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Loyalty Oath Bill Opposed

President Stassen tells legislative group that bill requiring a special loyalty oath of employees of State-aided schools would "seriously damage education in Pennsylvania."

(Continuing President Stassen's remarks to a conference of members of the Senate and House at Harrisburg on April 30, at which time Senate File No. 27, the so-called Loyalty Oath Bill—see note for details—was under consideration. At this writing the bill had passed the State Senate and was shortly to go before the House.)

MAY I begin my comments by expressing to you our appreciation for the invitation to meet with you to discuss this very important measure of legislation?

President Eisenhower (Penn State), President Fitzgerald (Pittsburgh), Provost Gladfelter (Temple), and I have all responded to your invitation because of our grave concern with regard to this measure. I also have present with me the Senior Trustee of the University of Pennsylvania, Mr. S. F. Houston, the Dean of the College, Dr. Glenn Morrow, and one of the distinguished members of our faculty, Dr. David Goddard.

Let me say, at the outset, that I know that the authors and supporters of the Senate File No. 27 have as their objective the combating of subversive Communist activity in our country and the safeguarding of individual freedom. I know that that is their sincere objective.

With that objective, I am in whole-hearted agreement. But, gentlemen, I am convinced that this bill pending before you would not help eliminate Communism or subversive activities, and would seriously damage education in the Commonwealth of Pennsylvania.

Therefore, I am strongly opposed to Senate File No. 27, and I will give my reasons in some detail.

Before proceeding to do so, however, may I express my desire to continue to cooperate with the Legislature toward achieving the objective of combating Communism and reducing subversive activities? May I say that my own experience in this matter goes back to my undergraduate days at the University of Minnesota, when I fought Communist attempts to infiltrate campus organizations? That opposition to Communism continued through my years as District Attorney, when I opposed and prosecuted Communist attempts to move into the packing house workers' unions, and through my years as Governor, when in 1938, I took the firm stand that no Communist or Fascist belonged on the public payroll and when my administration systematically weeded them out.

Throughout these 25 years of my adult life, I have consistently and alertly opposed in an effective manner Communist infiltration and subversive activities.

From this background of experience and from my present careful study of Senate File 27, may I submit to you eight reasons why this bill would be harmful and why it would not advance the objectives which its supporters have for it?

1. It will create a turmoil on every university campus in the state because distinguished, patriotic, loyal faculty members will refuse to sign the elaborate oath specified in this bill and will engage in a disrupting fight against the oath.

2. It will ultimately be declared un-

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WHAT THE BILL PROVIDES

Everyone in the employ of the Commonwealth of Pennsylvania or any of its political subdivisions or of any college or school which receives state aid (this includes the University) will be required to take this oath next October first:

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties upon which I am about to enter.

"And I do further swear (or affirm) that I do not advocate nor am I knowingly a member or an affiliate of an organization, group or combination of persons that advocates the overthrow of the government of the United States by force or violence and that during such time as I am a member or an employee of— I will not advocate nor knowingly become a member nor an affiliate of any organization, group or combination of persons that advocates the overthrow of the government of the United States or of this state by force or violence."

Those who refuse to take the oath or who are found to be subversive, must be discharged, but they have the right to a hearing before the Department of Justice and, following that, to an appeal to the Court of Common Pleas of Dauphin County.

The bill provides that the attorney general of the Commonwealth of Pennsylvania will determine whether or not an organization is subversive.
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constitutional in a few years after it has caused all this damage to academic institutions. I have here copies of the California decision declaring the California oath unconstitutional in the lower appellate court. I personally am certain that this decision will be affirmed by the Supreme Court and that the decision exactly fits the oath presented in this Pennsylvania legislation.

3. It will not expose any Communists because they will take any oath.

4. It will harm the standing of our own universities among the universities of the nation, for it will make it more difficult for us to keep outstanding members of our faculties, and also to attract other good men. There is always keen competition for the ablest men, and they will prefer to go where this kind of a disrupting situation does not exist.

5. It is an un-American approach to a difficult problem because it puts all members of faculties under suspicion. The American method is, and always has been, to seek evidence, to investigate, and to punish when the evidence is obtained. It is not the American method to require all law-abiding and patriotic citizens to file reports that they are law-abiding and patriotic, or to require periodic reports to a police station, or to employ any measure of that nature.

6. It will drop a smothering blanket over the freedom of thinking and of the freedom of speaking that exists at present and should exist on our campuses.

7. It will cause faculties in secondary schools and undergraduate schools in Pennsylvania and elsewhere to advise their students not to come to universities in Pennsylvania. This is extremely important, for the presence on our campuses of keen young men and women from the various states of the Union and from foreign countries, and the association of them together during their educational years, is a very important part of the education of the young people of Pennsylvania.

8. It will seriously diminish our research grants from foundations, for there will be a definite tendency for foundations to make their grants where freedom for scientific and academic pursuits is unhampered.

For these eight reasons I plead with you that you do not make the tragic mistake of enacting this measure of legislation. May I further point out that the four state-aided universities in Pennsylvania have an excellent record? There have been a number of very sad scandals of treason and subversive activity disclosed elsewhere in the nation in these last five years. But none of these has touched the campuses of the universities in Pennsylvania. I do not say that it is impossible for us to be so involved, but I do say that the record is favorable, in fact outstanding. Under these circumstances, surely, you should not place upon us this suspicion, this disrupting provision, this handicapping measure.

The method that should be followed is the method that your universities are now following. We cooperate closely with the Federal Bureau of Investigation and with the intelligence agencies of the Armed Services in uncovering any facts that may be relevant to activities of a subversive or Communist nature. We carefully investigate new members of our faculties, and we follow up any information pointing adversely to present members of our faculties.

Our faculty at the University of Pennsylvania is with us in this respect. Our faculty, in their resolution opposing Senate File 27, state specifically that they do not consider that any Communist is competent to teach. I consider it to be clear under existing laws that any proven Communist or person engaged in subversive activities can be discharged from any faculty or public position in this state. It is necessary to get the evidence against them, and that will still be necessary if you pass this bill. The only thing this bill would do would be to cause a great amount of turmoil and difficulty for many thousands of patriotic loyal men without assisting one whit in unearthing or removing any actual Communist source of subversive agents.

You are entitled to insist upon the continuing cooperation of the presidents of your universities toward this end of combating Communism and subversion. If it would be your wish to ask for an annual report from the president of my own institution, in a manner similar to that embodied in a Maryland law which has been upheld by the Supreme Court, informing you of the actions taken during the year toward that end, I would have no objection to such a requirement, for I feel that in any event it is the duty of the president of an educational institution to carry on such activities. If the Commonwealth furnishes some of the funds, you are entitled to a report on this or any other major administrative activity.

It is the general view furthermore,
that if you do wish to ask that all members of the faculties take the same oath to uphold the constitution which all judges and senators and representatives and governors take, there would be no objection to that provision.

But I plead that you do not make the mistake of endeavoring to impose upon our distinguished and loyal faculties this special oath, clearly unconstitutional, clearly contrary to basic American tradition of respect for the loyalty and law-abiding nature of our fellow citizens.

Faculty News
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the U. S. Military Academy, West Point, on April 19 and 20. He addressed the cadets on the subject of “Stephen Benét’s America.” Professor Bradley is serving at present as Chairman of the Department of American Civilization in the Graduate School.

Professor M. S. Vitese, of the Department of Psychology, delivered an address on “Better Selection for Better Training,” at the annual meeting of the Canadian Industrial Trainers Association, held in Montreal.

Veterinary School

Dean Raymond A. Kelser was called to Lexington, Kentucky, recently to consult with the Chief of the Division of Animal Pathology, University of Kentucky, concerning an unusually virulent outbreak of Equine Virus Abortion in that area. On April 26 he participated in a panel discussion sponsored by the Philadelphia County Civil Defense Council on the medical aspects of civil defense.

Drs. F. H. McCutcheon and Monica Reynolds of the Physiology Department and Dr. Frank Eisenberg of the Department of Bio-Chemistry attended the meetings of the Federation of American Societies for Experimental Biology, held last month in Cleveland. Dr. McCutcheon presented a paper before the American Physiology Society entitled, “Comparative Study of Complex Breathing Cycles in Terrestrial Mammals.” And Dr. Eisenberg delivered a paper entitled, “Degradation of Biosynthetic Glucuronic Acid, Labeled C14,” before the American Society of Biological Chemists.

Drs. D. K. Detweiler and John Martin, Department of Physiology and Pharmacology, attended meetings of the American Animal Hospital Association held at Atlantic City in May. Dr. Detweiler presented a paper entitled, “Heart Sounds and Murmurs in the Dog.” Dr. James Mark, Department of Medicine, and Drs. Mark W. Allam and Jacques Jenny, Department of Surgery, also attended these meetings. Dr. Jenny presented a paper entitled, “Complications in Radius and Ulnar Fractures.” Dr. John McGrath, Department of Pathology, presented a paper entitled “Spinal Paralysis of the Dog.”

Wharton School

Dr. Gladys L. Palmer, research associate of the Industrial Research Department, has been appointed a consultant to ECA to work on a program of labor force statistics with European governments. Headquarters are in Paris, from which Dr. Palmer is making trips to cooperating countries.

Necrology

'81 PD. Dr. Lewis P. Cooke, 96, who practiced dentistry and dental surgery in Hawley, Pa., for most of his life, died March 28, 1951, in Ponomra, Calif., where he had made his home since 1949.

'00 D. Dr. Harry W. Bailey, 74, prominent retired Wellsboro, Pa., dentist, died February 1, 1951.

'02 M. Dr. Walter Estell Lee, 71, emeritus professor of surgery in the Graduate School of Medicine and a noted author of medical works, died April 5, 1951. In 1935 he was named vice dean for surgery and he held that post until his retirement in 1946.

'03 M. Dr. Alexander H. Peacock, prominent Seattle, Wash., physician and former president of the University of Pennsylvania Club of Seattle, died April 13, 1951.

'04 C. Isaac Feinberg, 92, secretary of the Congregation Mikveh Israel, Philadelphia, died March 31, 1951. For a number of years he was the Jewish Chaplain at Eastern State Penitentiary.

'09 C. Jerome S. Hurd, 63, who retired recently as manager of the Allentown, Pa., branch of the International Harvester Co., died April 12, 1951.

'10 D, '19 M. Dr. Samuel Rutherford Sawyer, for many years a practicing dentist in Philadelphia and a former member of the University faculty, died April 11, 1951. Since 1934 he had made his home in Concord Wharf, Va.


'18 W. Geoffrey T. Hawley, 55, who was associated with the Insurance Company of North America, died May 10, 1951, at his home in Wynnewood, Pa.

'21 W, '22 GB. George Elderton, real estate broker and builder, of Reading, Pa., died April 15, 1951.


'25 W. Madison W. Pierce, president and treasurer of William Eastwood & Son, Rochester, N. Y., died in February, 1951.

'30 FA. Mrs. Naomi Hett Passmore, 42, wife of Chester B. Passmore, Sr., insurance broker, died April 21, 1951. She was a member of a number of organizations, including the Flaghouse Chapter of the Daughters of the American Revolution.

'31 M. Dr. Charles A. Spangler, 45, vice president of the Bucks County Medical Society, died March 2, 1951, at his home in Perkasie, Pa.

'33 V. Dr. Samuel L. Haines, veterinarian of Morrisville, Pa., died May 3, 1951.

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