

From the Oral History of
EDGAR A. JONES, JR.

EDGAR A. (“TED”) JONES, JR. (1921–2013), professor at the UCLA School of Law from 1951 until he retired in 1991, was one of the eight dissident faculty members who petitioned the UCLA administration for removal of the first dean. He later served as assistant dean of the law school and as president of the National Academy of Arbitrators.¹

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EDGAR A. JONES, JR.

BERNARD GALM (UCLA ORAL HISTORY INTERVIEWER): Professor Jones, you were talking about the meeting of the Association of American Law Schools that you attended in Chicago [in December 1950], and this is where the position at UCLA was —

¹ For further information, see the Editor-in-Chief’s introduction on page 1 of this volume: 11 CAL. LEGAL HIST. 1 (2016).

JONES: Came in view. The meeting was from something like Wednesday through Saturday morning. By Saturday morning I had gone up to the suite of the dean of the University of North Dakota at 2:00 A.M. in the morning. There I met Richard C. Maxwell, who had spent his first year in law teaching at the University of North Dakota. That was [when] I first met Dick Maxwell. The dean — I can't spell it for you, but his name was [Olaf H.] Thormodsgard. I take that to be Norwegian, not Swedish. But in any event, it became very obvious that the people looking for employment were the top law review types, and they were swarming around Dean Thormodsgard, too, to Dick Maxwell's great amusement, because he had spent one year there and he had a very warm affectionate feeling for the dean, but he didn't have warm affectionate recollections of weather at North Dakota.

GALM: Was he just present in the room? Was he part of — ?

JONES: No, he came up there just to say, "Hello, this is my mentor," and so on. That was how I met him. We chatted, as a matter of fact, at some length even, but that was that.

Periodically I would see [University of Chicago School of Law Dean Albert J.] Harno in the hall or something, and he'd say, puff, puff, puff — I was looking pretty dim right now — "Wait and see. Wait and see." So Saturday morning the thing was over by noon. About nine o'clock in the morning I was standing up — they had a main ballroom. Leading down to it were some stairs and an intermediate landing area, and [UCLA School of Law Dean L. Dale] Coffman was standing there by himself watching the thing. And over on the side as I came into the area were Dean Harno and Dean [Alfred] Gausewitz [of New Mexico]. So I went over there and they greeted me, "How's it going?" — very paternal about it. Harno says, "We've got to get a job for this young man and that marvelous family." I said nothing. He said, "Have you talked to Coffman yet?" — pointed at him with his pipe. I said, "No, I haven't had a chance to get near him." Harno looked at me with this sort of quizzical little grin. He says, "There he is."

So I went over to Coffman and I said, "Dean Coffman — ." And he turned around, sort of down his nose at me, as well he might. He had been pestered by dozens and dozens of these young guys. He said, "Yes?" I didn't tell you this: After the communists took over in China, Roscoe Pound left China, of course, and came to UCLA. Coffman offered him a job here.

He was about eighty-three, eighty-two or eighty-three years old, but he joined the faculty here. I knew this. I was aware of this. So I said to Coffman, “How is Dean Pound?” Now he turned around more and he said, “Do you know Dean Pound?” The ball came right across the plate! I [replied], “I don’t know him personally except I have corresponded with him from China and I have a handwritten manuscript that he sent me at my request.” Lock-in — lock-in conversation. [laughter]

Now, this is just at the end of the whole meeting there. We talked no more than fifteen or twenty minutes more. He went back out here. They were in a temporary structure over behind Royce Hall, an area where the parking structure is now I think. It was a wooden building, the type that the Army was building out in California during the war. It had an aisle going down the middle and offices off on each side. He went down to Pound’s office. As was recounted to me later, he said, “Do you know a young man named Edgar Jones?” “Oh, sound fellow, sound fellow.” [laughter]. That was the dialogue!

I got an offer to come out here. They were looking for somebody. Basically it was L. Dale Coffman who did these things. He was looking for a young law professor that would come out and sort of start things here. He wanted a moot court and he wanted things done. So this newspaper venture sounded more interesting to him than if I had been the editor of a law review. Plus Harno. I had referred to Harno, and I think even there — although I left the area there around ten o’clock that morning, I think that Harno and he talked after I had gotten off the scene. But in any event, there came a telephone call back to Virginia to Charlie Gregory from Coffman, who wanted to know about me, and Charlie told him about me.

GALM: Had you given Gregory as a reference?

JONES: Oh, yeah. He was —

GALM: Rather than the dean? Or did he talk with the dean, too?

JONES: I stayed an extra year. This was during that extra year. I had graduated. I neglected to say that. I had graduated, but I stayed an extra year to work with Gregory in labor law. I went around with him to arbitration hearings that he conducted. I drove him, as a matter of fact. He didn’t like driving, so I made a deal with him. I’d drive if he’d take me. He was the one that got me interested in law teaching. So he gave me a very high

recommendation, and then I ended up getting the offer to come out here. This was how it happened.

GALM: What was your initial impression of Coffman at that meeting?

JONES: Very favorable, very favorable. He was a very genial, friendly person. He was stilted. He had this way of talking with a sort of an exaggerated voice. But he was a genuinely very charming man. I liked him. I never ceased to like him, actually. I came to understand that he had some very serious problems which really meant that he couldn't function as the dean of this law school. But I never ceased to think he was a very charming person. I have to say, when I say that, he was charming to those whom he liked. He was not charming, you know, to those whom he didn't like, whom he thought for any reason were people that were any of the catalog of negative adjectives. And he was very much a product of that era of intense fear of communism. The fact that I was a practicing Catholic was a number one asset on the pro side. There were many, many university contexts in which that would have been a negative that I would have had to have overcome. I don't know how many, outside of those universities that were Catholic in their structure, in which I have never had any interest in being present —

GALM: So as a Catholic, he saw you as a staunch anti-communist?

JONES: Yeah, without question. That was to him an important thing. He had already become embroiled here with Brainerd Currie. I've got to find the correspondence on that. I know I rooted around and found it. I told you about it. I did dig it out when I was talking with Ken [Kenneth] Graham's class. But Brainerd Currie had — this is probably what we should do next time just as a preface, as it were, an epilogue preface. He had really thought through the business of the oath within the university. And he wrote a superb set of memoranda, just totally persuasive and right on target. He was certainly not in any way a communist dupe or anything along that line. He was a constitutional law scholar. That wasn't his specialty. I say he was a constitutional law scholar who profoundly understood what was at issue. And Dale Coffman didn't. He just didn't. He had the most simplistic ideas about communism and the threat of communism to the United States and to the university, to the faculty of the law school. It was really a form of paranoia which a lot of people had at that time, though. He was not alone. He had the chairman of the Board of Regents, Mr. Dickson — What was his name?

GALM: Edward Dickson.

JONES: Edward, yeah. Dickson was the reason that Coffman was the dean of this law school. You've gotten that from [J. A. C.] Cliff Grant, I'm sure.

GALM: I'd like to begin with your arrival at UCLA and your taking up your position as assistant professor of law. We've gone into the background on the offer and how you met Dean Coffman at the Association of American Law Schools meeting in Chicago. Were the negotiations for that made through the mails or by phone or — ? You didn't actually come out to the university, or did you?

JONES: I did. They invited me to come out for an interview in the first week of March 1951. So I flew out from Washington. It was snowing in Washington and there was very bad weather all over the countryside. I was flying in a DC-6; it took nine hours. It's hard to conceive of that today, but there wasn't a calm moment during that whole flight. I was just being bounced around. Everybody was getting sick on the aircraft. It was really a thoroughly miserable flight. I was trying to figure out if I could possibly ride the train back. [laughter] Unfortunately, there was no way I was going to be able to do that. But, in any event, I was really not feeling too well when we arrived.

GALM: Did that happen to be your maiden voyage on an airplane?

JONES: No. I had been assigned to the Third Marine Air Wing, you know. I had flown around on DC-3s, which were a lot bumpier in their way. But this just went on and on and on and on. It was up, and then downdrafts. We flew over the Middle West on the northern route. They were trying to get away from bad weather, but they were unable to. They're unlike the jets. Did you fly in those earlier aircraft? Well, it's really a totally different experience. The jet is able to get away from trouble. Those things just walked into it. Well, by the time I got out here, it was dark and I was really rocky.

The group, as I'll call them from now on as a shorthand reference — this is the dean, L. Dale Coffman, Rollin M. Perkins, and Harold E. Verrall. The three of them came together from Vanderbilt when the law school started. They socialized together. They just did everything together. So they came and met me, the three of them, at the airport. We drove back up the boulevard. As we started up the boulevard — I was looking out the

window of the car — I said, “Does Sepulveda [pronounces it Sep-ul-veeda] Boulevard go all the way through?” That was good for at least ten minutes of raucous laughter on the drive and then recurrent laughter thereafter for the weekend. But I was totally unversed in Spanish pronunciations.

Anyhow, we had a very enjoyable weekend. They housed me over in a place on Wilshire Boulevard. I don’t know whether it exists any longer. I don’t remember the name of it. And I went to mass on Sunday morning, walking down to Saint Paul the Apostle Church there, for this first week of March. The flowers were out here. The grass was green. They hadn’t heard of bad weather. It was very persuasive, the environment. I don’t remember anything in particular about that experience except it was pleasant. I enjoyed it and they enjoyed it. While I was here the dean called back to Virginia and talked to Dean [Frederick D. G.] Ribble at the law school and Charlie Gregory and another professor, Jack [John] Ritchie [III], each being quizzed about me, and each gave me a good bill of health and so on. So they gave me an offer and gave me a couple of weeks to think about it and talk about it at home.

My problem at that point was we had four children, the oldest of whom was born in 1946, five years earlier. I was married to a Canadian girl from the province of Ontario, the ninth of nine children herself, very family oriented. We had driven up to Ontario several times while at Virginia. I could see there was going to be a rather major problem for Helen [Callaghan Jones] — my wife, Helen (Dale Coffman’s wife’s name was Helen too) — for us to come out this far. So I wasn’t at all sure how that was going to go. If she didn’t want to come, we weren’t coming. This was basically it. So it fairly rapidly became evident as we talked about it and so on. We were talking about it while Charlottesville was enmeshed with slush. They had no snow equipment to amount to anything in Charlottesville, Virginia, so you just have to wait until nature takes it away. So that was a strategic thing because it reminded us, and her particularly, of all the changings of clothes that have to happen with little children.

GALM: Now, did she accompany you on this visit?

JONES: No, that was solo because of the children, actually. Our youngest [Edgar Allan Jones III] had been born January 8, my birthday. Our oldest son was born on my birthday, January 8, 1951.

GALM: And named after you.

JONES: This is family planning! You know, it shifts the burden to anybody to say, “If that isn’t family planning, then tell me what is.” Anyhow, we then drove out here with the station wagon pulling a little one-wheel trailer for luggage and whatnot, made our way across the countryside. We went up by Canada first, made our good-bye visit there, and got out here in the middle of June. I think it was June 15. The Coffmans had rented a house for us over near Pico Boulevard, nice place. It was a Spanish —

GALM: Let me just ask about your wife. When she agreed to it, was there any time limit that she placed on it as far as trying this, or at that point did you foresee it perhaps as a longtime career?

JONES: Yeah, this was a ladder appointment. The big emphasis here, well —

GALM: — would be to stay with the system.

JONES: What I was being told that weekend out here was totally true. It was obvious to me it was true. I was the sixth person to arrive on this faculty. The other five were full professors, experienced full professors. I’m just essentially starting out. And so Dale Coffman said, “Now, this is the ground floor. In fact, it’s not the ground floor, it’s the basement. You get on this elevator and you’re just going to go up over the years. This is a long-term commitment.” Now, it is true that law professors as a breed rarely start teaching in a law school and stay there for their career. It’s rare — maybe not all that rare, but certainly it’s extremely rare in our own circumstances here for anybody who graduates from a law school to start teaching here. And it’s relatively rare for a young law professor to go and be hired at a law school and then just stay there.

This was that kind of situation that doesn’t really come around very often, a major law school being created almost from the start because of its setting in a major university, and particularly the kind of a university that UCLA was at that time. And there was this enormous sense of irritation, frustration, verging on anger, towards UCB [University of California, Berkeley], our Berkeley cousins, who were running the university, quite accustomed to it, thank you, and this was an upstart venture down here of which they were not really very sure it should be approved from the beginning. I’m not talking about my own state of mind, but when I arrived here, this was the state of

mind of the senior professors in the various disciplines on this campus, plus the administrators. We were the poor cousins. That sort of fired everything up with a certain aggressiveness, it seemed to me, about the institution here, which was a good harbinger, I thought. It meant that this law school was not going to be allowed to be a mediocre law school. And that ultimately is what happened. That ultimately is what doomed Dale Coffman's deanship, that surge that was not going to be held down which characterized this university and characterized the law school because of it.

GALM: Did you meet any members of the university administration?

JONES: The chairman of the Board of Regents [Edward A. Dickson]. But the only reason I met the chairman of the Board of Regents is that any time Dale Coffman gave a dinner, the chairman of the Board of Regents was at the dinner. They had a very close social relationship. And Edward Dickson, as you know, brought Coffman here, brought him here over objections of the committee that Cliff Grant headed. But also there were lots of questions raised as to whether he had the background really and the qualifications, quite aside from whatever might be in his head — just the paper qualifications. They were looking for somebody — the “they” meaning Cliff Grant and the committee. They were looking for somebody a lot more academically prominent.

What I saw then, and what I was being told about, rang totally true. This was not something I was going to have to be thinking about leaving in three or four years, having made my reputation as a beginning law professor, and go to some other university to get recognition further. And I didn't have any particular attitude like that towards it. For one thing, we came here with four children. We weren't totally mobile. But there was no reason to even be thinking of it in any other terms than he described it.

He [Coffman] was a very, very cordial, very pleasant man, his wife also. You could — it just occurs to me now. She is still alive. She's a very articulate lady, and she might very well welcome the opportunity to be interviewed. I don't think I said that to you before. I don't think I thought of that before. But she would be an excellent person to contact. Now, I don't know what that would result in, but at least you would get access to that. She was a very gracious woman, not unlike wives in those circumstances, no matter what the institution or the department. She had a certain proprietary feeling

about being the wife of the dean. It didn't get in my way nor my wife's, but it did jar the nerves of others of the faculty, particularly as the chasm that ultimately developed began as a sort of crevice and widened, at least in my perception of it. When I came here, there was no crevice. Actually, there already was a chasm. I just didn't see it, didn't know it, had no reason to see it or know it. Cordiality was the rule of the day. The party that he gave in which I was introduced to the faculty was a dinner party, cocktails, and very relaxed, but there weren't that many [faculty]. As I look back, today it's impossible for us to have that kind of —

GALM: And three of them were from Vanderbilt.

JONES: And three from Vanderbilt. And I from Virginia. But none of the three were Southerners. Nor was I. Those who spend time at southern universities who are not Southerners I think become more southernized than perhaps the natives do. I know I brought a certain accent here which was not a Brooklyn accent and only became aware of it when somebody remarked [on it].

GALM: What about the physical setting? You had arrived just before the opening of the new building.

JONES: This building was not open.

GALM: So did you spend any time at all in the barracks?

JONES: Yes. Over in the barracks they had an office that I used. The law school's building actually, as I recall, had opened in September. We took in students in October — I mean, moved them over here. I didn't have to get involved with any of the moving. I just didn't have anything to put in the office except me, so I didn't put any books or anything like that in there.

When I came it was Dale Coffman, Roscoe Pound, Harold Verrall, Rollin Perkins, Jim [James H.] Chadbourn, and Brainerd Currie. Chadbourn had come the year before I came.

GALM: I have Herbert York, too.

JONES: Not Herbert York. Kenneth York, Ken York. I'm sorry, that's true. Maybe I wasn't the sixth, then. Ken York came the year before I did at the same time that Chadbourn came. York had been over at USC for a year, and Chadbourn came from Pennsylvania.

Everybody was really quite gracious. In that period of time I began to get to know what was going on. The only way that I got clued into it — I got clued into it almost immediately — was because Charlie Gregory at Virginia had said, “Now, when you get out there, go and see Edgar Warren,” the first director of the [UCLA] Institute of Industrial Relations. And that was the building next door here where they had their office, what’s now called Dodd Hall. I went there within a week or so after I got out here. And he had been the director of what was then called the United States Conciliation Service, which is now the Federal Mediation and Conciliation Service. Ed Warren was the director during the war for a period of time and was the director at the end of the war, and in that position he had been the one who was concerned to send out the arbitrators that were working for the [National] War Labor Board to the plants where labor disputes were occurring. He was the central administrator for that process of arbitration and had convened a meeting of the arbitrators by invitation in 1947. Some thirty arbitrators [met] in Washington, and at his suggestion they created what is now known as the National Academy of Arbitrators. So he’s the progenitor in a real sense for the National Academy of Arbitrators, which today numbers about 650 men and women. In any event, he was later to become the president of it. And indeed, I think he was president of it in 1952, as a matter of fact.

He left the government because the Congress refused to vote his pay. And the Congress refused to vote his pay in the midst of all this scare business about communism and left-wing dupes and all the rest of it. They were exercised by his actions and, I guess, testimony before congressional committees, which essentially was saying, “Cool it” to the congressmen. “The labor movement is not infiltrated by Reds. What we have been doing is very above board and totally American,” and all the rest of it. But they were sufficiently angered — I guess it was probably a committee action. They just withheld his pay. They just said, “We’re going to erase that position. As long as you’re going to be there, we’re not going to put that into the budget.” So he resigned and came here. That was how he got the offer to come here. So he had a background of some viewpoint about what had been going on out here in this [loyalty] oath controversy.

GALM: Was it mainly to get rid of him or to get rid of the position?

JONES: Him. Yeah. Refused to fund it. They zeroed in just on that position, No, it was to get rid of him. And when he left, another director was appointed and they funded it. That may have been Peter Seitz, as a matter of fact. You know Peter Seitz because you're a baseball fan.

GALM: Sure.

JONES: All right. Anyhow, when I went over to see Ed Warren, he called Ben [Benjamin] Aaron in to meet me, just briefly, and Irv [Irving] Bernstein, his associate directors. But then he and I sat there and he was sort of looking at me with this "I wonder what kind of an animal this kid is" look on his face, and I got the distinct impression that that was in his head. It puzzled the heck out of me. I couldn't figure this out. And so it was sort of a fencing kind of a conversation. It was not what Charlie Gregory had predicted. So I said something about this to Warren, and immediately he sat back and relaxed.

He said, "Well, I'll tell you exactly why." And he told me about L. Dale Coffman and the oath controversy out there, which was still swirling, and he spent about a half an hour, three quarters of an hour, briefing me, as it were, about what I had fallen into. I mean, I still would have come here I'm sure, although when I say that, who knows? But I was glad that I hadn't known about it, that I didn't have to factor that in, because that would have been a very complicating element. But there was none of that prior to that. I had no intimation that there was any real problem of any sort. He didn't know Chadbourn and he didn't know Currie and, of course, he didn't know York. Have you had a chance to get York?

GALM: No.

JONES: You've got to get him. I hope that's high on your agenda, because he's six years older than I am, which makes him seventy-two. York is a very unusual man. He's a man of very sparse expression, was a Marine, actually in combat in the Pacific. I think he was probably a captain or a major in the Pacific. Very closemouthed, but when he speaks he has an incredible sense of humor, just the kind that skewers people or situations. I mean, even while you're being skewered you are really enjoying it. But if you're a little on the stuffy side, which Dale Coffman was, then maybe it was funny, maybe it wasn't. But he used to enjoy Ken York very much, too. Ken did not

have an antagonistic, adversarial relationship with Dale Coffman prior to what came to be known as the Saint Crispin's Day venture.

Chadbourn, whom I got to know immediately, who went out of his way to have me get to know him, also is a man with a considerable sense of humor, but very dedicated, a very hardworking person on his career, on his research, and a very dry wit, penetrating analysis of people, I think, very self-realistic, not an ego-inflater of himself. He had a view of himself which was modest, actually, but from his standpoint realistic. Brainerd Currie, who was also here then, was an enigmatic personality actually, a genius without question. Chadbourn paid me a very high compliment after I had been here for a year and a half or so. He said that he and I were level-two people, whereas Currie was level one — Currie was just a genius. I didn't give a damn about Currie. I was delighted to be put on the same level with Chadbourn in Chadbourn's mind. That was a very significant event for me at the time.

GALM: What was Currie's personality like?

JONES: He had a very good sense of humor. He had a hesitant way of speaking normally, but a penetrating mind, and could say nothing good about Coffman. It had reached that point and for very good reasons. Currie had written some statements at the height of the oath controversy. Currie was a constitutional law scholar as well as a contract law scholar. He had a wide range of knowledge and insight relevant to constitutional law and public law topics. He was also, like Chadbourn, a very hardworking person.

He had little regard for Roscoe Pound. He regarded Pound as rather pompous, which Pound was in his own way, but he was eighty-three. He'd been the dean of the Harvard Law School since dinosaurs were there. The American Bar Association bowed at his feet — had for years. He had an Olympian position in the legal profession — "Roscoe Pound." And he was very prolific in his works. Currie was rather cynical in his view of people. He had occasion to look at something — I forget what it was — and it had something to do with conflicts of law, in which Currie was also very active. He found something that Pound had written about at some length with copious footnotes [which] just didn't support what was said in the text, and that led Currie to look more closely. Then he had a long litany of these dogmatic statements built on false footnoting that he talked about.

GALM: Was this something that Pound had written in that period, or was it even an earlier work?

JONES: Earlier works, too. Currie referred to him as “that old fraud.” So immediately that came into focus. Of course, now, Roscoe Pound was somebody that I had a great deal of affection for at that point in time. I was really shocked at “that old fraud,” you know. That’s heavy words for this gentleman. But as I got to know Currie, that was the way he looked at things. It was not that Pound might have made any mistakes: it was a fraud. He was just a sanctimonious old fraud was basically his view of him, although he had had no problem about coming here when asked to come here by Coffman.

He was one of the original first-year law teachers; he also had a mild southern accent. He had been in the South as a kid. Wake Forest was in his background somewhere, in North Carolina. He was very kind to me, read stuff that I was working on and criticized it at some length. He had an incredible library of 78 [RPM] classical records, a wall maybe fifteen or twenty feet long from floor to ceiling occupied with pigeonholes, book-cases that had been constructed with pigeonholing to hold this record collection, hundreds of records. That was his hobby. He played classical music from the time he got home until the time he went to sleep. They lived out in the Pacific Palisades.

The Chadbourns lived in Brentwood. They lived in a house. They were renting a house next door to Paul Henreid, the actor, which gave them a certain — [laughter]. That was at least in the first year — I think just the first year. Then they bought a house which was not next door to anybody famous, and it also wasn’t as big and posh, either. I spent a lot of time with Chadbourn, going by there on the way home and so on.

GALM: You haven’t said anything about Rollin Perkins. What was he like?

JONES: He was a very aloof person, friendly but very aloof. He was, I suppose, the oldest person. Pound was just sort of moving through, actually. Perkins was very much a gentleman, an excellent scholar. He had an excellent reputation, taught Criminal Law. Currie didn’t particularly care for him as an intellect. He thought he was too standard, stereotyped, and so on. He was sort of conceptually oriented relative to his teaching and his scholarship in Criminal Law, whereas Currie, more functionally oriented,

would tend to dismiss conceptual reasoning. Which reflected a debate that had been going on in American legal circles in the 1920s, late twenties and the 1930s, the legal realism phenomenon, which today, interestingly — all these little harbingers of the 1920s. People get worried about whether we're going to have another 1929 crash and so on. We are actually experiencing a legal realism phenomenon of scholarship and advocacy quite comparable to the earlier one. Only now the new voices are putting down the old voices that were the legal realists and using words like “fraud” and the rest of it. A rather intolerant dismissal of viewpoints. Brainerd was, I think, in that sort of mold. He didn't tolerate fools very readily. He was satisfied, it was obvious, that he had fallen among fools here with respect to Verrall and Coffman, particularly. Perkins, well, you know, “He's conceptual, but at least he's a scholar.”

GALM: You haven't said much about Verrall. What about him?

JONES: He was effusively friendly. We saw an awful lot of him and his wife in the first year we were here. They came over. They were visiting us frequently, dropping in. They had no [young] children. I think that he had a child or a couple of children. I don't remember.

GALM: They had two children.

JONES: But they were gone by then. They were older and gone. Of course, we were swarming with these little children. They would pop in there about four-thirty in the afternoon or five o'clock, unannounced. It got to be kind of hairy. But it was well motivated.

GALM: Very Midwestern.

JONES: Yeah, yeah, that's true. That's true. He had a way of laughing where his whole body sort of bounced up and down. I think he probably still had it when you were interviewing him. But a genuinely, I thought, a genuinely sincere, earnest man. He had apparently had a traumatic incident in his career. He had gone to Yale for postgraduate work and got a Yale S.J.D. [doctor of juridical science] at Yale at the same time that Jack Ritchie, this law professor I mentioned from the University of Virginia, was there doing the same thing. Ritchie said that Harold Verrall was brilliant, just brilliant, head and shoulders above the others there. He got an offer. He came out of there I think during the Depression, the thirties, and he got an offer to go

to Cornell University to teach law at Ithaca. Something happened up there which effectively destroyed his self-confidence. I don't know what it was, but it was clear to me, at least, that something really traumatic had happened to him there. He just was not a scholar. He had all of the indicia at this early stage of being really one of the scholarly stars in the future, and something just shut him down. And so he tended to be very picky about other people's work but didn't really engage in it himself. But none of this was done with any apparent malice. I think it was genuine. Chadbourn and Currie distrusted him immensely.

I didn't have any reason to trust or distrust him when I first came. I did have an experience with him that made me pause and think about it, though. I was told when I got out here that I was going to teach the subject of Wills. That was a course I had not taken in law school, not that that's a big impediment or anything. It fell within the area of expertise that Harold Verrall would encompass — he taught Property — an aspect of that. So over in the barracks building I went by his office and asked him if he had any ideas what I should adopt as a casebook in Wills. He said, "Absolutely. There's this great book, marvelous book, by Barton Leach at Harvard. Just get it — perfect." I had a three-hour course. It met three days a week. So I ordered that book. That was an unmitigated disaster. I still recall that when I pause and think about it. This book came through. I mean, I ordered it blind, just on his say-so. That in itself indicates I wasn't very prudent. But that's what I did. The book came through, and it was a short book with very few cases in it. I later learned that what Barton Leach used to do was walk into the Harvard classroom, take the book and throw it down, not bother to open it, and just hold forth. That was the way he taught the subject. The book had nothing in it of any substance. It was just sort of an outline kind of a thing. I had never taught this course. The students didn't really have any great substance to work with. There was at the time a book, the ordinary casebook that you'd find in a law school course, authored by a professor at NYU [New York University] named [Thomas E.] Atkinson, and he was widely recognized to be the authority in the area of Wills. I just went on what Verrall gave me. As I say, I later thought, "How could he possibly — ? Given what I told him, that I knew nothing about it, how could he have possibly picked that book?" I later asked him if he'd ever used it. No, he had never used it. Was he aware of Atkinson? "Oh, sure." [laughter] I did

not ask him why the hell he had recommended that book to me when he knew I would pick up on it. Then I remember we were invited — this was a rather active social circle of people in the first year we were here, probably because we were here, and so we were invited around to the various homes. Everybody else was invited, too. We were invited over to the Verralls, and it was a buffet situation. This was another incident that he gave me some pause. I have violent allergies to egg white and other things, mustard seed.

GALM: You've recounted one such incident!

JONES: Right, the pop eye. So whenever I go any place to eat, I'm going to ask that, and I did on this occasion. They had a buffet situation and they had the potato salad arrangement there, and potato salad is an automatic suspect. So I asked Harold, "Does that have any egg white or mayonnaise in it?" He said, "No, absolutely none. We knew of your allergy and none there." So I took a big heap of it and went over and sat down on a staircase or something to participate in the conversation and took a big chunk of this into my mouth. Fortunately I have a very quick, sensitive set of nerves in my mouth which immediately tell me I've got something that I'm allergic to. I tasted it, too. It was loaded with mayonnaise, and so I just had to get rid of it. I went up to him. I wasn't angry — I was just puzzled at that point in time. I said, "Did you realize that that was loaded with mayonnaise?" He said, "Oh, sure." I said, "Why did you tell me it wasn't?" He said, "I thought it was all in your mind." You know, I almost hit him! [laughter]. I really almost hit him. Our relationship after that was totally different. I just didn't trust him. My senior colleagues are telling me that he didn't deserve to be trusted, anyhow. Now I have this rather graphic encounter with him. Well, that led me to have an attitude towards him of some skepticism and also of an arm's-length nature, so I didn't really welcome him around that much anymore. This is all in the first year.

There came a time when we were in the dean's office — Dale, Harold, and I were there, and we were talking about a moot court operation. The question was who was going to be responsible for it. I was to do some work about it, but the key question was who was going to be responsible for it. Dale had already indicated to me back in the spring and then later in the summer and whatnot that while he wanted me to have something to do with it, and perhaps more to do with it later, he wanted me not to get

involved with it in the first year that I was teaching, which is not an unusual thing, to let this first-year law professor really get grounded in what it's like.

In this conversation, Verrall indicated he was the one that was supposed to be administering it. As we walked out of the office — there had been some conversation about what was going to happen in it and so on. He and I walked out of the office of the dean, out into the anteroom there, and then he said something to me. I don't remember the precise nature of it, but he was pushing that off on me to do the administration stuff on it. In other words, I was going to do what he was responsible for doing, and I refused. I said, "No, that's not the way it's going to work. That's not what Dale said would happen." He immediately got angry. He said that I was trying to avoid work. I said, "Not at all, not at all. If you want, we'll just go right back in there and talk to the dean about it, and I'll be happy to do that with you." But no, no. He walked off angrily. That was pretty much the end of our having any kind of an ongoing close relationship. That takes care pretty much of my contact with him in that first year or so. On the other hand, he was totally susceptible to any suggestion of desire on the part of the dean. He tended to appear to be — I don't think that he was, but he tended to appear to be sycophantic, actually. He would understand that he was brought here by Dale Coffman. He was brought to Vanderbilt by Dale — No, no, no. Wait a minute. He had gone to Vanderbilt from Cornell; he had been at Vanderbilt a long time. Yeah. But he was brought here by Dale.

GALM: Coffman came after the war, and he [Verrall] had been there before.

JONES: Right, right. But the thing that I saw was that this early trauma that Harold had experienced which had sapped his self-confidence, the way I saw it — his self-confidence was revived by L. Dale Coffman inviting him out here, socializing with him back in Nashville, and so on. So he had every good reason to be psychologically dependent upon Dale. That was understandable to me. I saw that at the time and I understood it. But he was fearful also of disfavor from the dean. He wouldn't go back in there with me to talk about that moot court thing. He might very well have been able to get the dean to turn to me and say, "Listen, do it." But he didn't want to do that. I'm certain that the reason is because of this sense of insecurity which he seemed to have. This is in the first, say, span of two years.

GALM: How much of an influence did Roscoe Pound have on Dale Coffman?

JONES: Dale looked upon him as God on earth — and he really sincerely did, too. It was not any kind of insincere — he just really felt that this was the greatest law man that had ever lived in American legal education. Quite sincere. He also, I think, looked upon it as somewhat of a coup to have the name of Roscoe Pound on the — what did he call it? He had the phrase for it. Well, it was first-year faculty. I forget the adjective. Something like “the founding fathers,” but there was another adjective. Maybe I’ll think of it down the line. Anyhow, he savored having Roscoe Pound here at the beginning of the law school, at its initiation.

GALM: Were there elements of Pound that became part of the organization or structure or style of the — ?

JONES: I don’t think so.

GALM: So it was more just a high regard and respect rather than someone who sort of — in other words, Pound was not manipulating Coffman?

JONES: Oh no, no. Actually, Coffman would go to Pound and say, “What do you think about so and so?” There were things going on of which I had no knowledge at the time between Brainerd Currie and Dale Coffman relative to the oath stuff. That was still ongoing in the first year that I was here in some way that I really still don’t know. The documents, as I remember, which I had and which I can’t find now — I know I had them a year ago when I showed Ken Graham, but I don’t know where he put them. But if we were to look — you may remember my office is full of what my wife calls “trash.” It’s in that trash there. But in any event, I think the dates on those were 1950, ’49 and ’50. So I don’t remember any 1951 dates, but I’m not sure about that. In any event, I don’t have any recollection of observing anything going on. But there was tension. There’s no question about that. I remember derogatory comments being made by Helen Coffman about Brainerd Currie, and Dale grunting his assent.

GALM: What would be the substance of those comments?

JONES: Oh, just that he was somebody who didn’t fit in.

GALM: That was a very important thing, wasn’t it, that everyone fit in and that everyone somehow socialize to a degree?

JONES: Be very compatible. You may have heard — you wouldn't necessarily. Farmer John's? Did Harold talk about Farmer John's? We used to go to Farmer John's for lunch every day. That was the expectation. That was not a casual "Let's go to lunch" thing. I'm sure it must have started out that way, but that was it. You assembled down in the dean's office anteroom and then sorted out what cars would be driven. One of my most vivid experiences is sitting in Farmer John's across the table from Roscoe Pound and watching him eat his salad. He had no teeth. Gums, he ate salad with gums, wouldn't wear false teeth. If you can conjure watching somebody eating salad just with their gums and just think about how that's going to look, it's a very, very funny sight. It really is. I mean, all kinds of things happen to the jowls while this mastication process is going on. Some people might think it not humorous, but I thought it was hilarious. That was my problem! Just glancing would make me start to get these little convulsions that you get before you burst out laughing, which was obviously not something that I should do. But the topic at the table would be public affairs and university affairs — Dale sitting at the head of the table; Chadbourn just eating his lunch, not talking, not saying anything; Currie glancing querulously, without saying too much, at the dean.

GALM: Did he continue to attend the luncheons, or was the point reached where he didn't?

JONES: I don't remember. I don't remember that, whether that deteriorated. I know there came a point in time — yes, that year. The reason that I say that is because I remember Currie got involved with one of our students, a girl whose name — she's dead now. I don't remember her name. It's not important and probably just as well that I don't remember it. But she told the story widely of having watched Jim Chadbourn, who was called "Bunny" by Brainerd — they were close — and Brainerd going out the back door of the library at lunchtime to escape "the draft." The students, of course, were extremely observant of what was going on. It did happen that year because this group of students was the group that comprised our first class. They had gotten all kinds of adulatory treatment from the dean. He kept telling them what great prospects they were, what a great opportunity they had launching their great careers here, and so on. Next April

I'm going to attend the thirty-fifth reunion. Thirty-fifth? Yeah, thirty-fifth reunion of that class.

GALM: Was that first class indeed an outstanding class?

JONES: No, not really. It was of the ordinary range of talent and background, and they were like classes that I was in at Virginia. They had a lot of veterans among them. There were more women in that class than I had seen in law school.

GALM: They did very well.

JONES: They were the top of the class, "the leading men," as the dean always called them. The top men in the class, ho-ho. Currie and Chadbourn were actually heading out the back door there to avoid the Farmer John's. I don't know where that came in the course of the year.

GALM: Was there any one incident that occurred that last year to cause Currie to decide to leave? Or was there just an offer that came?

JONES: No, he got an offer.

GALM: At University of Pittsburgh?

JONES: Pittsburgh deanship, yeah. And at the time Chadbourn said, "You shouldn't do that, shouldn't take that." He was not a dean person but he was just bailing out. That's all it was. And he never did serve as dean there. He got an offer to go to the University of Chicago during the summer after he had accepted the offer of the deanship at Pittsburgh. He ditched Pittsburgh, which was not your ordinary gentlemanly act. Instead of taking his year of purgatory in Pittsburgh and then going to Chicago, he just dumped them, really in a very unseemly way. He just believed in himself, which was basically, I think, it.

GALM: You mentioned that there were the daily luncheons, but what was the Friday faculty luncheon like? Was it all that much different?

JONES: No.

GALM: Except certain topics would be brought up?

JONES: Usually. Not a written agenda. That was one of the sore points, actually, or became a sore point. It was just whatever the dean thought should be talked about. And there weren't that many people. There was some logic

to it. I didn't find this offensive that we met for lunch for the faculty meeting. In fact it was a handy way to do it. I wish we'd do it here! [laughter]

GALM: Well, maybe things will, you know, cycle.

JONES: Actually, right now we have a Monday luncheon meeting that the faculty holds here in the law school with lunch provided, a colloquium-type thing where one of our members will tell us about research they've been doing, whatever. That's a very enjoyable occasion.

GALM: If the personalities had been more compatible, do you think it might have been successful?

JONES: Sure, sure.

GALM: It was just an unpleasant social [function] for certain people?

JONES: You see, I came into it: it wasn't unpleasant to me. I didn't immediately grasp how unpleasant it was to Brainerd Currie and to Chadbourn. It wasn't all that unpleasant to York, although he had a different, more realistic view of it than I did. I was very naive at this point, but York saw it for what it was. So that's the dean. That's being a dean. It wasn't at that point in time, at least. I don't think to Ken it was anything offensive. In fact, I think he tended more to accept it as a regular thing, nothing unusual. He sort of shrugged off — which is a characteristic of his. I hope you do interview him, and when you do, you'll see what I mean. He just sort of brushed off anything about it that might be deemed to be distasteful. He just ate his lunch and shut up and thought about something else. He didn't hesitate to give any response, and any response he gave tended to elicit a lot of laughter because it would seem to come off the wall.

GALM: Did the dean, on these occasions, did he come forth with much right-wing philosophy and pronouncements?

JONES: I have no strong recollection of sitting there thinking, "Good heavens." His whole perception of the world around him was just that way. Any kind of conversation about anything that might have occurred that was in the newspaper or on the radio — no television at that point — would reflect that. But I don't remember discussions. I have no recollection of discussions that got heated about politics.

GALM: Tom [Thomas S.] Dabagh, had he left by the time you arrived?

JONES: No, he was here. I was trying to remember his name the other day and couldn't. He was here at least that first year and appeared to be a very knowledgeable librarian, a decent guy. I have no recollection of what had turned off Coffman on Tom Dabagh except that Louis Piacenza somehow figured in it. Louis Piacenza was the assistant. Tom had, as I recall, a degree. He had a law degree, and he had something beyond that as I recall, maybe inaccurately. Do you have any knowledge of this?

GALM: He had very good credentials.

JONES: He had good law library credentials. He was the butt of demeaning comments and so on behind his back. I don't remember and I don't think I did know what the derivation of it was, except this does pop into my memory now. It had something to do with the oath controversy. I think undoubtedly that had to be a factor. You couldn't be in the university in 1949, 1950, without being affected by that controversy somehow. Coffman took a leading role in that controversy, holding the law school out instantly as witness to the fact that there was nothing wrong with requiring oaths and so on, which immediately prompted Currie to write a long, dissenting, single-spaced memorandum indicating that was not so, that that was not the position of the law school. That was the position of the dean of the law school and, indeed, "For the following reasons it's not my position," signed Brainerd Currie.

That document, the one that I told you about, is totally persuasive, totally well reasoned, dispassionate, just as far as I was concerned. He gave me a copy at the time when I got here, when I talked to him. It just was irrefutable. So I suspect that Tom Dabagh was caught up in that somehow, perhaps the Berkeley background. I don't know. I'd bet dollars to doughnuts, as we used to say, that that's what caused the falling-out. Dale Coffman was really a formidable specter to someone like Tom Dabagh as a result of a falling-out, because behind Dale Coffman sat the chairman of the Board of Regents, very visibly so, constantly so, in entertainment, socially. Tom Dabagh was probably about forty, forty-five years old, as I recall, at that time in midcareer. That would be a very traumatic thing for him. There wasn't any question he was being pushed out. He was being pushed out, my memory is telling me at least, based on a lot of stories being told about him by his assistant, Louis Piacenza. The query was whether those were

accurate or inaccurate. There was a constant drumbeat of little picky stories, critical anecdotes and whatnot, from Piacenza to the dean.

GALM: It seems that there was some criticism of perhaps Dabagh's concept of the law library and how the collection was to be organized and arranged. Did that ever become a big discussion among the faculty?

JONES: It may have, but not when I was here. That probably had taken place in the first two years.

GALM: So it was probably more personality conflict than anything else?

JONES: Well, it could have been more than personality if my hunches are accurate. It could have meant this basic political difference. One shouldn't even call it political. It was an ideological kind of a thing.

GALM: The dedication of the law school building, is there anything that stands out in your mind about that? It occurred in November of 1951.

JONES: I remember going to dinner at —

GALM: That's the program from the dedication. I was just wondering whether anything —

JONES: Yeah, the California Club. The only thing I remember is sitting at the table at the California Club at which Justice [Marshall Francis] McComb of the California Supreme Court was sitting, and thinking, "My God, what an idiot." [laughter]

GALM: So that was the private —

JONES: And he was highly regarded by Dale Coffman. The fact that I was sitting at that table was a compliment to me from the dean. This man was an extremely conservative person. He liked the sauce. The more sauce he got the more we learned about his views on politics and life and American society and the commies and so on. That's pretty much my recollection. I have a little movie in my head of looking up at the dais, and there's Robert Gordon Sproul — the luminaries are up there.

GALM: Did the faculty actually have much to do with the planning of that?

JONES: I don't think so, no.

GALM: Or was it mainly Coffman's show?

JONES: Sure, probably Helen's, actually.

GALM: One of the other things that came up —

JONES: I should interrupt you just to say that Erle Stanley Gardner is the sort of the level of the thing that was going on — you know who Erle Stanley Gardner is. But he was not extremely imposing.

GALM: But he became a very important figure in those early years, not important, but a popular figure around the school.

JONES: I don't know what you mean "around the school."

GALM: In the sense that didn't he teach summer session?

JONES: The Perry Mason type. He taught Evidence as I recall, yeah. He made a gift to us which I don't know where it is now. Surely it's not still down in the hall. It was —

GALM: I think it's still down in the hall.

JONES: Is it? The scale?

GALM: The scales of justice.

JONES: You see how observant I am now. I can't tell you if that's still there.

GALM: Well, it seems to have moved around over the years.

One of the issues that came up in '51 was the question of the accreditation of the law school. There seems to have been some maneuvering upon Coffman's part not to go for full accreditation. Were you, as faculty, aware of that at all or was that sort of something between him and the university administration?

JONES: I'm sure it was discussed at these luncheons, whether at the faculty meeting or not. But I don't have any firm recollections about it.

GALM: It seemed as though the local administration —

JONES: I do remember this much about it. He was very concerned to keep the law school aloof from the Academic Senate. I remember now. He did try to use, and successfully used, the accreditation process as a lever to avoid the kind of close relationship with the Academic Senate that the law school had at Berkeley and that we later had. That itself turned out to be one of the factors which caused the ferment among the faculty. That did happen.

GALM: I was wondering, did any particular faculty member sort of object to his handling of that accreditation matter?

JONES: I'm trying to remember which year that was. I don't think that was Currie. I don't think Currie was still here then.

GALM: He could have been. It was in the meeting '51, '52.

JONES: It was after I was here.

GALM: And that was a holiday meeting, I guess, of the American Bar Association Council.

JONES: Okay, so Brainerd was here then. I know Brainerd pressed for the propriety, just as a law school propriety, in the law school world, of our having a close relationship with the university Academic Senate and that there was nothing inherent in law school status or the profession of law and so on or the teaching of law which would militate against that kind of contact. You've pulled a little plug in my memory now, pouring forth some more recollections of listening to Dale Coffman talk about "basket weavers." We didn't want "basket weavers" telling us what we would have on our curriculum. The *horrendum* was that people who were in other disciplines, basket weaving disciplines, would be dictating what's in the law school curriculum. Of course that didn't happen at Berkeley, I'm sure, and wouldn't have happened here. But that was how he saw it, and I think he was totally sincere about it. He didn't trust the people in the Academic Senate because of the experience with the oath thing. He thought they were a bunch of left-wing, deluded people or worse.

GALM: It seemed like that just naturally led into then the actual change made through the regents of taking the law school out from under the full aegis of the Academic Senate, which then occurred that spring, in the spring of 1952. Was there anything, really, was there any effort that individual law faculty members could do to prevent that action by the regents?

JONES: No. At least there wasn't anything that I remember being visible. You have to keep in mind in my recollection about this, this was my first year in law teaching. I'm a babe in the woods in this context. This turned out to be one of the historic confrontations in American legal education. I just sailed into this on a little paddleboard without any background that would give me any basis for understanding what was going on around me — except I began to be aware of the fact that these black fins were going back and forth around my paddleboard. Then I began to realize what the dimensions were, what I had entered.

GALM: You had mentioned Edward Dickson. Did you also become aware of Victor Hansen as a regent and what was his — ?

JONES: Oh, sure. That came a little bit later though.

GALM: It was really the Hansen resolution.

JONES: But he was off on the side, to me. I met him at the Coffmans'. He was a judge at that point, and then at some point very near — maybe 1952 or so — he became assistant attorney general, as I recall, in the antitrust division in the Eisenhower administration. Beyond that I have no immediate knowledge of him.

GALM: You came here to teach. How did that go? You had mentioned the experience with the Wills text, but how did you find law teaching?

JONES: Well, I enjoyed — I taught Labor Law at the same time. I very much enjoyed that. I remember my first day in class was in the Wills class, and the thing which still sticks in my mind is in terms of an impression. I had gone through college and then in the Marine Corps and then in law school, always with a — I didn't realize it at the time — with a sort of a self-perception of insulation against whatever I might be thinking in a classroom situation. The professor was not sharing in it unless I said something, or the Marine drill instructor wasn't aware of it unless I said something or he asked me — law professors and so on. The thing that struck me so dramatically and forcefully in the first ten minutes of my teaching career was that I could read every single face and what was going on behind that face right out there in front of me. I was having instant radar reception. I think there were fifty-one or fifty-two in that class, and I was getting transmissions from all fifty-two. That was absolutely flabbergasting to me. I had never had that experience before. Of course, what occurred to me was all those years that I thought I was experiencing anonymity, never! I was being observed. I was transmitting, just as every one of these people were transmitting to me. That really shook me up at the time. They were very skeptical as a group. I was younger than many of them. I was more experienced by a year or two but had not practiced law. Well, I had practiced a little law, as I had told you, but very little.

GALM: Were you younger looking than your years? You're very youthful looking now.

JONES: Well, I was. In fact there was one of the students named Goldberg in that first class, and his wife came over in the lobby down here to serve coffee or something to the law students one time and she grabbed me by the elbow at one point and said, “Now, you run down there and get me so-and-so.” So I went and got it and brought it back to her. And then somebody said to her, “Have you met Professor Jones?” She said, “No, where is he?” The person said, “Well, here he is, right here.” [laughter]. That was a story that was repeated at the time. I did look younger. I was thirty. That’s not young.

GALM: Especially with four children or five children.

JONES: There were four then. Became five in July of ’52.

GALM: Let’s talk about a couple of additions to the faculty, and I’ll get us up maybe to 1953. Ralph Rice came in ’52. Is that right?

JONES: Right, and Jim [James D.] Sumner.

GALM: And Jim Sumner. You’ve talked about Jim Sumner in your —

JONES: I didn’t tell you about Jim Sumner, that he and I roomed together on the occasion that we took the bar exam.

GALM: Oh?

JONES: In Roanoke, Virginia.

GALM: Did he pass, too?

JONES: He passed, also.

GALM: That’s good. Rented a motel room.

JONES: He was a semester ahead of me by that time. We started out together, but he had continued in the summer. So he was one or two semesters ahead of me by then.

GALM: What about Ralph Rice?

JONES: My principal impressions about Ralph are going to be after I became active with tuberculosis again. That’s when I have vivid impressions and memories of Ralph and my interaction with him. But as a person he was a mercurial person. He’s short in stature, intensely loyal to friends, had an intense sense of loyalty. When he decided something was wrong, it was wrong. He would shake his fist the way I just shook my fist here. He would jut his jaw out and look you in the eye and make all kinds of angry

eyebrows in reacting to something that he thought was wrong. Marvelous human being. Also, this was quite a career opportunity for him. He had not come from — he was not a Brainerd Currie nor a Jim Chadbourn in terms of his background. But he was a hard worker. He had been on the staff of the Labor Board during the thirties, when they had all kinds of problems about whether there were communists running the National Labor Relations Board and so on. He was a staff member. He had an interesting background. Tax had come to be his forte. He was very dogmatic, very dogmatic. There were no halfway opinions for him. He was either totally for it or totally against it and became a pillar of strength in this confrontation that ultimately came about. He was regarded without question by Chadbourn, for instance, as a major ally, as an acquisition of the faculty. The problem was becoming more and more visible.

I think Chadbourn recognized early on, before I even got there, that there was going ultimately to be that kind of a confrontation, which would normally mean that he, Chadbourn, would leave. He didn't want to leave. He had cut some cables back to the East and so on. Although he could have, and he did ultimately go to Harvard, I think he basically wanted to stay here. Also, he had ideas of respect and admiration for the history of the University of California and the academic integrity of it which were offended by what he thought and what he perceived to be going on. Particularly, I think the nettle that started the whole thing — your question reminded me — was the business of manipulating the accreditation to avoid the Academic Senate. What Chadbourn was convinced of, and Ralph Rice also, was the necessity for the law faculty to be part of the academic institution of the University of California, not set off in some isolated category, but to have the intermingling that characterizes the university, which characterizes our situation today. I think that was the major concern at that time.

GALM: [After] discussing some of the faculty additions that took place in 1952, [let us continue] by speaking about three additions to the faculty that occurred in fall 1953. That would have been Allan McCoid — now, he came on as a visiting professor?

JONES: Assistant professor.

GALM: Assistant professor. And Richard Maxwell and Arvo Van Alstyne.

JONES: Right.

GALM: I'll give you your choice as far as which one you'd like to talk about first.

JONES: Arvo Van Alstyne would have been a superb person to have interviewed here, but he's dead now. He left UCLA and went to the University of Utah as a law professor. He was a Mormon bishop here in Los Angeles and was summoned to Utah, Salt Lake City. But he was a prodigious worker. I don't remember knowing anybody that was as consistently hard at work on projects of substantial import and scholarship. I didn't really get to know him very well, certainly in 1953. He was here in Los Angeles. He didn't come to Los Angeles from someplace else. So he was already here.

GALM: Was that again because of his connection with the Mormon church here?

JONES: I'm not sure. Arvo was a Yale Law School graduate, as I recall. I don't remember what he was doing in Los Angeles. It sort of sticks in my mind that his mother may have been in Los Angeles, but I know he was here. I think that Jim Chadbourn and his wife and I and my wife went to dinner at the Van Alstynes' on one occasion. I'm trying to place that, whether that was in 1953. I doubt that it was in 1954. It would have been after I came back out of the tuberculosis sanatorium. So I really didn't get to know him at all. He was an unknown quantity indeed. [There were] lots of high opinions of him when we hired him.

GALM: Do you know whether there was anyone on faculty who was promoting his appointment?

JONES: I don't think so, no. But it didn't hurt his chances as far as the dean was concerned that he was a devout Mormon. The dean was very concerned, I told you before and you know yourself anyhow from other sources, about communism and the role of communism, the threat to the integrity of the university of having persons who were of a communist persuasion or duped by it. But I don't have any specific recollections of the discussions about him in the faculty meeting other than that everybody was happy with it.

Nor did I really get to know Allan McCoid very much until after I had gotten back from my eleven months at Barlow's Sanatorium. So I'll postpone talking about him.

But Dick Maxwell I had met in Dean Thormodsgard's room back in the Edgewater Beach Hotel, so when he was out here we talked at some length about the situation here. He and I and Chadbourn got together while Dick was here. Dick had been at the University of Texas law school [at Austin], where he went from North Dakota, and then had gone to work for — .

GALM: Amerada [Petroleum Company]?

JONES: Amerada. That was what I was [trying to recall]. So he was being interviewed while he was counsel for Amerada. He came into this with his eyes wide open. I mean, he was totally knowledgeable about what the situation was here and just felt that he could live with it, and it didn't stop him from joining the faculty. He was very impressed with Chadbourn, who was a very impressive fellow, and impressed with the future that UCLA obviously held out. This was really an incredibly promising situation institutionally. I think everybody, even at that point, just figured that nobody could really stand in its way and it would be foolish to turn away from an opportunity to join this faculty simply because of the anticipation that Dale Coffman was going to be the dean still. It wasn't until later that people really began to get the conviction or the realization that his deanship was not operative if the institution was going to be what it promised to be. So in 1953 that was simply not there. It was there in James Chadbourn's mind, no question about that, and Ralph Rice's. Brainerd Currie, who had left by then, certainly had that feeling. And it was abroad in the world of legal education that this situation existed here. So after he [Maxwell] was out here for the visit — he probably talked about it. I've assumed it's February or March, something like that. Then I didn't see him until I was down in Barlow's. He came down to see me there on occasion. That's pretty much the —

GALM: Was it in spring 1953, then, that the recurrence of your tuberculosis — ? And how did it become known to you?

JONES: Well, I had periodic tests. I think that I'm fuzzy on that recollection. It sticks in my mind, though, that I had somehow utilized the Veterans Administration as a testing agency. That was a periodic thing — did it every six months. It came back positive. This was a stomach culture. Poke a hose down into your stomach and drink some water and they suck out the contents, an early-morning-type thing, and then they culture it over a period of, I think, something like six weeks. So that came through,

then, in probably late May, early June. I'm not sure of the exact dates. I don't remember that part, but we were within a week of the time that we had learned we were expecting our sixth child when this news came in. I don't remember whether it was a week before or a week after. That's Bob [Robert Morris Jones], who's now a lawyer. It resulted in some thrashing around in our family, my wife and myself trying to figure out what do we do, because it was a potentially devastating situation. Financially, we didn't have any resources. We had no savings or anything. We had gone out on the limb into the purchase of a house up in the [Pacific] Palisades probably six months before that, which probably was just as well. Well, the way it worked out it was certainly just as well. But that made it seem even more precarious to me at the time.

I had met Cardinal McIntyre, Francis Cardinal McIntyre. He had had some contact with Dale Coffman, and Dale had told him, "We've got this young assistant professor who's a Catholic, and you really ought to meet him." And so I had been invited to a bachelor-type dinner at the cardinal's home on Fremont Place. Howard Ziemann — who was then a Superior Court judge, fairly recently named to the bench, but who had been the archdiocesan counsel — was at the dinner. There was some notable person there whom I don't remember now. We had a very convivial time, dinner, conversation, and so on. He was totally like Dale Coffman. He was very, very sensitive to the issue of communism and was sort of worried about the University of California in that posture. He had been the archbishop when the oath controversy had bubbled up in the university. He saw Dale Coffman as a rock of reliability in the sea of instability or whatever, and this rubbed off on me in terms of his view of me.

And then he had convened some conference or something. I don't remember what the thing was, but there were several hundred people in this auditorium and he was chairing the meeting, and I had been invited there because of this dinner, as I recall it. I was sitting down in the front row, and there was another person there, a fellow name of Quentin ["Bud"] Ogren. And the cardinal came down off the podium before the meeting started and grabbed me by the arm and took me over and introduced me to Bud Ogren. He said, "You two fellows ought to know each other." Ogren later became a law professor at Loyola within a couple of years after that. I had had this kind of relationship to him.

Then there was a priest who was the “labor priest,” Father Kearney, Joseph Vincent Kearney. He was a good friend of Bud Ogren, so I met Father Kearney through Bud Ogren. In fact, Father Kearney was the chairman of the annual Labor Day mass in Los Angeles. It was a custom that there be a mass on Labor Day and there would be a celebration of the role of the worker and so on. The Catholic Labor Institute, which Father Kearney had started and was the director of, sponsored a breakfast after the mass at which all of the luminaries in the local Southern California labor field would be present, all of the union presidents and staff people and the rest of it. There would be a speaker and so on. So I got tied into that. That would have been in 1952, Labor Day. Could even have been 1951, Labor Day.

But in any event, when all of this is related to what happened after I became aware of the tuberculosis, I don’t remember exactly how we did it, but we talked to Father Kearney about the situation almost immediately. He went and talked to Cardinal McIntyre, said, “Look at what’s happened to this family,” and Cardinal McIntyre said, “Send him back to us.” What we were looking at was the prospect that inevitably I was going to have to be hospitalized. And the prospect was a Veterans Administration hospitalization. There was the possibility of a Navy [hospital], and you know what happened to that possibility rapidly. [laughter]. Well, given the history that I had, I wasn’t too enthusiastic about getting in the toils of the Veterans Administration, either, but we seemed not to have too much control over the matter. But all of a sudden there broke through Cardinal McIntyre’s offer to sponsor me to the Barlow Sanatorium, which is down in the aptly named area Elysian Park, where the Dodgers later — I thought it was kind of ironically named.

GALM: Where the Police Academy is, too.

JONES: That’s right, that’s right. Elysian fields, you know. Then that opened up as the place where I would be going. He also said — this was the cardinal telling Father Kearney — “Maybe we can arrange some kind of work for him to do, writing of some sort.” So I ended up, then, going down to Barlow’s in early June. That was a very heartrending kind of leave-taking.

GALM: Did you have any sense of how long you might have to stay?

JONES: No, but I had very much in the forefront of my mind what that Army doctor had told me back at Fitzsimons [General Hospital], and it seemed to me —

GALM: That was what, three years or — ?

JONES: He wouldn't even put a tag on the end of it. It was several years. He may have used three. It was going to be an extended period. And of course, what I was really concerned about was whether he was turning out to be right after all. If that were true, then I was really at the start of something, a rather horrendous prospect.

We all drove me down there, the kids and everything, so the leave-taking was a very painful kind of thing. So I went in there. Then it turned out, of course, that chemotherapy was just emerging as the treatment for tuberculosis. I had had — I'm trying to remember the name of it now; I think I remembered the name of it the last time we talked. But it was a needle-injection type thing that I had been administered back in Virginia — streptomycin — when I had run into that period of irresolution, which as I looked back on it in 1953 no longer looked irresolute. Now, we were extremely fortunate; throughout all this we were careful. None of this affected any of our kids, so much so that none of them even had positive tuberculin tests — I mean the little patch test — which is quite unusual. In any event, there were two other chemicals. One was a very huge pill, but the other was a little tiny pill, and that was called INH. I think it was isonicotinic acid, hydrazide acid — anyhow, INH — and that turned out to be the great knockout of tuberculosis throughout the world where it was available. So it did knock out the disease for me so that I was able to leave after eleven months, return home with negative cultures and so on.

While I was down there I didn't see Chadbourn. I had a very close — we weren't father-son because it wasn't that much of a gap. There was maybe twelve to fifteen years between us. But it was certainly older brother, and it was sort of like father-son, too. But his father, like I mentioned, had died of tuberculosis when he was a child. He had a vivid, vivid recollection of the burning of these little cups out in back of his house. He was terrified of tuberculosis. When I was diagnosed and sequestered, everybody had to be tested here at the law school. I think even students were tested. I'm not sure of that, but all of the staff, the secretaries and the faculty, all had to be tested. Of course, Chadbourn tested positive immediately with the patch test. He was a hypochondriac. That resulted in X-rays. I think actually there was even some scar tissue in his X-ray, but he didn't have any problem with tuberculosis. But it deeply affected his view of me and

my situation and the rest of it. He didn't want to come near Barlow's, so he would just send messages from time to time, a little note or something like that. But Ralph Rice — If Ralph came down there once, he came down there a couple of dozen times to see me, a self-appointed link to the outer world. He was really very supportive.

GALM: So he was the most frequent visitor from the law school?

JONES: Dick Maxwell came down a couple of times. But people were fearful. Fran [Frances] McQuade, for instance, did not, although we had gotten to know each other quite well. I think she was fearful of it. It was very traumatic, the business of the testing and everything that had to happen.

GALM: Chadbourn's positive result, would that have been probably from his — ?

JONES: His father, sure, yeah. Linked to this is an act of generosity on Harold Verrall's part. I was scheduled to teach in the summer school in 1953, teach the subject of Wills. [laughter]

GALM: Had you gotten a new text by this time?

JONES: Oh, yes. I was good at Wills by then. So what happened was that he and Dale talked about my situation, and he volunteered to teach the Wills course and let me collect the money. And then Dale went across the street to — who would it have been? I guess probably it was Dodd, probably was still Paul Dodd in 1953. I'm not sure. I don't know whether Raymond Allen was here yet or not.

GALM: I think he came in '52.

JONES: Okay, so then it was Raymond Allen, who himself was an M.D. and recommended — and the recommendation was accepted — that I be given a fully paid sick leave. So what happened was from the cardinal I got tuition free at Barlow Sanatorium and, through Dale Coffman and the university, a fully paid sick leave for that whole year — which just boggles the mind when you think about it.

GALM: Is the cardinal James Francis?

JONES: James Francis Cardinal McIntyre. You got it. Marvelous, marvelous man who became very disillusioned in me rapidly. It was an unfortunate

idea to ask me to write. The Catholic newspaper *The Tidings* — Are you familiar with that?

GALM: Yes, very much so.

JONES: Okay. In 1952, the editor of the paper was a Monsignor [Patrick] Roche I think his name was, and the paper was just a flabby, mediocre newspaper. I had edited my college paper and I had started the newspaper at the law school at Virginia. I loved writing for newspapers, the whole idea. So Monsignor Roche approached me with what he said was an idea that he had discussed with the cardinal that on page two of *The Tidings* they thought they would open page two to some kind of commentary about public affairs and would I undertake to do that. I thought about that. I'm obviously thinking very favorably about the idea of doing anything I can to bring some income and to occupy myself. The income part was no longer really something which was screaming at me as a necessity because of the coupling of the tuition — "tuition free" was not my phrase for that — I think that was what Father Kearney described it as. It was an arrangement that they had with Barlow's. I don't know whether they paid anything to Barlow's or just that was it.

But in any event, former Governor John Bricker, then senator from Ohio, was pressing the Bricker Amendment to the Constitution, the effect of which would have been to neuter the presidency in the conduct of foreign affairs. That was a very hot topic in 1951, '52. I was totally convinced of the idiocy of this. There was no question about it. So my first chore was to write a column. The first column I wrote was about the Bricker Amendment. That was printed, and I gutted it. It was "gutttable." It was just ridiculous. It was just so against all of the accepted legal analyses and realities, and you had to be just very simplistically anti-communist to think that that was going to be something the United States needed. Dwight Eisenhower was president. So anyhow, I wrote that column and I thought it was pretty good. It was printed. And then the next issue I sent in my second column, which was a follow-out of the first column, and I found when my second column was printed there was another column next to it written by a dentist. It was the party line about the Bricker Amendment! Then I wrote two more columns. Then I got fired. I sort of knew what was coming, but it

was obvious that I really couldn't handle that. I was going to have to write what I wanted to write, and it wasn't going to be operative for them.

GALM: Were you ever approached to perhaps slant your articles in a different way?

JONES: No, no.

GALM: Was it Monsignor Roche, then, that terminated you?

JONES: Right.

GALM: I hope that didn't have any effect on your stay at Barlow.

JONES: No, no, it had none. I never did visit the cardinal again, though. Dale Coffman also was spouting Bricker Amendment theories that made the cardinal happy to listen to. In fact I'm not sure of this, but I think we did discuss it at that dinner at the cardinal's house and I maintained a relatively discreet silence on it. But, in any event, in all modesty, I had a great idea which I wrote in the final two columns, but it never got picked up. I thought it was a great idea. I still think it was a great idea. At that time we had the Korean [War] thing, just on the other end of it. There had been an awful lot of Chinese who had left China coincidentally in those years from '49 after the Mao takeover and all kinds of backgrounds of persons. My basic idea was that we recruit teams of those Chinese and finance them throughout Asia on tours — village, city, whatever, teams. I think I had three people in each team, a lawyer, a scientist, perhaps a doctor or something like that or a peasant farmer. All those people in various occupations and professions. There were apparently hundreds of thousands of them who had dispersed out and I guess were to be found — in fact we just Monday listened down the hall here to a young Chinese lawyer who was educated at Oxford whose parents left at that time and went to Hong Kong. He was telling us about Hong Kong. So that was in contrast to the Bricker Amendment. I was saying if we really want to get after communism, this would be a great way to do it, to unmask communism by using the insights and the witness of people who have been there and left because of it. So I went out, I thought, in sort of a blaze of glory. I also finished up a law review article that I had, was in the process of finishing, on picketing. And that led me into locking horns with my mentor, Charlie Gregory.

GALM: What law review was that for?

JONES: It was in the *Virginia Law Review*. This was 1953. It was “Picketing and Coercion.” The burden of my argument was that picketing was mistakenly being viewed by courts as if it were in fact psychologically coercive, not just using coercive as a metaphor but really almost as a diagnosis, and that this was mistaken. I undertook to say why. It was published in the *Virginia Law Review* in 1953. It resulted in Charlie Gregory writing a rebuttal piece to it. He just devastated me in his article. But we had argued —

GALM: He was your mentor, too.

JONES: Oh yeah, yeah. This was great. There was no resentment about this. But he really raked me in that thing, no holds barred. I got to write the final piece. I made up an ancient aphorism, “Never lock horns with an old bull in his pen,” I started it out. Ancient proverb. So anyhow that was a boost for me to have the law review article written and to have him pour acid on it and to have me come back at him with some verve also.

GALM: How did your wife endure that confinement?

JONES: That was very rough on her. She got a lot of support from Dick Maxwell and Fran [Frances McKay] Maxwell who lived right out in that area where we lived. We were at Junaluska Way, this little plateau area just — I guess it’s west, where the high school presently is. There’s a plateau west of that, and that was where the Maxwells had a place, on out closer to the ocean. But it was very rough. She was pregnant. Time came for the delivery. The boy was born in March. What is today? He was born March 16, 1954. So she had to go into the hospital, the whole bit, while I’m down there at Barlow’s. The Maxwells figured in that. I don’t know whether Dick took her in, but I know that Fran came and stayed with the kids. So even though we hadn’t gotten to know each other that well, we got to know each other that well.

GALM: So then you returned in, what, spring 1955? When were you actually discharged?

JONES: I was discharged in June of ’54 and returned in the spring of ’55. I had a lot of bed rest still to cope with. It was a gradual getting up and walking and stuff like that. This, too, now, I’m very fuzzy in my recollection. But the Coffmans came out to visit us, I remember that, and brought an arbitrator, Clarence Updegraff. Have you picked up when he was — ?

GALM: The appointment of Clarence Updegraff was announced or discussed in December of '55, because Coffman wanted to bring him on to replace Allan McCoid. Had you been sort of kept abreast or did they in a sense protect you from what was happening at the law school?

JONES: Ralph had come down probably biweekly, sometimes once a week. He kept me totally apprised of what was going on. It was very distressing for me in the prospect, because I knew the time was going to come when I was going to have to fish or cut bait. Thinking of the thoughtfulness that Dale Coffman had evidenced towards me and the compassion really gave me quite a bit of concern whenever I'd get onto the subject with Ralph. I could see shaping up that this was going to be very unpleasant at some future date.

GALM: By the summer [of 1955] were you more or less in the swing of things?

JONES: Well, I must have been, because it was in the fall when Saint Crispin's Day came.

GALM: October 24?

JONES: Is that when it is?

GALM: I did my homework. Battle of Agincourt. [laughter]

JONES: Yeah, okay, there you go. I don't have any fix in terms of recollection.

GALM: It seems that what the events were building towards was not necessarily a confrontation between Dean Coffman and the faculty, because these were happening in minor ways. But it was really the meeting with the faculty, the dissident faculty, and the chancellor, Chancellor Allen. Did you participate in any meetings of this group?

JONES: Well, there were no meetings, as such, of this "group," in quotes. There were conversations in offices. Yes, I did participate in them. Everybody knew what my dilemma was and sympathized with it. Everybody recognized that I was coming down the pike — I was going to have to become very visible. Well, I don't know what their internal thoughts or expectations were of what I would be doing or saying, but I'm pretty sure that they would have thought that I would do, in fact, what I did do ultimately.

But also, I didn't want to get into a conspiratorial mode. There was a small group, actually. The faculty was not a large faculty obviously. So you didn't have to think about convening meetings. Allan McCoid was obviously headed for trouble in my book. I could see that was going to come. He was very outspoken and he was bright. He didn't go looking for trouble, but both he and I were assistant professors. We were obviously extremely vulnerable to anything by way of retaliation from either direction, but neither of us was thinking about it from either direction. The thought never occurred, I'm sure, to him. The thought never occurred to me.

The problem that we had — he had a different one than I had — was centered on Dale Coffman. My problem was that I just couldn't conceive how I was going to make it intelligible to Dale Coffman what my feelings were. Not my feelings — it would be easy enough for me to make my feelings known, the emotional side of it. But the intellectual side of it, my perception of what was going to have to happen to this law school. He was going to have to resign or be removed as the dean. There was no question in my mind that that was ahead, that was coming. It had to come. It was inexorably going to come no matter who did what at that point. And that was based on my perception of the strengths of this youthful university here in Los Angeles, that it just wouldn't sit still. It just would not sit still and allow this opportunity to run off the tracks. I had a very strong conviction about that. But I also had this enormously deep, profound sense of gratitude to Dale Coffman, who had from the beginning, from my very first contact, been nothing but forthcoming and candid and talked about things that concerned him. He told me things about his attitudes towards Chadbourn and the others, which I never repeated to them any more than I repeated to him what insights I was getting from them. I think they recognized that also, that I was not a pipeline going in either direction. It was a difficult situation.

GALM: Did it really come down to almost a Chadbourn–Coffman confrontation, with support on both sides? Was he the key person?

JONES: Chadbourn was the leading law professor on the faculty.

GALM: And also the senior —

JONES: He was the senior. Well, he was the senior in terms of appointment amongst the dissidents. Coffman and Verrall and Perkins came together in

1949. They had tried to get Chadbourn to come when they got Currie. In fact, I think they tried to get Chadbourn before they tried for Currie, and I wouldn't be surprised if Chadbourn didn't suggest Currie to them. That sort of hangs in the fringe of my memory. So he didn't come the first year that they offered him when they came. The following year, they renewed the offer and he came. But he had a national reputation as an outstanding scholar and law professor. So it was natural enough. Nobody close to his stature was here after Currie left. Even Currie, though, didn't have the reputation that Chadbourn had, although it was certainly close. And later, I would say, probably Currie's reputation really burgeoned. But it wasn't as if Chadbourn were running around marshaling troops. It was an erosion sort of thing from the standpoint of Coffman. It was an evolutionary, growing, progressive kind of thing from the standpoint of the faculty people involved.

GALM: So you don't see it as being conspiratorial or clandestine?

JONES: Oh no, no. You know, "clandestine" is a loaded word, has a CIA tinge to it. Obviously they weren't running around saying —

GALM: Announcing?

JONES: Announcing things. I was the one that did that. As the way life turned out in this, that turned out to be my role twice, once with Chancellor Allen and once with Dale Coffman. The Chancellor Allen thing came — and this may be the appropriate time to do it, because we had met in the fall of '55. When we went across the street, that's what I told you before, I wrote a one-page statement in which I took account of — at least my recollection of it was one page. I don't have that document.

GALM: Right.

JONES: I'm almost certain it was one page, though, in which I just simply recited my situation, but also acknowledged that I was there with the group. And that I acknowledged — some of it may have been reflected in that memo which you're looking at.

GALM: No, I'm trying to get the dates.

JONES: Here it is, September 21, 1955. That's when we went over —

GALM: What was the October 24 date, the Saint Crispin's Day? What was supposed to have happened then?

JONES: No, that was a misnomer. Nothing happened then. It was the September 21 occasion that Ken York dubbed the "Saint Crispin's Day."

GALM: So it wasn't actually the date?

JONES: Right, although for a period of time I used to think it was. But I see here on the first page of this April 21, 1956, memo which was going to Vern Knudsen's committee, Louis Slichter, and [Gustave O.] Arlt. Did you confirm that Arlt was the third one?

GALM: No, I didn't confirm that. I can.

JONES: I don't think that it makes any difference. So there were eight of us. That's a lot of people.

GALM: Eight out of about eleven members, right?

JONES: Right, other than the dean. Two weren't there.

GALM: See, from that original memo that I have a copy of from September 21, 1955, it seemed to me that the memo was divided into two parts. One centered on things such as the understaffing of the law school as a problem and an issue, and then under that category the memo addressed the existence of anti-Semitic prejudices that Dean Coffman had and had expressed on occasion. It even quoted you as being one of the people who had heard the slur. Do you remember the specific occasion?

JONES: Oh, I don't remember the specific occasion because there were several of them. But the line was always the same, one set of words for it, and that was that the one hundredth member of this faculty would be Jewish. That was it. In my statement I know I referred to that statement. Maybe you could have a copy of that made for me so I could look at that before the next time we get together, because that might pull some stuff in. But I know that I had read it, of course, and I know I referred to it in my statement. I'm pretty darn sure that what I said was that factually I concurred with what they were saying but that I felt it necessary to make a separate statement because of the peculiar circumstances in which I found myself. I referred to what he had done for me and my family and pretty much left it

at that. But I did concur factually with it, and I know that there were things in there that they referred to me.

GALM: What were you saying, though, in that memo, your separate thing? Was it more that you were also saying that there was another side to Coffman?

JONES: Well, sure, that was it exactly. I was simply not prepared psychologically to say, "I think he ought to be kicked out." I couldn't do that at that point in time. I just couldn't do that — this is given my relationship to him and how he had reached out to me and to our family. I could objectively say that what they were saying was true, that we had this problem, but I just wasn't going to say that he should be ousted, although I knew it had to happen, basically. And then, of course, there began the jockeying that we had with Chancellor Allen, who was not — he did not welcome this visitation one little bit.

GALM: How long did that meeting last? Do you have any memory of it?

JONES: Oh, it was a couple of hours. Maybe it was an hour. But it was at least an hour.

GALM: In his office over in the administration building?

JONES: Well, he had a conference room in the corner, as I recall, of the second floor at the time.

GALM: Of the administration building?

JONES: Yeah, it was across the street, what's now Murphy Hall. So he received this delegation of eight law professors. He had a relationship with Robert Gordon Sproul which I suspect was rather stormy itself, totally dissociated from us, and also with Chairman Dickson. I think probably he had to be considerably less concerned about Sproul than about Edward Dickson, because it was common knowledge that the chairman of the Board of Regents was a great supporter of the dean of the law school. So Allen did not rush out and embrace this visitation. He was there and he was gracious and so on, but from then on it became pretty clear that he was not about to launch into any kind of action if he could possibly avoid it. He had received this, and that was that.

GALM: Was there a spokesman for the group?

JONES: I think everybody spoke. My recollection is that Chad spoke first. But everybody had something to say.

GALM: And was the memorandum — ?

JONES: Actually, as I think, I'm recalling some of it now. Allen went around the table, more or less polled the jury, asked each of us, "Do you concur with what's in this document?"

GALM: Was that his first reading of the document at that meeting or was it sent on ahead?

JONES: I believe so. The document's not that long, is it? How long is it?

GALM: Well, this is a document with some supplementary memos that were added as things developed and problems developed. The original document is about seventeen pages long. But it's a lot of material to absorb.

JONES: I can't remember whether he had — I think that he must have read it before the meeting. I don't remember the procedure that was used. I know he polled us. That's my recollection, at least, that he went around the table, asked each of the faculty members there. For one thing, it had to be a natural concern of his that this was not some kind of thing that was being honchoed by Chadbourn or somebody on the faculty or somebodies on the faculty. That was when I had — at some point, I don't remember exactly, I handed him a statement. I think it was probably when he asked me what I thought, and I'm pretty sure I said, "I have taken the opportunity to write down a brief statement. Perhaps the best thing to do is for me to give you that now. It's just on the one page, and perhaps you could read it now and I could answer any questions you have." And he did. He read it and then I think I just volunteered that I — in fact, it said it in the document itself, as I recall, that I concurred with the fact-finding laid out there.

GALM: Do you know whether he gave equal time to the other faculty members? There weren't that many, but the ones that there were.

JONES: Verrall and Perkins. Well, I'm certain that he did not, because the way the thing evolved from there on, a period of some weeks went by and it was with no response whatsoever coming back over here. Then there was considerable conversation about, "What do we do now? We fired the shot. What next?" Since there was no response whatsoever, no feedback. He was

a very smiling, gracious sort of administrator. But we just simply got no feedback about it. As I said, it was a matter of weeks. So there then emerged — I can't remember the lawyer's name, but he was a Los Angeles lawyer — I can remember his face — who was appointed by the Republican administration as the chairman of a commission. It could have even been called the civil rights commission. [United States Commission on Government Security]. This was not the present commission. And it was being formed. Loyd something — the first name Loyd comes through. [Loyd Wright]. Anyhow, he was proposing Coffman to be the general counsel of that commission, which would require a year's leave of absence. When that emerged — this is maybe around Thanksgiving time — we still hadn't heard. I'm pretty sure that we didn't hear anything from Allen until pretty close to Thanksgiving.

GALM: Is this the commission, then, that he did indeed go on to?

JONES: In Washington, yes, yes.

GALM: The security something commission.

JONES: Okay, whatever it was. It's the one he went on as a consultant. He was being proposed as the general counsel, and then a letter went forth from here. There was a big debate amongst the eight faculty, including me: What do we do in this context? What is our moral responsibility? To lay back and say nothing and let Dale Coffman become appointed the general counsel of this commission? We decided no, even though it would serve our self-interest without question if he were just to go ahead and be the general counsel of that thing. But it was too important a governmental function, too sensitive an area of concern to the public, that we finally decided we should apprise — I don't remember who the people were, but my recollection is somebody in Texas — could have been in the University of Texas law school. I'm not sure what the Texas contact was. But it was to apprise that person, who then could feed it into the Republican administration, that this was not the man who ought to be the general counsel of this operation. That happened. There was a letter written, and I don't remember — I'm certain that I didn't sign it, and it may not have been a multiple-signature letter, but it certainly was written, framed by the group. Dick Maxwell would probably remember this. We might have gotten it from him. But in any event, that put the kibosh on Coffman becoming the general counsel. Then the fallback from this lawyer who had been desig-

nated the chairman of this commission or committee, or whatever it was called, then was thinking in terms of a consultancy which would require his [Coffman's] presence on a year's leave of absence in Washington.

It was at that point, when that became manifest, that a meeting was held with Chancellor Allen. It was in the week before Christmas, and I was unable to attend. I had the flu. So I came to the law school on Christmas Eve. Jim Chadbourn and Ralph Rice and Dick Maxwell were working. I came to work, and we ended up very shortly in Chadbourn's office with them telling me what had happened over at Chancellor Allen's. "The thing is solved. What Allen's going to do, he's going to give him leave to go back to Washington for a year effective January 1, and then while he's gone, arrange with the regents and President Sproul that his deanship will be removed."

I can still remember how I felt about that. I had two observations about this. Number one, this is insane and number two, it's immoral. "You can't do this. It won't work. It won't work because it's immoral. You can't send that man off to make a career choice like this with the expectation that he's coming back as the dean and then at a later point in time say, 'Ha-ha, we fooled you.' That won't wash. The regents wouldn't buy it. Anybody looking at that way would say, 'What is this?' That won't work." And I repeated it. "It won't work because it's just plain immoral."

Ralph got very upset at me. "We have this all set," he said. "You know Allen is a pusillanimous son of a bitch. He won't be able to do anything by himself." [Gestures] with the arms and shaking and everything, he said, "We've got to go through with this." And Chadbourn sat there and didn't say anything. Dick Maxwell was standing. He didn't say anything, and finally Chadbourn looked up at me and said, "You're right, but we can't do anything about it. It's too late." I said, "Well, I can do something about it. I'm going to call the chancellor and I'm going to ask to meet with him today."

Ralph went, "Grrrr." Dick Maxwell and Chadbourn said, "You talk about insanity. That's insane. Not a chance. It's too late — it's all done. You may be right, but it's all done. The events have occurred." So I said, "That may be."

So I went down. We didn't have phone service because of the weekend and we didn't have any switchboard. I got on the pay phone and I called the chancellor's house. This is probably about eleven o'clock in the morning, Christmas Eve.

GALM: Christmas Eve?

JONES: Christmas Eve. I got Mrs. Allen while the chancellor was down at Bullock's shopping. I said, "Do you think there might be some chance that I could see the chancellor after he returns?" Silence on the other end. She said, "Well, we have a party later this afternoon, a family gathering." I said, "When do you think the chancellor will be back?" She said, "Well, he'll be here for lunch." I said, "Maybe I just better call again," and left it at that. I waited, went back upstairs, told them what it was. They were just — Ralph had the teeth on edge. The other guys didn't. They figured I was right. They were persuaded that I was right, but they were also quite convinced that the thing had — it was gone. Whatever was going to happen was going to happen. But he was going to go under the misapprehension that he was going as the dean of this law school rather than as somebody who's being set up to be removed in his absence. Yeah, you just think about it. That never would have occurred. It was so patently unfair, lacking in due process. It couldn't have happened. Anybody looking at that from the outside would have said, "This proves it; these people are unscrupulous. Whatever their motivations may be, they are unscrupulously conspiring to get rid of this sound dean who is fighting communism and they're trying to drag him down, just a bunch of jackals." This was the way I was talking to them. "I think it's so patently obvious that it isn't even — I cannot imagine how it is you could have agreed to this."

GALM: Now, whose plan was this? Was this strictly Allen's?

JONES: It was a spontaneous-combustion plan. They had this discussion in Allen's office, and it got into the conversation, through Allen, that he had been contacted about this by Coffman. Could he get a year's leave of absence to be a consultant, since they weren't going to do the general counsel thing? "What do you think of that?" Everybody said, "Great. He's gone. Then all that we need to do is convince Robert Gordon Sproul and the regents while he's away. We won't have to worry about it."

So I called again around lunchtime and I got Allen on the phone. "Chancellor Allen," I said, "it's enormously important that I come and see you." Now, he knew who I was because of the tuberculosis business and the whole thing. I said, "I really have to see you if you can possibly squeeze me

in this afternoon.” “Christmas Eve?” [laughter] I said, “Yes, sir. I know it’s Christmas Eve. I know it’s awkward, but I just have to see you.”

“Well, all right, Professor Jones. Can you come over right now?” I said, “Yes, sir, I’ll be right there.” So I went over and he met me at the door, led me into the living room, the same house that’s up there now, and sat me down in a chair. He sat on the sofa. He was a fairly large man. He started to lean forward, pleasant look on his face. He said, “Now, what may I do to help you? What’s the problem?”

I said, “Well, I’m here to talk about Dale Coffman leaving here without being told that this is a terminal leave as far as his deanship is concerned.” He sat back and sort of looked askance at me, and he said, “Well, what about it?” I said, “Sir, it’s immoral. He turned beet red, just beet red. I thought, “Oh brother.” [laughter]

GALM: You might be looking for a job!

JONES: Yeah, rapidly. So then he just sort of hung his head while he was trying to get control of that beet redness which he was obviously feeling. Then he said, “Maybe you better explain that a little bit more than you have.” And I went into it as I had with Chad and Dick and Ralph. And then I stopped. He said, “I’m afraid you’re right, but I wish you weren’t.”

What that did, then, was open up the combat arena. It killed it. What it meant was we had to fish or cut bait. The chancellor had to fish or cut bait. He couldn’t let him go unless he knew the circumstances, and so he couldn’t let him go — that’s what happened. That resulted in his divulging it for the first time, as I understand it and my recollection, to Coffman. He arranged an appointment with him. Then it was set on the confrontation course.

GALM: Do you have any sense of when he may have met with Coffman?

JONES: It had to be that week after Christmas, because everything was — you may have a better shot at this.

GALM: No, not really.

JONES: No, I’m pretty sure that leave was [scheduled for] January 1, and that was why they said, “The events are out of our hands,” and so on. The only person that could stop it from happening was Raymond B. Allen.

GALM: But then he didn’t actually leave — did he? — until, what, summer or something?

JONES: Yeah, yeah.

GALM: But he was actually scheduled, perhaps, to leave already January 1?

JONES: I believe so.

GALM: So that was part of the urgency on your part.

JONES: I believe so. I may have it wrong. I'm almost certain that that was it, because I wasn't going to be trotting up there on Christmas Eve unless this thing was activated imminently. So I'm pretty sure he was to be gone January 1. So he would have had to have met with him in the week between Christmas and New Year's and indicate that there was this problem and he better stay and so on and so on. Then, of course, all hell broke loose in mild, muted ways. I don't remember too much of the details between Christmas Eve and March 1.

GALM: I'll give you this document to help refresh your — one question, how did Coffman stand with Robert Gordon Sproul?

JONES: I have the impression that Robert Gordon Sproul totally understood Coffman and his situation and thoroughly disapproved of the appointment, but he was, I gather, just the consummate political animal. He had a chairman of the Board of Regents who felt very strongly, had the flag and everything wrapped into his feelings about Dale Coffman. Dale and Helen Coffman were very gracious hosts. They were very, very nice people to get along with. They treated the chairman of the Board of Regents periodically and treated him well indeed. It was obvious he was sincere. I mean that Dale was sincere, that she was sincere. They weren't pulling wool. They just deeply believed the same things that the chairman of the Board of Regents deeply believed about the political situation and the threat to America and all the rest of it that exercised people at that time. I know we had the feeling that Chancellor Allen was not going to be rushing the barricades on behalf of the law school and the dissident faculty. But also there was the widely shared belief that it was going to be touch and go to get Robert Gordon Sproul to stand up when the time came, even if we got Allen to carry the message to Sproul. There was considerable doubt about what would happen from Sproul. Allan McCoid, as a matter of fact, became the victim, I think of that lack of — I shouldn't say "lack," I suppose — of that dilemma that Sproul himself perceived, that Raymond Allen perceived, and that

was they were not about to just take on Dale Coffman and Dickson for fear that greater things might happen, namely their removal.

GALM: It is your feeling that Chancellor Allen would have spoken with Dean Coffman immediately following the time before the first of the year?

JONES: In terms of disclosing that there was this problem so that he would want to think about it rather than just take off. I really am quite convinced that that's when it happened.

GALM: After your meeting with Allen, do you remember reporting back to — ?

JONES: Oh, I came back.

GALM: Oh, that day?

JONES: That day, sure.

GALM: They were still there working or whatever?

JONES: Yeah, yeah. Ralph Rice was very angry at me because of the result of the conversation with Chancellor Allen, but both Chadbourn and Maxwell were happy with the situation. I mean, they both were convinced. They thought, as they looked back on it, that they had agreed to something because it looked like such an easy way to resolve it and it had come from Allen, I mean the impetus for this idea. There was a very real concern throughout that year, and it was mounting with the passage of time, that Chancellor Allen wasn't really going to be forthcoming with any kind of a meaningful solution to it, and any way that he could get out of it, he would take. It was obvious that there was no way to get out of that. It was either going to have to be a decision upholding the dean or the reverse. There wasn't really a compromise available that would leave him in the chair of the dean, nor would he have seen it that way.

GALM: Now, by that time, Allan McCoid had actually been sacrificed, hadn't he? I mean, he had been notified that his appointment wouldn't be retained.

JONES: Yeah, you gave me a copy of those documents. My recollection is that all of these things came together after January 1. It wouldn't really be normal for Allan McCoid to have gotten the offer that he did get from Minnesota, which he later accepted. He was a very able, very sharp young

law professor. He was also very blunt, very outspoken. Not in a loud manner. He was a very slightly built person, short, thin.

GALM: Yeah, that initial letter said that — it opens with [the statement] — and this is from the dissident faculty — that McCoid had been notified by letter December 23 from Coffman that he would not recommend him for reappointment.

JONES: My impression's erroneous.

GALM: There would still seem to be some effort upon the faculty's part to have that situation reversed and certainly reexamined.

JONES: Right, right.

GALM: But it seems that it was never successful.

JONES: It was not. I'm trying to understand why that date. I don't recall. [pause]. The conversation I had with Allen, you know, was Christmas Eve. This letter is the day before to Allan McCoid from Coffman.

GALM: Right.

JONES: So I have to think that's just Coffman tidying it up before he leaves.

GALM: But, as far as you can recall, you weren't aware when you went to Allen that McCoid was being dropped then?

JONES: No. I'm sure I would have —

GALM: And he was never discussed, really, in that meeting?

JONES: No, no. But, as I'm looking at this letter and thinking of the dates and the juxtaposition of the January 1 leave-taking, I'm hypothesizing — this would make sense because he wanted to clear Allan out. Allan was up on an annual appointment basis as an assistant professor, and I would assume that the reason the letter came when it did is because of the fact that Coffman would be going out on that leave. I don't remember whether the leave that he posited was for six months or for a year. I think it must have been for six months. That would make sense relative to this McCoid letter, too.

GALM: Do you recall what, then, might have transpired, say, in January of that year?

JONES: Sticking to McCoid just briefly, I know there was a conversation — apparently it happened in December — between McCoid and Coffman

in which Coffman asked leading questions from McCoid, and McCoid answered, “Well, as a matter of fact, now that you ask me,” and then told him what he thought. And what he thought was very negative to the idea that Coffman should be the dean. I don’t think that Allan would have said anything to the effect that “you should resign” or something like that. I don’t think that was it at all. It could very well be that it was a conversation in which Coffman is telling McCoid that he doesn’t intend a reappointment, but only after asking him some leading questions, which elicits from McCoid language which Coffman took to be personally insulting, and which he then repeated to Chancellor Allen who, whether in good faith or — surely in good faith, but I mean whether the chancellor was equally offended by the language or seized the occasion to make an objective move to indicate his impartiality in the situation. I think we all had the feeling that it was the latter, that Allan really had been used as a pawn in the situation. Allen had the power to set that aside as part of the total reaction to the situation. I remember vividly there was a sense of absolute incomprehension on everybody’s part.

GALM: I think you have a copy of it, too. On April 4, 1956, a confidential memo from Allen to the dissident faculty in which he opens it by referring to an —

JONES: This was a serious rebuke.

GALM: That there was a meeting of McCoid with Allen on January 6, 1956.

JONES: Right, I see that. Well, my recollection is that Allan McCoid was equally blunt with the chancellor about what he had said to Coffman. I think he was asked if it was true what Coffman was reporting that he had said to him, and he said, “Absolutely.” He had a very clipped way of speaking, and he looked very, very young. I mean diminutive. I could picture Allen having the feeling that he shouldn’t talk to his elders like that!

GALM: Under normal circumstances in, perhaps, any other law school, would he have had any problems in working with administration comfortably?

JONES: No. He was a very —

GALM: So it wasn’t a personality —

JONES: No, no, no. He was a very nice guy, actually. A very pleasant guy. Hardworking guy, very hardworking, and very, very able. He was good in

the classroom, and he was a writer. He was a great appointment, actually. Another winner.

GALM: So he really became a sacrificial victim?

JONES: Yes, yes. You know he ultimately committed suicide.

GALM: Oh, I didn't know that.

JONES: On the Minnesota faculty. I have no idea why. It came maybe about ten years later. He has a brother, who may be a twin, named John McCoid, who taught for years at the University of Virginia. I think he may still be in the law school there. But Allan was just a really decent person. Very decent person. If he had said anything obnoxious to Coffman, it would have been only elicited by Coffman. There wouldn't have been any language in it that would be other than very gentlemanly, even though blunt, of disapproval.

GALM: Well, you were called in by Dean Coffman February 2, 1956.

JONES: Yeah, right.

GALM: To discuss the faculty memo of that past September.

JONES: Right, including mine.

GALM: Including your statement?

JONES: Right.

GALM: Do you think, then, between the time that you saw Chancellor Allen, he was shown that memo?

JONES: Yes, absolutely.

GALM: And that's —

JONES: I think that Dale Coffman got those documents after I met with the chancellor on Christmas Eve. Quite possibly, on the occasion when the chancellor disclosed to him that he might want to consider these matters before he made up his mind to leave on this six months, or whatever it was.

GALM: But he actually stayed away a year, didn't he?

JONES: He did stay away a year.

GALM: From July 1 to July 1?

JONES: Is that right?

GALM: Yeah, because one of the key issues that you had to take up with Dean Harno was the fact of his teaching assignments. Harno would have come on that fall, the fall of '57.

JONES: So then, in that gap period there we had Chancellor Allen functioning as the administrative head of the law school with Chadbourn and Rice as a committee of the faculty.

GALM: What is your recollection of that February 2 meeting with the dean?

JONES: I have a clouded — I don't have a little movie of that meeting, except a little snippet, and that is I recall having no sense of apprehension about it, because I didn't really anticipate what we were going to talk about. He just asked me in a rather friendly way to come down to the office. And then, once I'm there, he indicated to me that he had become aware of these things. He wasn't being unfriendly. Very sober, solemn, but not angry or anything like that. I had a feeling of considerable apprehension after the conversation started, because I had the distinct feeling that he was really seeking to elicit from me some kind of statement that would become the occasion for my demise, as I was aware had happened to Allan McCoid. So I didn't answer. I said, "I'll just have to think about that." He put the question to me direct. "Do you think I should resign as dean for the good of the law school?" And I thought that was a real tough position to be put into. Understandable. It's understandable to me now that he would do that. It's understandable then that he would, but I didn't want to answer that question sitting in that office. I didn't want anything to do with oral statements and recollections. So I simply said, "I'll just have to think about that and then I'll — ." I may have told him that I would write him about it, or I may have told him I would get back to him, but I was not going to answer it then. That was a fact.

GALM: Yeah. There was another occasion that had occurred the previous summer, and I wonder if you could sort of flesh that out a bit. You make reference to it in a later memo when you're talking about your tenure and your seeking promotion to associate professor, of having met in August 1955. I think the circumstances were in your home with your wife present, in which Coffman sort of indicated that —

JONES: I think Updegraff was probably there on that occasion. I have a memory out in the Palisades, in the house that we had there, in the living

room, of Clarence Updegraff and Dale Coffman arriving and my meeting Updegraff for the first time. He was a well-known labor arbitrator from the Midwest. That's pretty much my recollection. I'm not sure it was on that occasion that this conversation about loyalty — He didn't use the word "loyalty." It was a matter of working —

GALM: I think the term that you used, and you later put it in quotes, was "active support," that only faculty members who gave him active support would be promoted.

JONES: Yeah, okay. Then I don't have a movie on that in my memory.

GALM: But that still must have been in the back of your mind when you saw him —

JONES: Without question, sure.

GALM: — when you saw him in February.

JONES: Sure, sure, sure. You don't give active support if you suggest he resign.

GALM: Right, right. Do you know whether he was calling in anybody else from the faculty and addressing the same question to him?

JONES: That's a good question. I think it's inconceivable if he did. He did not like confrontation. He would never have called Chadbourn in. He just wouldn't have incurred that. I saw him on a number of occasions in these luncheon meetings, and then when things got somewhat tense, when Chadbourn was asking for documents and stuff like that relative to prospective appointments that are mentioned in the memo that you let me have a copy of, Dale Coffman would withdraw from any abrasion. He didn't really rush to it when it manifested itself. He preferred just to make some dogmatic statements and then sort of withdraw from it. So I just think he never conceivably would have asked Chadbourn or Rice or Dick Maxwell to come in and see him. They were beyond his control. Allan McCoid and I were within his control. Of course, I was really concerned about it because I had ambivalent feelings about the whole thing. I had a sense of guilt throughout that whole proceeding because he had come to my rescue without hesitation, and our plight was really very grisly with Robert Morris Jones on the way. You know, five youngsters and a sixth on the way. That was a devastating situation, and he immediately came forward to help. So

I had a very strong sense of “Is this the right thing that I’m doing?” I was totally convinced of the rightness of what the faculty was seeing and doing, and I was totally convinced that it had to be that he was going to have to leave that deanship or else this law school was in really deep trouble. It was in deep trouble as it was, but that would have been nothing like the trouble that we would have encountered had he been sustained.

GALM: Did he ever bring it up to you, the fact that — ? “Is this the thanks that I get?”

JONES: No. I have no recollection of that. The only thing that touches that is I vividly remember going to a meeting of the Association of American Law Schools in San Francisco after he had returned. It was immediately after he returned — that would be the December after his return. I was walking with Chadbourn up the steps of the St. Francis Hotel, inside up into a ballroom area, and Helen and Dale Coffman came walking down. She looked at Chadbourn and then she looked at me, and if those eyes had lasers in them, I was dead. Chadbourn would have been lacerated, but I was dead. I mean, the anger and the bitterness. You could see the eyes focusing first on Chadbourn — level-one bitterness. Then on me — boom, level ten. Totally understandable. They just had to feel that I had really betrayed them in a very bad way, which I deeply regretted, actually, but really didn’t know how to do anything about it other than what I was doing.

GALM: What was your final relationship during the remaining years in — ?

JONES: Total lack of contact. You know, I thought to write them or something like that. I’m sort of oriented in that direction, but I decided no, there’s no point to that. It wouldn’t help anything. If anything, it would just exacerbate the situation. He had to be, I think, left in his state of mind. I don’t think I would have changed his state of mind, his view of me. But it just had to be left the same as it was, as I saw it. Nothing that I could really do about it, and it wouldn’t be seemly for me to try then.

GALM: Now, if he ran into you in the hall, would he acknowledge you?

JONES: Oh, just a nod or something like that, maybe even, “Hello, Ted.” Not immediately after, but over the years.

GALM: After that meeting you did give it some thought, and you did write him a letter.

JONES: I was writing that letter with a dual purpose. I remember thinking about it. I thought at the time it was a little on the Machiavellian side, as a matter of fact, because I figured that I was insulating myself from retaliation by writing that letter. In other words, my going directly to him and saying, “Yes, I think you should resign” put him in the position that if he then told me I was fired, having asked me — and I didn’t use, as I recall, any inflammatory language in that letter. You see the whole thing. I was really speaking quite sincerely here about my feeling of obligation and so on. I don’t think he would have thought to fire me after that letter, but if he had thought to fire me, I don’t think he would have gotten away with it.

GALM: What were the main points that you made in that letter? I know them, but just for the record.

JONES: Oh, sure. It’s a letter of several paragraphs — only five of them. And I just led it off with telling him that I had considered further his question. I wanted to get that up right in front, that he had asked me if I thought he ought to resign for the good of the law school. And then I told him about my deep feeling of obligation to him for his treatment of me during the months of my illness, that this itself prompted me to want to answer him. Now, I’m not sure how sincere that was. I was really concerned that I was going to get caught, just as Allan had, in the vortex here. but in any event —

GALM: Especially as an untenured faculty member?

JONES: Yeah, yeah, right. So I was pulling out all the stops of reasons implicit why he really shouldn’t, if he tried it, get away with it. I see I hoisted the Marine Corps flag here. [laughter]

GALM: But that was true, wasn’t it?

JONES: Sure it was true. He had lost the capacity to lead. You know, there was no question about that. I was telling him the honest truth as I saw the honest truth, but I remember telling my wife after I had written it and she had read it, “You know, this is really — I’m being honest, but I think at the same time, it will have the dual result of insulating me.” I don’t know how he would have reacted to the sentences that [reading letter] “I say this without the slightest trace of rancor, as you well realize. Indeed, it has seemed to me that I should say it to you precisely because I am, perhaps, the only one here who can do so without arousing in you the suspicion of malice or

hope of gain.” I know they had to be deeply disappointed and bitter about having me line up with that group, because there was a good deal of affection, sort of a paternal-type thing. Actually, I had two relationships here like that. One was with Chadbourn and one was with Coffman, and before the years were over, I lost both of them.

GALM: How much did you discuss this situation and your relationship to it with your wife?

JONES: Oh, continually. Sure. She had the same perception that I had, because they had been very gracious to her while I was in the sanatorium and so on. And we liked them. We liked each other. I’ve always been inclined to be very forgiving of other people’s faults of the sort that he had without condoning them — but I mean, I would take the occasion to say things. Anti-Semitism, for instance. I know I had said on occasion, “It’s a little difficult for me to understand how somebody could really be anti-Semitic when you look at Christ, who was Jewish; all the apostles were Jewish.” And that would be the extent of my observation. This was my first job in the real world, you know, and it was a very appealing job as I came into it from back East and out of the months in the hospital and the rest of it. So I was really very impressed with him and with her.

GALM: Did he acknowledge the letter?

JONES: I don’t think so. I remember how I delivered it. [laughter]

GALM: How, late at night?

JONES: I had made sure it was about five thirty or six o’clock, and I waited until I was sure that he had left the dean’s office. And then I slid it under his door. I did not want to be there to be interrogated. I didn’t want anything oral to happen as a consequence of that.

GALM: So you have really no sense of how he received it.

JONES: No. None.

GALM: How much do you think he shared with Verrall and Perkins what was happening to him?

JONES: Constantly. Verrall would be, I think, an excellent source for that. I gather there’s some reluctance. I don’t mean on your part, but I gather there may be some reluctance to quiz him. I think that’s a mistake.

GALM: [pause] I think he has his own memory of what occurred, and sometimes it is hard to reconstruct what happened thirty years ago.

JONES: Yeah, right.

GALM: So then at some point, an administrative committee was appointed by the chancellor to actually investigate the law school.

JONES: And that was Vern Knudsen's —

GALM: Right. How did the faculty become aware that this committee was — ? Was there some type of memo?

JONES: No, I think it was oral from the chancellor. Not direct. My recollection is that after he wrote this letter of rather blunt —

GALM: The one in which he sort of states that Coffman is in charge of the [law school]?

JONES: April 4. Right, he's the dean. As long as he's the dean, that's it. Coffman had probably said some things to Allen. I can very well picture Dale having said to the chancellor, "Do you mean to preempt my deanship? Are you calling the shots now?" Which would scare the wits out of Allen, I think, as I understood Allen. Of course, Allen was very insecure in his tenure as the chancellor. I think he was aware of that. He was a very nice human being and he just wasn't the type. He wasn't really fitted for that job because it came at a period of time when there was lots of tension at this university because of the oath and all these things were bubbling around. He just was really not the man to sit there at that time. He wanted everybody to feel nice, be nice. [laughter]. "Don't bother me with bad things." I can picture that that could have prompted this April 4 letter, or it could have been that he had gotten a phone call from the chairman of the Board of Regents [Edward A. Dickson] saying, "Dean Coffman has told me that there are things going on, that you are interfering with the administration of the law school." That could have happened. I wouldn't be surprised if that happened, even more — on a scale of probability, on a higher level than Dale Coffman needling him into it. Because he changed — there was no question about it — [after] this day. I remember sitting around with Chad and Ralph and Dick Maxwell trying to figure out what would have prompted this. Why this all of a sudden really arctic letter? "It should be clearly understood that Dean Coffman is the dean of the school,

and all of the business of the faculty should be transacted with him.” You know, that’s heavy stuff, and it really looked as if — and, of course, it says right here that the committee’s on its way. I didn’t pick that up earlier, the findings of the committee.

GALM: Right. Was the idea for a committee proposed by the faculty, the dissident faculty?

JONES: No, no. I think it was gone from our hands at that point. I thought it was an excellent idea, and we obviously — when that committee was appointed and it was announced who was on it and chairing it and so on, although you could never be assured of what was going to happen in this situation because it was such an unusual one, I know I felt confident in the way it was going to come out.

GALM: Do you recall your own appearance before that committee?

JONES: I do. I do. Indeed, the day that I met [the committee], or the day after, I was driving in from the Palisades and I reached [Mandeville Canyon]. Off the Will Rogers Polo Field, which is now the Paul Revere Junior High School, the road goes up into the canyon there. Anyhow, there was a bus stop there, and Vern Knudsen was there waiting for the bus about eight o’clock or so in the morning. I stopped to pick him up and gave him a ride in and we chatted, he noncommittally, about it. I think it was after I had appeared, and he was saying — without any commitment-type talk — he was conveying to me a sense that we were in pretty good shape, actually. They were shocked, I remember, by Judge [William C.] Mathes, the federal district judge. He told them, “Fire them.” [laughter] He had the solution for it. As a matter of fact, it could be that that’s what Dale Coffman should have done. It certainly would have —

GALM: You mean just get rid of all the —

JONES: Chadbourn, Rice, sure. Well, actually, probably Chadbourn and Rice. I would be caught up in that, just thrown in, because of lack of tenure. They had tenure, obviously, but Mathes thought the dean ought to fire them. And, you know, it’s sort of like the “burn the tapes” thing with [President Richard] Nixon. I hesitate to say it, [but] if he had had the guts to do it, I think that might have worked at that point in time. I think the thing was just so irresolute when this letter was written that if he had just taken

hold of it and said, “All right, this is what I’m doing,” it certainly wouldn’t have ended up any worse for him.

GALM: How much influence did Judge Mathes have at that point in his career?

JONES: Well, he was a federal district judge, and I think in those days, even more than now, a federal district judge in the Southern California area had a lot of clout just as a position. He had associated himself with the law school, with the moot court program and so on. He was a very genial, slow-speaking, dignified person. Had a lot of judicial demeanor and bearing to him. He would be very impressive to listen to. Apparently, he blew his influence, though, when he met with that committee because he was so intemperate. I remember that very vividly, that they really were shocked at his whole approach to the thing.

GALM: Had he had a special relationship with either Regent Victor Hansen or Dickson that you know of?

JONES: I don’t know of any, no. Hansen was a [Superior Court] judge. He became the [U.S.] Antitrust Division assistant attorney general. But I don’t know any connection.

GALM: But Coffman was the one who originally either invited him into the program or —

JONES: You mean Mathes?

GALM: Right.

JONES: Yes, oh sure. Absolutely. He was quite proud that, as a matter of fact, that he had been able to enlist Judge Mathes. And Judge Mathes had a lot of — as I say, he gave it a considerable dignity, the little program that we had.

GALM: What was the committee’s approach to people who appeared before them?

JONES: They were very courteous. They sat around a table, just sat around a table. As I recall it, I think Vern Knudsen sat across from me, and I think I sat next to Louis Slichter and Gustave Arlt, I think, wasn’t it? The other one. And it was very conversational. They had these specific concerns. They had a little agenda, which had been culled, really, from the charges that had been made, and they just wanted recollections of things that had been said

and whatnot. And, basically, “What do you think? Should the dean remain the dean? If so, why so? If not, why not?” They clearly were conveying a sense of impartiality, and they also were very temperate. I think that’s why they were so shocked by Judge Mathes. The whole demeanor of the thing, the way it was run by the three of them, just a little faculty committee and conversation and nothing pressing or formal.

I don’t remember too much about my actual dialogue with them, but I know I made the same statements to them that I had made in the previous September about Dale Coffman and my family. That was one concern I remember having. Anybody looking at how I had been treated by this dean would have to be thinking, “What kind of a monster do we have here.” In the realm of ingratitude, this begins to look rather substantial. So I was really very keenly aware of that. In fact, I had, as I said, some uncertainties about that myself. I wanted to make it very clear that I felt a sense of obligation but that I, nonetheless, had this net sense of obligation that the law school and the faculty were right.

GALM: Was anyone taking down your testimony as it was being given?

JONES: No, no. It was just conversational.

GALM: Did they, then, ask of everyone a summary report be given back to them, or was that volunteered?

JONES: No, I think I came with it. I think I came with it, as I recall, and they just thanked me and that was it. In their procedure I know that they were seeing people on a schedule, and they had left a fairly significant period of time in between so that they could talk about what they had just heard and evaluate it and perhaps make notes then. But none of that was in evidence at the table, as I recall.

GALM: What do you think? Were they giving weight to certain charges over other charges of the memo?

JONES: I don’t remember. I don’t remember. My recollection of it now is that they were just questioning the totality of the circumstances and that they didn’t convey — and I think that the comments were made also by Chad and Ralph and Dick Maxwell later — that they didn’t give a sense of particular interest in particular events. It was just that it was a general fact-finding inquiry without any emphasis on any particular points. So

each of us was concerned to psych out their concerns so that we had some sense of premonition on what was going to happen. And each of us felt that we had failed to do that, because they just didn't convey anything.

GALM: But they did ask about the anti-Semitic charge?

JONES: Oh, yeah. Yeah.

GALM: But you did discuss your various appearances amongst yourselves?

JONES: Oh, yeah. Oh, sure. Yeah. It was touch and go. I remember Chadbourn, at one point, commenting on how this could very well end up with a mass firing here. "We'll really make history," he might have said sardonically.

GALM: So at the point of the inquiry, you really had no sense of how it was going to come out?

JONES: Destiny was in the clouds. I did have a sense of confidence, though. I remember that very distinctly, because these were really three very fair-minded men. And I remember when I brought Knudsen in, although he said nothing to me of any substance, I have a distinct recollection that I dropped him off and had a very good feeling about what the prospects were. I have a recollection that that may be where I came to know about Judge Mathes's intemperate statements. I think that it may have been that Knudsen said something about that on that ride. That sticks in my head that that happened.

GALM: But would you have had any sense of who they might have spoken to beyond the faculty?

JONES: We knew — and I don't remember how we knew — that Judge Mathes, Victor Hansen, Dale Coffman, Harold Verrall and Rollin Perkins had spoken. I don't remember anybody else, but we did know those people had.

GALM: That spring there seemed a lot of continuing discontent among the faculty with Dean Coffman. A lot of it seemed to center on Professor William D. Hawkland.

JONES: He was an innocent victim.

GALM: Right, right.

JONES: He was like Allan McCoid.

GALM: But sort of the other side of the coin in the sense that Coffman wanted to appoint him?

JONES: It wouldn't have made any difference at that point whether Hawkland had been another Allan McCoid. Hawkland was a little bit more experienced, would have taken a tenure position. But, you know, Coffman hadn't done too bad a job at recruiting people.

GALM: He had recruited all those faculty.

JONES: Yeah. I mean, none of us could fault him on that, but now he was looking really — I can't say this about Hawkland because Hawkland had credentials, as I recall it, but it wouldn't have made any difference how high the credentials were, how good they were. He had just gotten himself into — unwittingly, innocently — this turmoil. At one point in time, as the documents indicated here and as I recall it — he was a very decent guy. He was not a conflict-minded person. He decided, "I just better get out of this, withdraw my name, or I'll be having real problems as a law professor from now on." And I think that that was a consequence of a conversation that he had that he solicited with Chadbourn. I don't know whether Ralph or Dick Maxwell were involved in it, but I think Hawkland wanted to know, went to Chadbourn and asked him, "Tell me what all this is about," and then after that decided to withdraw his name from consideration, which Coffman refused to do or to honor. I can't even remember the vaguest memory of what Hawkland looked like, but I just have a sense of a moon-faced, really nice, genteel person who was flabbergasted at all of the bitterness that he found himself in, in what looked like a really very nice situation as you look into it from the outside, if you knew nothing about it. It was very attractive.

GALM: I know that during that spring you had addressed a letter to Harold Verrall as secretary for the faculty minutes and questioned the accuracy of some of the reporting. Was that a problem that occurred more than once?

JONES: It was totally related to this confrontation. I had the feeling — I don't remember any discussion of this — there undoubtedly was a discussion of it with the others — but I had the distinct feeling that we had to be very careful about what those minutes were showing now, lest there be something built here. Anyway, I don't even remember now, I don't have a recollection now, what it was that I was being careful to correct. It's on March 1 [in] the proposed minutes [regarding the] register of my vote. I

think that was probably just a pure error on his part, or maybe it wasn't. Abstaining is what we're saying there.

GALM: It also just seems that Verrall seemed too terribly cautious about what he was going to be doing in his position as assistant dean, because later in March, the faculty had put forward a resolution that they wanted to have forwarded to the chancellor regarding William Hawkland.

JONES: He wouldn't do it.

GALM: And we wouldn't do it. [laughter] So he was covering —

JONES: Right, right.

GALM: How did you then find out about what the committee had decided and what the chancellor decided and so forth?

JONES: I was racking my brain to draw up that memory and I can't get it. I just have no recollection of that. My last recollection, you know, of scenes is sitting there with the committee. My next recollection is in the assistant deanship. And what happened in between then, I just don't have a recall on. That's why I thought earlier today that it must have been that this return had happened that summer, because I've got a blank in there. I do remember that Chad and Ralph were the committee of two, and the chancellor was the chairman. I remember some joshing around by Allen about that and so on. But I just have zero recall on the events that occurred in that succeeding twelve months.

GALM: So you don't recall any meeting that the chancellor might have called in which you made any announcements as to —

JONES: I know there were meetings. I know that he came and sat at the head of the table. But I can't remember. I don't remember sitting there listening or anything like that.

GALM: Do you know how long, and do you have any memory of the actual departure then, of Dean Coffman? Was there any awareness that he had resigned or that he was not going to be coming back as dean?

JONES: Sure. But, once again, all of that came in one package, I'm sure, of information. I don't know whether it came orally or in writing. Did any writing show up?

GALM: No, no.

JONES: I suspect it came orally, but I can't remember how. My recollection is — but I don't have any great assurance in its accuracy — that he just sort of slipped away in the night, as it were, and that we had that year in which he was sort of out of mind almost. I know that sometime, or sometimes, during that period of time that I thought — I undoubtedly expressed the thought more than once — that we would not see him back here, that I didn't think that his sense of pride would just allow him to come back here. But I was wrong. I was flabbergasted, as a matter of fact, when that occurred. I just didn't remotely expect that.

GALM: How did he handle the situation when he did come back?

JONES: With dignity, yeah. He conducted himself just — we had this meeting, I remember, in the assistant dean's office. I'm sitting behind the desk; he's sitting in front of the desk. Chadbourn and Rice are there, as I recall it. Perhaps Dick Maxwell. I think Dick Maxwell was the Curriculum Committee chairman, so he was there. And Coffman made his pitch to take my course. Perfectly straightforward. Straight-faced and so on. I listened to him with a poker face. I remember that. I didn't feel very insecure about losing the course at that point, but I also had a sense of, "Gee, this is a very unpleasant situation that we find ourselves in here," and it had to be for him. But he pulled it off with great cool.

GALM: Did that oddness diminish over the years? Of his being there in a different capacity?

JONES: Yeah, it evaporated. It just came to be accepted fairly shortly that he was going to be around for life, and he was more or less shunted into courses in which he could handle it without doing any damage, basically. Came and went and, I'm thinking right now, I don't even remember seeing him in a faculty meeting. I think he probably went to them, but I don't have a recollection of it.

GALM: So once he left and the deanship, so to speak, was open, do you recall what happened then? Was the committee set up to search for a new dean?

JONES: Well, it wasn't. We were so small a group that it wasn't really a committee. There was an effort made by correspondence and by word of mouth during that interregnum year, when Allen was the administrator, at the law school meeting, the annual meeting, and also, as I say, by

letter, issuing from Chad and Ralph as the group of two. It was, actually, not the most appealing prospect for a dean at that point because this still looked pretty bloody. It also was not totally resolved what was going to happen. I mean, when Coffman came back, he was obviously not going to be the dean, but was he coming back? What were the prospects for the law school? Would a successor dean actually be able to do anything, given all this administrative trauma that had occurred? Or would the law school be experiencing, “Don’t come and talk to me anymore; I’ve had enough of you people” from Chancellor Allen and from President Sproul? And our compadres up north during this period of time, there was a distinct feeling among us that they weren’t all that deeply concerned about what was happening to the UCLA law school. They were supportive but not unduly so.

GALM: Do you know who may have been approached to accept the deanship?

JONES: Howard Williams definitely was. I’m trying to remember what the sequence was. Page Keeton was. I think Page Keeton came and taught in this summer that I’m not recalling, as a matter of fact. Page Keeton was the dean of the law school at the University of Texas [at Austin].

GALM: That’s right.

JONES: Super person. Excellent administrator. I’m trying to remember whether it was a summer session or possibly the fall semester, but there was a fairly extended stay as I recall. He was an old friend of Dick Maxwell’s who had been on his faculty, and we tried — I remember we tried hard to get him and we had some prospect of success, we thought, but then it turned out he was playing us a bit. He was able to get I think it was maybe a 100 percent rise in the salary scale at Texas out of this. It was some phenomenal jump. I think it was as much as 100 percent. What I was about to say was 150 percent. I remember it was awesome, the impact that our trying to get him had on the faculty down there. Their salary scale just burgeoned in order to keep him.

Then, and I’m not sure of the sequence here, but Howard Williams was a Property professor at Columbia — once again, a really decent person. He could have made an excellent dean. We tried to get him, but I don’t remember what the specific problem was. Dick Maxwell undoubtedly has ventilated this in the interview with you, but there was some hang-up problem that we couldn’t get Allen to commit on. I know we had problems

with Chancellor Allen throughout that whole period of irresolution. We couldn't get him to do things, take positions, make decisions. He seemed really to be congenitally not able to make decisions. And I think, as I recall it, that we lost Howard basically because we couldn't get Allen to do stuff, and that itself convinced Howard Williams that this was not going to be a good deanship to get into.

GALM: Do you think that irresolution on the part of Allen was only in regard to the law school, or was it just an administrative weakness?

JONES: I don't know. I think it was probably an administrative weakness, but you remember this reaction that he disclosed in this letter about Allan McCoid. I don't think he liked James Harmon Chadbourn one little bit, nor Ralph Smith Rice, but I think it was principally Chad that — I think he sort of had the feeling he had had enough to do with the law school and really didn't want to — I may be just fantasizing that. I guess that's an impression.

GALM: I'm sure it did absorb a lot of his time.

JONES: Oh, yeah. It was all fractious, you know. Not giving him the sense of some kind of glowing accomplishment that's just getting us through this very stormy period.

GALM: Were Chadbourn and Rice elected by the faculty to represent them during that period?

JONES: I don't remember that we had any formal vote on it. I kind of doubt it, but there certainly was an understanding. A consensus existed.

GALM: But they wouldn't have been appointed by Allen would they?

JONES: They might very well have been, yeah, yeah.

GALM: Besides that, the Advisory Committee is an elected committee, right?

JONES: Right, right.

GALM: I was just wondering if that was the beginning of —

JONES: It could very well have been, but we weren't that many people. It's possible that Allen might have said, "What does the faculty want to do?" or whatever. And I'm sure everybody would have said [to add] those two guys to make the triumvirate.

GALM: I guess it's a sense of whether it really does indicate, as an outsider to this, that in a sense they won.

JONES: Yeah, yeah.

GALM: By having the strong administrative role in the post-Coffman period.

JONES: Yeah, yeah. Well, they were absolutely out of it as far as the deanship was concerned. There wasn't any question about that. I think they had that sense very strongly, and I think the sense existed outside the law school, too, within the university. So they were not in a position of seeking to gain something from it.

They had throughout the whole thing, I thought, when you look back on it, they had taken quite a bit unto themselves in a very proper and admirable way throughout the thing. It could have destroyed their careers. There's no question about that in my mind. I think, as I said before, if Coffman had fired them out of hand when he heard about this, he might have gotten away with it. There was more at risk for Ralph than there was for Chad. Chad was a nationally known law professor, and indeed, if Coffman fired them, that would have escalated Ralph's reputation, too. They would have had no difficulty going elsewhere, but still, they didn't want to go elsewhere. I mean, they had settled in here. They had roots in here. I admired them for really confronting the situation. I certainly didn't urge them to confront the situation. You know, I was caught up in this thing, but they really just did confront it.

GALM: So Keeton and Williams declined the offers?

JONES: Right. I remember Dick Maxwell and I spent a lot of time together with Howard Williams. I think it was at that San Francisco meeting that I was talking about earlier. I remember sitting in a hotel room with Dick and Howard Williams and myself. We spent at least an hour and a half or two hours trying to convince him that he ought to say yes. Unsuccessfully.

GALM: What was his main reason for saying no?

JONES: He just didn't see that this would be administratively feasible with Chancellor Allen in the chancellorship. The university had a — I guess it's not comparable to today, but it had a really very strange look to it, administratively, at that time. This campus was very junior to Berkeley at

that time and painfully aware of it in practically all the departments and schools, and I think most painfully aware of it perhaps in the chancellor's office. Somebody looking at the need for a strong deanship, one that would be strengthened by complete acceptance of the faculty — and looking for the necessity of having strong support from the administration of the university in making strong appointments so as to overcome this reputation problem which we had — didn't see it there. I think that was basically why we didn't get Howard Williams.

GALM: At this point in the appointment process, were any current faculty considered for the deanship?

JONES: I don't think so. I don't remember when the perception grew that Dick Maxwell would be the appointment that we would really need. I don't think that it was at that point. I think that when we were dealing, for instance, with Howard Williams — I don't remember any conversation, really, about anybody on this faculty except — nobody on this faculty, at the first. That would have included Dick Maxwell. So I think we all made the assumption, and I think that was also true across the street, that nobody on that faculty should succeed to the deanship, having ousted that dean. And that was just a given.

Now, what turned that around, of course, was our inability to find somebody of any stature and a sense "We have got to get on with it." Before we turned to Dick, we turned to Jim Harno.

GALM: Now, Albert Harno, is he — ? I know he was brought in in an acting capacity, but was it ever thought that he might remain or become permanent dean?

JONES: No. I think there was a hope that he might stay longer than just one year, might stay as long as it took us really to get somebody in there. But he had a very good reputation himself as the dean at Illinois. Illinois was not in the top tier of law schools. For instance, this report of the reputational law schools that the regents commissioned several years ago, in which we ended up as number ten on the list of the national law schools, Illinois wasn't in the top ten. It would have been pretty far down the list. That would have been true in those years too, but nonetheless, he had a very good reputation personally, and he was certainly a stabilizing influence. Obviously a man who could just be expected to keep an even temper.

Unfortunately, he was flabbergasted by what he encountered here. He just wasn't prepared, after thirty years in Champaign, Illinois, for all of the burbling that was going on in Los Angeles, California.

GALM: What was your connection to him before he came?

JONES: Well, he was one of the persons influential in my getting here. He was one of my references. He was the one who told me, "Go talk to Coffman over there." I was very fond of him. I liked him a lot. I had corresponded with him while I was a law student and so on.

GALM: That dates back to your paper?

JONES: Right, right. I had gotten him to be on the board of advisers [of the *Virginia Law Weekly*]. I was delighted when he said he'd come.

GALM: And then he approached you, then, to serve as assistant dean?

JONES: No, no, no. I was pre-picked. You know, it's the old business of the chiefs and the Indian. Somebody said, "Well, now, who are we going to put in here to do this assistant dean dirty work?" Each person turned his head and I was the last person in the line. That was basically how I was selected.

GALM: But it was something agreeable to you, more or less?

JONES: Oh, yeah. Well, there came a point in time when I regretted it before it happened, and that was when I got the offer to go to Michigan. I felt that I was committed here and really couldn't turn away, but that really was a very attractive offer for me. It came around February or December. I don't remember exactly when, but it was in —

GALM: Early January '57.

JONES: Yeah, yeah. There was a call from Russell Smith, who was a Labor Law professor and later became a good, dear friend of mine, and I was to take over his courses for a year at Michigan. Boy, that was a great opportunity.

GALM: Nice salary, too.

JONES: Twelve thousand! Yeah, right. Actually, it wasn't the salary so much, although that looked pretty big at the time, too. That meant I was in the big leagues, if I had gone there. It was unclear what league I was in here at that point in time. I was still an assistant professor.

GALM: Right. It seemed that you were spending a lot of time trying to establish just what your permanent relationship with the law school was going to be.

JONES: Yeah, right.

GALM: You had good support from your fellow faculty?

JONES: Sure.

GALM: But was this something also that went back to Dean Coffman, in a sense, not promoting you along the way?

JONES: I had no call on anybody for a promotion, given the sick leave and everything. The last thing that I had was any legitimate claim until after I had come back. And, actually, I talked about it with Chadbourn. He talked me out of the sense that I had, and that was that from now on, it's up to the university to do with me what they will as far as appointments or promotions or salaries and the rest of it — that I was so beholden because of that year of support, really a year-and-a-half support, that I wasn't in a position for the foreseeable future to be pushing for this, that, or the other. He talked me out of that. He said, "No, that's not the way it works. You're a professor. That's in the past. You earn your keep now, and if you get to the point where in earning your keep you're entitled to a promotion, you seek it. If you're entitled to it, you'll get it."

GALM: Do you think the offer from Michigan helped you to finally solidify — ?

JONES: Without question, sure. Well, I was running into the same thing that we had run into before with Chancellor Allen. He just didn't want to respond, or didn't. All the goodwill in the world — no problem about goodwill. But that offer crystallized the whole thing.

GALM: You had mentioned that summer, then. I guess late in the summer Harno arrived, and at the same time one of the problems that you had to deal with was what was Dean Coffman going to teach.

JONES: Yeah. I didn't approve of what was happening there. I thought they were really putting the stick to him. I think what they were trying to do was convince him he really ought to go away, but that was cruel and unusual punishment to ask that man to pick up those courses that he had

never really taught. There was an element of vindictiveness in that, without any doubt. I was a little embarrassed by that at the time.

GALM: Did it work out fairly well?

JONES: Worked out perfectly well, yeah. It worked out totally fairly to him, but not — it wasn't handed to him. He got it himself. It was a negotiation-type thing. He made a claim for my course, and they wanted to stick him into these other courses. I think, as I said, there was some sense that maybe he would just figure it's not worth it if he had to work up those courses. That's hard work and would have been very hard work for him.

GALM: But you must have also been concerned about protecting your area.

JONES: All I wanted to do was protect my area of Labor Law. I didn't care about anything else. I think I was teaching Trade Regulations at the time. I didn't mind surrendering that if that became a problem. But I've always, right to today, taught Labor Law here from the beginning. I've had occasion to protect it. I had occasion then, and I had one other occasion later.

GALM: So then when Harno arrived, how did that year go for him and for the school?

JONES: Well, he was getting inputs that I was unaware of, you know, across the street. I mean by that, he was telling me things, but he was also having perceptions and so on that I wasn't there with him to share. I think he was very forthcoming with me about everything that was happening, but he created the impression with Chadbourn and Ralph and Dick Maxwell and the others and myself that it was a good deal more than he had thought it was going to be, that it was dealing with Allen [that] frustrated the hell out of him. I can remember him coming back and sitting here exasperated because he had been unable to get the man to focus on "this," and then he'd point the fingers at the table. And what the "this" was was appointments and budget stuff and so on. I think he thought it was going to be much more smooth as a transition, but it wasn't. We still had a big fight on our hands to get the resources that we needed.

Then, secondly, he was totally out of his element geographically. Champaign, Illinois, marvelous bucolic town, and here we are in this frenetic Westwood area. He had an apartment, he and she, his wife [Maud Wendelken Harno]. They both were very ill at ease. She also had been the queen

of the hill for three decades, and here she wasn't. She didn't have the facility. They had a beautiful home in Champaign. They entertained. Long friendships with faculty members and so on, other than law school faculty, the university generally. All of that was gone, and I think it bothered them. Sort of gave them a sense of ill-at-easeness.

GALM: One thing that comes to mind — we've talked so much about the faculty and how they reacted. How did the students react to this period?

JONES: Oh, this was, I think, a great fun experience for the students. They got a big kick out of all this. They were totally biased in favor of Chadbourn. Chadbourn was their hero. And Brainerd Currie. Brainerd Currie and Chadbourn were really very beloved of our first class, who went through law school with them. Well, went through law school totally with Currie all three years and with Chad the two years, second and third year. So they were constantly getting gossip and bringing gossip, taking gossip away, from Chadbourn. It was generally, for them, a very intriguing experience.

I remember one thing that happened. It was quite interesting. Bill Cohen, William Cohen, is a professor of law at Stanford University now. He's one of our graduates, and he was a law student then. It's possible he was in his first year. First or second year of law school during the critical year when Allan McCoid was here, the last year that Allan was here. And I remember Bill Cohen came to the door of the hall downstairs where you walk into what was then the dean's office. Just as he came to the door, Dale Coffman walked out of his office. Allan McCoid was standing there. I was there and I remember this occasion. I was standing there, and Dale dropped something, pencil or something, and Allan immediately bent for it and picked it up and gave it to him, just quick. Cohen formed the judgment that Allan McCoid was a sycophant [laughter] and passed that information on to Chadbourn. This came right in the middle of when he was on the way out because he wasn't the sycophant. That was the level of perception normally that students have. You know that's the case.

GALM: At that time, did the students have any power in influencing administrative decisions or whatever?

JONES: No. Zero. I remember another thing. I wrote an article which was published in our first regular issue of the *UCLA Law Review*, antitrust. I don't remember the date of that. Was it 1956?

GALM: 1956, and the article was, “The Problems of Size in Antitrust Thinking: Theories in Search of Facts” [3 UCLA L. REV. 141 (February 1956)].

JONES: Yeah. Coffman was still the dean. A fellow who was the editor of the law review was named Charles Rickershauser, [later] one of our prestigious alumni, and Coffman called him in and cautioned him never to print articles like that again.

GALM: Yeah, the reason I came across it in my research was that in June — June 12 to be exact — of ’56, you wrote to Allen regarding that article because Dean Coffman was reported to have categorized the article as socialistic and warned the incoming —

JONES: He [Rickershauser] didn’t immediately tell me about it, is my recollection, but that the conversation between him and the dean happened fairly close on to the publication of the article. Obviously, that was right in that period of time where everything was vibrating very nervously. Although I do not have a clear recollection, I’m deducing that I heard about it later and I felt that it was a prudent thing for me to inform the chancellor about that, given what had happened with Allan McCoid. It was never clear to us that whatever Allan McCoid had said to Dale Coffman was accurately repeated by him to the chancellor. There was some concern lest Dale had really escalated the language and the attitude and so on in such a way as to make Chancellor Allen feel somewhat outraged that such a thing would have happened. That was sort of in the minds of each of us at that time, so I think I must have been concerned that that socialistic tag on that article might somehow turn into a ground in Coffman’s mind, even though today we would think that would be a ridiculous ground. At that point in time, that was not a ridiculous ground, and certainly not to him.

Throughout that — it sheds a little sidelight on our plight as we saw it then — we weren’t at all sure of Raymond B. Allen and how he was going to react to all this. So when we got that letter [dated April 4, 1956], which was a rebuke letter, it really looked as if we were in deep trouble, that he was going down the Coffman line. He was a person, I think, who was really quite susceptible to “important people” and their viewpoint. And I know that Judge Mathes contacted Allen on a one-on-one basis. It sticks in my head that he may even have gone across the street to see him on the day that he was on the campus. Mathes was a rather formidable physical

person and had a demeanor which was extremely solemn and not quite pompous. He wasn't really pompous, but if you were at all impressionable about judicial power and the federal judiciary and everything, this man really carried himself as sort of a prototype of that kind of individual. I rather suspect that had something to do with our rebuke letter. It could very well have been that Mathes or somebody else other than Coffman — I'm sure Coffman did himself, but other than Coffman — may have remarked that it looked as if the chancellor was becoming the dean of the law school and that maybe this shouldn't be, and so on. Anyhow, I was prompted to write Allen about that article with two motivations, undoubtedly: one, self-protective, and the other, though, is just another illustration of the problem that he had. Even at that late date, he was doing a thing like that. At that point in time that was the last thing he should have been doing: calling the third-year law student in, the editor of the law review, and telling him, "Don't publish articles like this." All it did was just add another item to the agenda of things that deans don't really do.

GALM: I've reread the Maxwell oral history, and he talks about this period, the return of Coffman as a faculty member only, as being a very difficult time because Coffman still had a very direct line to the regents.

JONES: Sure.

GALM: And seemed to make use of that.

JONES: Yes.

GALM: I think you indicated in a letter that you had sent to Allen in January of 1958 that —

JONES: Things were being said to somebody about —

GALM: Well, Regent Hansen you specifically mention. Just that things were going to be very difficult for anyone coming on as dean because of that relationship.

JONES: I remember also that we were getting back, through the pipeline from the regents, things which had been said in the faculty meeting. That was the only source for them. Things that weren't said anywhere else, which Regent Hansen was using in regent meetings. That was what I probably felt, that since Regent Hansen might very well read this letter I really shouldn't

get that specific about it, because we didn't have proof of it, except the circumstantial evidence is rather convincing. But that was the story on that.

GALM: During that year of Dean Harno's acting deanship, there was certainly a strong effort and committee to select a permanent dean. It seems that you did submit James Chadbourn's —

JONES: I wrote a — what I thought then and think now was a strong letter of recommendation. There was some concern — I think maybe Harold Marsh had the concern that maybe I was trying to set myself up to become the dean of the law school, which I thought was ludicrous. What I was learning in the process of the job was that this was not something I wanted to spend my academic life doing, because to do a successful deanship in any setting, I'm sure, but most particularly in the setting that we had, you had constantly to be concerned about the most minute hurt feelings and the prospect of hurting feelings, walking a really very careful line to avoid appearing to arrogate the slightest bit of administrative power. Because we had come through this holocaust. I guess that's a bad word to use in a setting like this. It gives it too much importance. But storm. The kind of storm that we had. Everybody was extremely sensitive that what we wanted was certainly a decentralized law school administration.

What I was confronted with was — I had the perception that we really needed to reach out to the community in every way we could. Not just the legal community but the community plus the legal community subcomponent or component, so that they would realize that things had changed in this law school. I remember I put together a group of lawyers and judges plus members of the faculty to meet with Jim Harno in my house in Santa Monica to talk about the law school and its future and the law school in the community, and so on. I was doing that because Jim Harno just wasn't interested. He encouraged me to go ahead and do it, but he himself wasn't really thinking along those lines. There was no reason particularly why he should. He saw this as just an interim year at the outset, or maybe he saw it longer. At the time I just thought he was thinking of it as a year. But, in any event, I think that my activities because of his sort of phlegmatic method and his aloofness from the details of the law school and its relations with others in the Southern California area — I could see, looking back on it,

how I might have created a perception that I was interested in becoming the dean. But that was not even on the fringe of my consciousness.

GALM: At some point during that year there must have been a shift in thinking. There must have been the realization that there wasn't going to be an appointment of a permanent dean for the following year, and that an acting dean would have to come from somewhere. Is that correct?

JONES: I think that that's probably true, but it's not quite true. We really were confronted with a rather high degree of irresolution with the chancellor, and that was caused, obviously, by Regent Hansen and Dale Coffman. The static was coming from that pipeline, and so we were getting nonaction in a period of time where things had to happen in a fairly quick lockstep manner in order to get a topflight law professor who would be recognized nationally as an outstanding dean. But we couldn't button it down. I remember there were always other conferences, other discussions that had to be [held], and so on. Letters, of course, had to be gotten from outside the university, and I remember my impression of it was that we were just getting sort of the octopus-ink phenomenon, really backing off and masking out and so on. And that was, I think, the pervading perception at the time. There did come a point where we obviously were out of it for the following year. I don't want to be creatively recollective.

GALM: No. I understand that.

JONES: But my recollection is, though, that there came a shifting process, but it wasn't in any visible marked change but a growing realization that we just weren't going to get anywhere with anybody worth getting on the outside who had to come in and confront what we were dealing with.

GALM: Was there any attempt by the faculty to put forward Richard Maxwell as their candidate?

JONES: Well, there came a point in time where that was the case.

GALM: But was it a real effort by the faculty? Was it presented as a possibility and you supported it?

JONES: My recollection is that we didn't have a mechanism for creating an effort to get something like that done. I was really the only person other than Jim Harno that had contact with the chancellor — whom the chancellor felt free about talking to. He wanted nothing to do with Jim

Chadbourn or Ralph Rice. I don't know what he thought of them as persons, but after he wrote that letter —

GALM: So when Maxwell was appointed as acting dean, do you recall how you felt about that?

JONES: No. I thought that was a very good stroke. I really didn't think that he was going to be there as the dean a year after, because we were still, and he, too — we viewed this as just giving us time in order to persuade the kind of person that we wanted to come in as dean. And I think only during the following several months, probably till around Christmas — it could have been related to the Association of American Law Schools meeting — there was a lot of conversation throughout the country about this vacant deanship. I think it could have been then that it began to be a very palatable solution for Dick to be the dean. I don't know. He probably had ambivalent feelings about it at the time. Although, in the law school world, it seems, once a person is attracted to administration like that, it becomes a habitual attraction. He did become attracted to it at some point in time. I think it was after he was the acting dean, though. I think he enjoyed it, and he just did a superb job, just an unbelievably good job as the dean. Once you become the dean — it rapidly got around the country that we had one of the best deans in the United States. Now, where that transition came, in his view of it, I couldn't trace.

GALM: In fact, he identifies himself as the reluctant groom.

JONES: Yeah. I think that's a fair self-description. I know we worked awfully hard on Page Keeton, thought we had a pretty good chance with Page Keeton. Page was very fond of Dick Maxwell, who had been on his faculty at Texas before.

GALM: How did you manage to recruit Murray Schwartz and Addison Mueller during the interval period?

JONES: That was Jim Chadbourn.

GALM: In both cases?

JONES: Yeah, I think so. Chadbourn taught at Pennsylvania, and it's my recollection that Murray was a student of his. I may be wrong at that, but I'm pretty sure that's the case — that Murray went to Pennsylvania and was Chadbourn's student. Chadbourn had an enormous charisma in

class. I've never known any law professor who attracted so universally the affectionate admiration of his students the way Chad did. Just really phenomenal. You can talk to anybody in all those classes that he had over the years that he was here. They just rave about him still. So it wouldn't be at all beyond conjecture that when we started looking that Murray was the — I'm trying to remember Murray's sequence. He clerked for Chief Justice Vinson; I think that was the year of 1950–51. I don't remember what Murray did after 1951, before we got him out here, but I think he practiced in Philadelphia.

GALM: I think he held some municipal role, too, in Philadelphia. [first deputy city solicitor, 1954–56].

JONES: Yeah, yeah. So I would think, without really recalling it, that that was how we got onto Murray's existence and invited him out. Addie [Mueller] was an old friend of Chad's. He was tailor-made to come here, in a sense. He had been a Yale law professor. He was a late bloomer — went to Yale law school late, later in his life. I guess he was probably in his late twenties, early thirties, when he went to law school. They kept him on on the faculty. Really an imaginative — once again, a very charismatic classroom professor, a very reflective, thoughtful person in all contexts. Wonderful friend.

There was a law professor named Vern Countryman, who's on the Harvard law faculty now. He was a Yale law professor who was an associate professor, but at Yale an associate professorship was not tenured, and he was up for tenure. There were some conservative types on the Yale law faculty. Countryman was always a right-out-there-in-front liberal with a capital L. Very strong Constitutional Law man, freedoms and so on. Someone like Dale Coffman would think he was at least socialistic, probably communist, but he was neither. He was a strong constitutionalist. When the Yale faculty turned him down for tenure, Addie Mueller resigned in protest, said he couldn't stay on that faculty any longer, which just rocked everybody in the law-professoring world. And he went back to Milwaukee, Wisconsin, and took over his family lumber business and did that for, I guess, about four years maybe. Something on that order. He was the spaniel up on top of the seat when the fire alarm starts going. [laughter] He was ready to run.

Chad said, “Why don’t we see if Addie Mueller might be lured back into law teaching,” which was a great idea. And he was very wary. He was very, very wary of it because of this Hansen stuff and whatnot that we were going through. But he was impressed with Dick; he knew Chadbourn. He came and sat in my class. The only person who has ever, outside of a student, sat in my class. He asked me if he could come sit in the Labor Law class. I think it was Labor Law. Yeah, it was Labor Law. And he sat there for the full fifty minutes. Then he went out and gave his benediction, which didn’t hurt me, either. He wanted to see what the quality of everybody was. Here he knew the older people. He didn’t know me. We got along very well on a personal level. He just wanted to see what I’m like professionally, I guess. So we persuaded him to come, and for several years at least, he used to wail about that. We had fraudulently induced him to leave the lumber business. Semi-facetious.

I have another recollection about faculty recruiting during that period. When we were at the San Francisco Association of American Law Schools meeting, the winter meeting when we were trying to persuade Howard Williams to be dean, I got a message at the front desk. It was from Erwin Griswold, the dean of Harvard. I was invited to breakfast with the dean of the Harvard Law School. I remember thinking, “My gosh, the dean of the Harvard Law School is interested in me!” This was the way deans contacted prospects at these meetings, pancakes and sausages and personality. “Well,” I thought, “why not?” The University of Michigan had been. If Michigan could be, a bolt out of the blue, could Harvard be far behind? So I tied my bow tie and went to breakfast with the dean of the Harvard Law School. Only it turned out I wasn’t the focal point of interest. It was Kenneth L. Karst. He was at Harvard on some postgraduate program, and Dean Griswold was selling Karst, not buying Jones. As the assistant dean, I was the evident point man on the scene from UCLA. But I didn’t tumble to the reality until my second cup of coffee. I thought we were both being interviewed. I think that was when Ken Karst’s name first got into our appointment files. I don’t recall when, but he later joined us and has been one of our outstanding faculty members for years.

At that same meeting Chadbourn and I went out for a walk shopping for souvenirs to take home to our kids. We were in a Chinese shop, and hanging on the wall was a large, brilliantly painted, orange, white, and

black tiger's head on a black background. Ferocious eyes, piercing; mouth wide open; white fangs — too scary for children. As we came back to the hotel with our purchases and started up the steps outside [as mentioned previously], Dale and Helen Coffman emerged, arm in arm. He didn't look at us, although he saw us. But she did. She looked straight at us, step by step, as we went up and they went down. Pure, unadulterated venom. As we got inside, we each simultaneously recalled that tiger's face glaring out of the poster.

GALM: I have just one short question. It seems that at one time your name had been brought forward in an advisory committee meeting as a possibility for the acting deanship and that you were dismissed because of your youthfulness. You sort of objected to that strongly. That's the word that came back to you. Any memory of that or not?

JONES: No. That I objected because of the factor of youthfulness?

GALM: Right. That you wouldn't be given legitimate consideration.

JONES: That surprises me, because I apparently have coated my recollection. My recollection was that I really was not interested in being the dean. It's conceivable to me that I might have been — where? In that paragraph? I'm a little surprised I added that, principally because there would appear to be no possibility of succeeding because I don't have any recollection that I really wanted to be the dean of the law school.

GALM: But I guess, again — you know, I keep coming back to that, whether the idea that the acting dean would come out of the faculty —

JONES: You mean the *acting* dean?

GALM: Yeah, the acting dean.

JONES: As against the dean? The dean would come from elsewhere?

GALM: Right. Whether that came through as a decision for that year.

JONES: Yeah, yeah. I think you're right, and I could see where I would not be antagonistic to that. But I can remember talking to Helen, my wife, and both of us were completely in agreement that I was not a career dean. That was quite obvious to me. It became obvious to me because I was doing, as the assistant dean, things that would come naturally to me — to think of things to do and then to do them. Yet I became conscious in the doing of

them that I was creating an impression. A little concern about “Maybe I’m cut out of the same mold of Coffman” (not sensitive enough to consensus, the need to involve the faculty in everything in depth, with functioning committees and the like). We really needed somebody with that sensitivity. It turned out that Dick Maxwell had it in spades.

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