

California Higher-Ed: Regents Deny Critics a Fair Hearing

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By **Peter Berkowitz** - February 19, 2013



The California state constitution provides that the University of California (UC) Board of Regents -- the 26-member governing body of the state's premier university system -- has responsibility to ensure that "the university shall be entirely independent of all political and sectarian influence."

This is not an easy obligation to fulfill, but evidence abounds that the regents are failing to try very hard.

Judging by a remarkable correspondence initiated by the California Association of Scholars (CAS) on April 2, 2012, with Board of Regents Chairman Sherry L. Lansing, and carried forward by Mark G. Yudof, the regents-appointed UC president, the regents seem determined to close their eyes to the intrusion of partisan politics into UC classrooms and other threats to liberty of thought and discussion on their campuses.

Early last April, CAS President John Ellis, who is also a UC Santa Cruz professor emeritus of German literature, and CAS Chairman Charles Gesheker, who is also a California State Chico professor emeritus of African history, sent the regents a CAS report titled "A Crisis of Competence: The Corrupting Effect of Political Activism in the University of California."

As I observed last March in the Wall Street Journal ([“How California’s Colleges Indoctrinate Students”](#)), the 80-page report reviewed numerous studies, analyzed diverse data, and examined documentary evidence. It built a strong case that UC faculty overwhelmingly lean left politically and that whole departments consider advancing a partisan left-liberal agenda to be an essential part of their pedagogical and scholarly mission.

It provided facts and figures indicating that courses on race, class, and gender have proliferated while classes exploring the political, economic, diplomatic, military, and religious dimensions of American history and the defining features of Western civilization are increasingly scarce. It highlighted specific campus events that, through one-sided presentation of progressive views and silencing of conservative opinions, exposed a lack of intellectual diversity and a disdain for free speech. It concluded that the UC administration, by its passivity, had become complicit in the degradation of liberal education on its campuses.

In the April 2 cover letter sent to Chairman Lansing, Ellis and Gesheker asked that the CAS report be placed on the agenda of the regents’ May 2012 meeting, and that they be permitted to address the board.

Four days later, on April 6, CAS received a reply from President Yudof on behalf of the regents. Yudof said he agreed with the “idea that the exchange of diverse opinions is the hallmark of a quality education” and “that silencing any political or social position runs counter to the mission of UC.” But, he added, “I entirely disagree with the report’s suggestion that the University is not maintaining quality and that student achievement is declining.”

Yudof ignored CAS’s request to address the regents. Instead, he wrote that CAS was “no doubt eager to hear directly from the faculty at UC” and promised a “response” from the Academic Senate. This was a curious answer, given that the CAS report had argued that the faculty was a chief source of the problem.

Indeed, a letter from July 5, 2012, sent to Yudof by the chairman of the Academic Senate, Professor of Economics and Mathematics Robert M. Anderson, was just the sort of non-response a reader of the CAS analysis would expect. Not even one full page, the letter falsely stated that “most of the assertions in the report are made without data.”

It dismissively declared that UC processes eliminate politics from hiring and promotion decisions and that UC policies protect academic freedom, while failing to address whether the UC system carries out such policies in good faith. It also asserted that the CAS report provided “no credible evidence” free expression was endangered on UC campuses, while providing no sign that it had even looked into the matter.

And so it went in more than a dozen letters that CAS and Yudof exchanged, until Yudof broke off correspondence on Dec. 19. Throughout, Yudof evaded pertinent questions, repeatedly changed the subject, and insisted that UC’s system was in tip-top shape. What UC has never

done throughout this process is give the slightest indication of having actually examined CAS's substantial evidence of significant deviation by UC from the principles of liberal education that UC affirms and is obliged by California law to respect.

Earlier this month, on Feb. 5, Ellis and Gesheker again wrote to Chairman Lansing. They included a detailed rebuttal of the Academic Senate's response to the CAS report, again asked Lansing for the opportunity to address the regents at a regular meeting of the board, and proposed the creation "of an independent commission of respected senior scholars from around the nation" to consider appropriate reforms.

Unfortunately, it appears that UC has closed the case.

On Feb. 11, I separately emailed Lansing and Yudof, inviting each to comment on the UC correspondence with CAS. Yudof did not respond. On Feb. 12, Lansing did, after a fashion. Apparently speaking also for Yudof, she stated, "As President Yudof and I respect the findings of the UC Academic Senate regarding the 'Crisis of Competence' report, I have no further comment on previous correspondence between the California Association of Scholars and UC."

On Feb. 12, Lansing mailed a short letter to Ellis and Gesheker, which they received on Feb. 15. She stated that she and Yudof "have thoroughly reviewed the California Association of Scholars' report entitled 'A Crisis of Competence' " and "have taken your concerns very seriously."

Yet she did not so much as mention CAS's extensive rebuttal even as she declared that "the President and I respect the findings of the UC Academic Senate with regard to the report. Therefore, I must defer to them in terms of any further action."

It appears that the UC Board of Regents, in defiance of its legal obligations, is determined to disregard substantial evidence of the politicization of college education on its watch, in part by denying to its critics, who make their case in the name of disinterested scholarship and liberty of thought and discussion in the classroom, a fair hearing.

The light of learning grows dimmer by the day, and not only in California's leading public universities.

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