled with the less apparent but nonetheless real wave of conformity that is sweeping the country, smashing all forms of dissent in its path, serve to relegate the freedoms embodied in the Bill of Rights to an equivocal statement of theory rather than a respected rule of law.

Whatever may be our political persuasions, "liberal" or "conservative," "communist" or "birchite," we must strive to keep our freedom of dissent sacred and inviolable.

Michael Mezey '63

McCARRAN ACT FACTS

The McCarran Act (Internal Security Act of 1950) applies terms like "traitor," "subversive," "foreign agent" (without prior proof or due legal process) to organizations that it classifies as Communist "Action," Communist "Front," or Communist "Infiltrated."

ORGANIZATIONS so designated are required to:

- REGISTER under these incriminating designations.
- LABEL their publications and all mailed printed material.

- - -

INDIVIDUALS deemed to be members of these organizations are denied:

- JOBS under conditions designated by the Attorney General.
- PASSPORTS

- - -

PUNISHMENT - \$10,000 fine and five years in jail for each day of non-compliance.

- - -

FREE ASSOCIATION JEOPARDIZED (in trade union and other organizations) under threat of being termed Communist "Front" or Communist "Infiltrated."

THE McCARRAN ACT VIOLATES THE BILL OF RIGHTS

- 1st Amendment ..Freedom of press, speech, assembly.
- 5th Amendment .."no person ...shall be compelled ...to be a witness against himself."
- 6th Amendment ..Right to trial by jury.
- 8th Amendment ..Cruel and unusual punishment.

16.

"The strength of the Constitution lies in the determination of each citizen to defend it."
Dr. Albert Einstein, March 3, 1954

Many organizations opposed the McCarran Act, among them: AFL:CIO, NAACP, American Civil Liberties Union, American Jewish Congress, Americans for Democratic Action, National Farmers Union,

Many publications have expressed alarm at the Supreme Court decision, among them: New York Times, Boston Herald, Minneapolis Sunday Tribune, New York Post, St. Louis Post Dispatch, the Nation, New Republic.

Many leading citizens have called for non-enforcement and repeal of the McCarran Act, among them: Hon. Grenville Clark, Prof. Thomas E. R. Goodenough, Bishop Edgar Love, Judge Stanley Moffat, Dr. Linus Pauling, Upton Sinclair, Dr. Willard Uphaus, Prof. Harold C. Urey.

- - -

In the spirit of Thomas Jefferson, who repudiated the Alien and Sedition Acts, The President should be asked to suspend enforcement of this Act and support action for its repeal.

- - -

In the spirit of Peter Zenger, who fought for and won, the right of Free Press, 1735, the Administration should be asked to oppose censorship by LABEL on any dissenting press.

- - -

In the spirit of the Bill of Rights, the Attorney General should be asked to defend, not undermine, the right to free speech, political thought and association.

ACT NOW - THE FREEDOM YOU DEFEND IS YOUR OWN!



The Citizens Committee For Constitutional Liberties is a committee dedicated to nullification and repeal of the McCarran Act. The CCCL functions on a national scale by educating the public to the meaning and far-reaching effects of the McCarran Act, and by supporting all activities that would lead to repeal of the McCarran Act.

If you are interested in learning more about the McCarran Act and what you can do, send for a list of our material. Literature available includes: Supreme Court Dissents in the McCarran Act case; reprints of statements by national leaders and newspaper columnists; and our monthly Bulletin with pertinent and up-to-date information.

Your contribution will help make the work of the CCCL possible.
Please send to:

CITIZENS COMMITTEE FOR CONSTITUTIONAL LIBERTIES

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