

MEMORANDUM

[Presented in person to the UCLA Chancellor by the eight dissenting members of the UCLA School of Law faculty on September 21, 1955]¹

The situation of the School of Law at U.C.L.A. has deteriorated to such an extent that it becomes necessary to call the circumstances to the attention of the Chancellor. The cause of this deterioration is to be found in certain attitudes and practices of Dean Coffman and in his action and conduct in certain cases and situations. In order to acquaint the Chancellor with the facts it will be necessary to analyze these matters in detail. This Memorandum proposes to do so, avoiding personal animosity and limiting the recitals herein to factual statements and to evaluation in terms alone of the welfare of the School.

PART ONE

Understaffing of the Law School Faculty and the Reasons Therefor

The faculty is seriously understaffed. For example, the 1955 Teachers Directory shows that at Berkeley there were fifteen full time members of the law faculty plus an Assistant Dean with no teaching responsibilities,

¹ For further information, see the Editor-in-Chief's introduction on page 1 of this volume: 11 CAL. LEGAL HIST. 1 (2016). This is a verbatim transcript in all respects.



THE FOUNDING MEMBERS OF THE UCLA SCHOOL OF LAW
 FACULTY (L.-R.): HAROLD E. VERRALL, DEAN L. DALE
 COFFMAN, ROLLIN M. PERKINS, ROSCOE POUND, BRAINERD
 CURRIE, AND LIBRARIAN THOMAS S. DABAGH

Courtesy UCLA Law Library

whereas here there were but twelve, this being reduced now to eleven, one of whom teaches a reduced load because of illness. For the past two years the law faculty has been informed by the Dean that budgetary provisions have been made for additional appointments. During this time two faculty committees have made exhaustive surveys to discover persons possibly eligible and available for appointment to this law faculty. These committees have reported their extensive findings to the Dean and law faculty. Nevertheless during this period the meager record of achievement is as follows: Mr. Harold Marsh has been appointed and has resigned under circumstances set forth fully hereafter. In his stead Professor Hawkland of Temple University has been appointed to serve for one semester only.

These negative results of a two year effort to recruit full time permanent personnel raise serious questions as to where the faculty lies. Prima facia it would seem that a law school such as this one, an integral part of one of the largest and most distinguished universities in the country, would possess such a potential for development in terms of location, salary scale, physical facilities, student body, living conditions, etc., that little difficulty would be experienced in fully staffing its faculty with outstanding scholars and teachers. What, then, are the reasons for the stalemate of the past two years? The answer is to be found in certain attitudes and practices on the part of Dean Coffman and in the poor reputation which the school has developed.

Touching upon the Dean's attitudes and practices it must regretfully be noted, in the first place, that Dean Coffman's anti-Semitic prejudices make it unlikely that any person of Jewish extraction can be appointed to the faculty so long as he is Dean. This prejudice is manifested in the following statement which he has made in the presence of Professors Jones, Chadbourn, Verral[l] and others: "The first one hundred members of my faculty will be non-Jewish." In addition, Professor Perkins informed Professor Rice in the presence of Dean Coffman and with Coffman's tacit approval: "The one hundredth man we hire here will be a Jew." Dean Coffman's attitude is manifested also in his files of correspondence respecting appointments to the faculty. In October, 1953, Professor Chadbourn, as chairman of the faculty committee on additions to the faculty, requested of the Dean and was granted permission to study these files. In the file entitled "Applications and Invitations" Professor Chadbourn discovered the following items indicative of the relevance in Dean Coffman's mind of racial considerations:

1. Copy of a letter from Dean Coffman to Professor Warren A. Seavey of Harvard. The letter is dated January 3, 1951, and makes inquiry respecting the qualifications for memberships on this faculty of two Harvard Law School men. In the letter Dean Coffman questions Professor Seavey in the following terms: "Do you know if either of those men is a member of the chosen race?"

2. Copy of a letter from Dean Coffman to Mr. Philip J. Hennessey, 816 Connecticut Avenue, Washington, D.C. The letter is dated March 19, 1951, and makes inquiry respecting the qualifications for membership on this faculty of a certain Mr. Warner. In the letter Dean Coffman questions Mr.

Hennessey in the following terms: "Do you know whether his name has always been Warner, or can you tell me anything about his racial background?"

3. The curriculum vitae of a foreign scholar. On the first page on this document, written in large letters in red pencil in Dean Coffman's hand, is the word "JEWISH."

4. The application of a Mr. Feinstein. Attached to the application is a notation in pencil in Dean Coffman's hand which states as follows: "Not much personality. He is very Jewish looking and acting. LDC."

No effort is made here to maintain that any of these men was on his whole record qualified for membership on the faculty. However, racial background should not in itself disqualify any person from membership on this faculty. There are many distinguished Jewish law teachers who should be regarded as eligible, and excluding them from consideration can only militate against the welfare of the school.

In the second place, Dean Coffman has set up and applied an exclusionary formula which he refuses to define or explain, the exact scope of which cannot therefore be stated. This formula he states in words to the following effect: "I will have no left winger on my faculty." At the faculty meeting of April 6, 1955, Dean Coffman made a statement to this effect. Professor Chadbourn thereupon asked him what he meant by "left winger." Dean Coffman refused to state. Then Professor Chadbourn asked in substance as follows: "Suppose the majority of the faculty were in favor of a man but you considered this man to be a 'left winger,' would you refuse solely on this ground to recommend him for appointment?" Dean Coffman replied that he would so refuse. (Professors Chadbourn and Rice then requested that the minutes of the meeting should set forth this colloquy verbatim. Subsequently the minutes of the meeting, prepared by Assistant Dean Verrall, omitted all reference to "left winger.") At this same meeting and after several members of the faculty had spoken in favor of Professor Richard Donnelly of Yale, Dean Coffman applied his exclusionary formula, branding Donnelly a person with "left wing tendencies" and therefore unacceptable to him. Professor Rice then inquired what evidence the Dean had that Connelly was a "left winger." Coffman replied that Donnelly was interested in civil liberties and his name had appeared on a brief for the American Civil Liberties Union. Professor Rice then inquired whether this disqualified a man automatically. Coffman replied that, though there was