

**THE TURNER AND COLODNY CASES: ACADEMIC FREEDOM AT THE
UNIVERSITY OF PITTSBURGH, 1934 & 1961**

by

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University of Pittsburgh, 2011

The principle of academic freedom is a central aspect of the learning and teaching process in the American higher education system. Its importance, however, has become more accepted over time and today it is an established part of our post-secondary system. This shift in acceptance began in the early part of the twentieth century and was contested and disputed for the greater part of that century. This debate did not happen at just the national level, rather much deliberation occurred at the local level where institutions defined academic freedom in their systems.

The University of Pittsburgh, founded in 1787, was one such institution that demonstrated the contestation of academic freedom. The eventual adoption of academic freedom as a formalized principle at the University was developed through two cases that forced the University to review what academic freedom is, and then to either accept or deny its place at the institution. The cases of Ralph E. Turner and Robert G. Colodny are examined and compared in this study. Each man encountered an experience where their individual freedoms of scholarship were questioned and scrutinized. This study examines how the inquiries into each man's scholarship began, the position and process of the University, and how each case was eventually resolved. The study will demonstrate how academic freedom existed at the University of Pittsburgh in 1934 and 1961 and what these particular cases meant to the University and the health of its faculty.

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PREFACE

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1.0 INTRODUCTION

1.1 BACKGROUND OF STUDY

At the heart of every institution of higher education is the question of what to teach. This question has been contested for as long as the idea of the university has existed. Curriculum structures of the past focused on the classical liberal arts approach, while the rise of the specified vocational tracks proliferated in the twentieth century. Ravitch (1985) details that colleges and universities responded to this trend and reacted in the programs they offered: "...higher education adds and drops courses in direct response to student demand. The student-consumers tell the colleges what they want by their patterns of enrollment, and most colleges adapt quickly to perceived needs" (p.7). While the course offering debate most recently is attributed to enrollment and demand curves, it does not answer the specific question of what, or how, a subject matter is taught. While higher education institutions may specify that a certain course be embedded into a particular curriculum, the choice of topics and approach to the subject cannot be controlled. This concept, the problem of how subject matter is taught or discussed, is perhaps the most ambiguous in all of higher education. In response to this dilemma, the ideology of academic freedom was formally adopted by the professoriate in American higher education institutions in the early part of the twentieth century. The intent was to specify what freedoms

faculty members had with regards to their profession and that they would be unrestricted to pursue 'truths' that connected with their scholarship.

Academic freedom, however, is not so easily compartmentalized and accepted in a simple explanation, since it has had a much broader debate stemming from its meaning and application. The roots of academic freedom can be traced mainly to the former German state of Prussia. While the general idea of academic freedom had been in existence since the Renaissance, when conflicts arose between education and the church. However, it was not until the 1800's that the modern image emerged. Fuchs (1963) illustrates that:

It was, indeed, in the nineteenth century Germany that the modern conception of academic freedom came to be formulated. The idea of the university as a place where scholars are to pursue truth, as well as to formulate and transmit it to students, who at the same time learn to pursue truth for themselves, came to be dominant there. Especially in an age of science, knowledge grows as individuals ferret it out; and the free interplay of ideas is the means of purifying it. Intellectual discipline over the member of the university community is excluded, lest it distort their search. Attracted by this conception and its results, distinguished young scholars from abroad, especially from the United States, went to the German Universities in numbers. (p. 435)

These scholars were impressed by the theories of *Lernfreiheit* and *Lehrfreiheit* being used in Prussian institutions (Karier, 1975; Metzger, 1955; Spring, 2005). The theory regarding *Lernfreiheit* was based on the idea that students, with some limitations, would be given the right to determine the direction of their education and the courses they wanted to pursue. With the classical view in place during this time in America, students were simply given the same required course of study without differentiation (Karier, 1975; Metzger, 1955; Spring, 2005).

Lehrfreiheit, dealt specifically with the professor and their role in teaching and research. The theory held that in order for the pursuit of truth to occur appropriately, those in academia should be free to teach and research topics of their choosing (Karier, 1975; Metzger, 1955; Spring, 2005).

The faculty members who traveled abroad were theoretically intrigued by the Prussian system, but their philosophical fascination soon gave way to the necessity for additional reasons. According to Spring (2005), three factors led to the need and adoption of academic freedom in the United States:

Several important events occurred as these changes evolved in the goals of higher education. First, the passage of the Morrill Land Grant Act of 1862 was the beginning of federal government involvement supportive of a broad social role for higher education. Second, large numbers of American students went to Germany in the latter half of the nineteenth century and returned with the idea of organizing graduate schools patterned after German universities. Third, modern industry began to depend on research to maintain a competitive edge in the marketplace. Over time, industry and government increasingly used universities as centers for research and development. (p. 305)

As Spring states, the governmental and corporate connectedness with universities expanded in scope and influence around the turn of the century. Professionals needed some sort of protection for the pursuit of ideas and studies that some may consider detrimental to their conflicting interests. The early examples that lead to conflict, where academic freedom was cited, dealt with the conversion of state or corporate needs and the scholarship of faculty members who somehow subverted those needs.

As a response, the larger professoriate united under this continued pressure. Chief amongst early leaders was Arthur Lovejoy, a Stanford professor who had witnessed first-hand the abuse that could occur when wealth dictated scholarship. The AAUP history (2010) details:

In 1900 when noted economist Edward Ross lost his job at Stanford University because Mrs. Leland Stanford didn't like his views on immigrant labor and railroad monopolies, other professors were watching. The incident stuck in the mind of Arthur O. Lovejoy, philosopher at Johns Hopkins. When he and John Dewey organized a meeting in 1915 to form an organization to ensure academic freedom for faculty members, the AAUP was born. (AAUP.org)

Lovejoy, Dewey, and other notable scholars united under the emerging ideology undermining academic freedom and attempted to construct principles that adequately encompassed the stance of this new body. In 1915 the AAUP would issue their *Declaration of Principles on Academic Freedom and Academic Tenure*, it would be further enhanced decades later by the important *1940 Statement of Principles on Academic Freedom and Tenure*. These two combined documents described the freedom and protections American faculty should be afforded. The 1915 *Declaration*, for example, describes the position of freedom in the academy saying:

It is, it will be seen, in no sense the contention of this committee that academic freedom implies that individual teachers should be exempt from all restraints as to the matter or manner of their utterances, either within or without the university. Such restraints as are necessary should in the main, your committee holds, be self-imposed, or enforced by the public opinion of the profession. (AAUP.org)

The formation of such an ideology created new protection for faculty, especially those who would be under scrutiny for what were perceived as 'radical positions' of the time. Had the

AAUP not created such a body, it would be hard to predict how freedoms might have been ensured.

These situations, where wealth and scholarship collided, were not confined to strictly private institutions, and specific early case studies provide examples where the city's elite power players impacted all types of institutions (Karier, 1975). In this instance, the city of Pittsburgh was no different. The area was an important financial center with its connections to aluminum, coal, and especially steel. The names of Andrew Carnegie, Andrew Mellon, Henry K. Frick, and John D. Rockefeller all shared collective investments in the area. At the turn of the century, the city was ripe for growth, especially in the education sector. William James Mayo, when speaking to John Gabbert Bowman, who was ambivalent about taking on the Chancellor's position in 1920, said of the city and situation:

I have been thinking about Pittsburgh. If you were my son I would make you go to Pittsburgh. Do you realize that Pittsburgh is the last place in the United States where there is not a great university and there could be one? The people, the wealth, the stability – everything is there. (Alberts, p.79-80, 1986)

Everything was available in Pittsburgh to develop a major university, however, the mixture of corporate wealth and campus growth led to major quarrels over control that eventually led to academic freedom issues.

1.2 THE PROBLEM

In the history of the University of Pittsburgh, two primary cases exist where the collision between competing community interests and academic freedom occurred. The first was the

termination of Ralph Turner. Turner was a history professor at the University from 1925 to 1934. After learning of his reappointment in April of 1934, he would find himself explicably non-renewed just months later (Alberts, 1986). Turner, dismissed by Chancellor Bowman, was supported fully by the community of scholars in his discipline, Pennsylvania Governor Gifford Pinchot, and the AAUP investigative committee (Alberts, 1986). They, along with many others, believed strongly that Turner's dismissal was nothing more than an attempt to squelch his stances on labor and wealth, while at the same time ensuring that the embattled Cathedral of Learning project would remain to be funded until its eventual completion (Mulcahy, 1986).¹

The second case centers on professor Robert Colodny and the investigation into his loyalty² by the University in 1961. Colodny was accused of making sympathetic comments to the *Pittsburgh Press* regarding Cuba and its newly emerging communistic regime (Alberts, 1986). This was only the first accusation against Colodny, as it was soon brought to light that Colodny had served in the Abraham Lincoln Brigade during the Spanish Civil War and maintained other allegiances with organizations that were often credited as being friendly toward communism (Alberts, 1986). While Colodny was eventually exonerated of all charges made against him, his case played out in local politics and the press during 1961 and 1962.

¹ Mulcahy (1986) and Alberts (1986), along with the press clippings of the era, suggest that many believe Bowman's strong objection to the scholarship of Turner were primarily connected to the continued efforts to secure money to complete the Cathedral. They theorized that if Turner were seen as a subversive scholar, offending the wealth and establishment of the community, he might well put the building efforts to raise capital in jeopardy.

² Such loyalty questions were seen often during the McCarthy Era in the United States. Questions were often raised as to whether a faculty member was a dedicated citizen to the United States, or if they harbored allegiances to the Communist belief system. Colodny's creates a similar inquiry given that the Commonwealth of Pennsylvania had a loyalty statute during the time of this inquiry.

This study intends to provide extensive detail of the cases against Turner and Colodny and compare and contrast their experiences in order to give a more complete and clearer historical understanding of them. The study will describe and analyze the historical settings that lead to a changing atmosphere at the University of Pittsburgh, and how the resolution of their investigations took place. In the end, a clear understanding of the cases through a comparative historical study will lead to an analysis of academic freedom at the University during these two different time periods.

1.3 STATEMENT OF THE PROBLEM

In order to form a clear understanding and comparison between the cases against Turner and Colodny, a localized history will be constructed that discusses the scholarship of each man, their outside classroom activities, a description of the city of Pittsburgh at different periods, and the role of central leadership at the University during these investigations. Specifically, the study will be guided by the following research questions during the course of the investigation:

1. What factors led to the investigations of Ralph Turner and Robert Colodny at the University?
2. What were the positions of Chancellor John Bowman and Chancellor Edward Litchfield during these investigations?
3. In what ways did either Turner's or Colodny's investigations and the eventual settlements of their inquiries relate to the issue of academic freedom at the University?
4. What community (especially as it relates to the University) differences existed between the two cases and what factors contributed to these similarities and differences?

1.4 THEORETICAL DESIGN

This will be a historical study, constructed mainly through the use of written public record. The nature of historical research is a long established approach that gives meaning through the interpretation of past events. This study will be the closest representation to an objective total history that can be produced, accepting Novick's (1988) statement that objectivity can easily be portrayed as mere 'myth' in the profession. Regardless, this research attempts to create an interpretative understanding from an open framework of an educational historian.³

While it has been stated that this is a historical study, it is more specifically a comparative historical study. A comparative model was selected for the study given the historical findings and insights discovered in such an approach are distinctively unique. Historical events do not happen in isolation and finding insights into the meaning of events requires analysis. In order to gain an understanding of why something occurred, I believe two things should transpire to form the most accurate history that is possible. First, some brief dissection of the events leading up to historical events is always necessary to understand the historical progression. Second, a comparison of similar events is equally crucial. The Colodny and Turner cases lend themselves to this type of historical study in both regards; therefore, understanding the preceding events along with analyzing similar events is constructed here under the rubric of academic freedom. While the understanding of preceding events is always applied to historical studies, the comparative model is not always used. It is my view that comparative studies can create further insights into historical events by allowing readers to see contrasting

³ Peter Novick (1988) discusses in his seminal work *That Noble Dream: The "Objectivity Question" and the American Historical Profession* the idea that pure objective history cannot exist. He therefore begins his work by asking readers to consider objectivity as a 'mythical' conception for the profession.

principles and values related to occurrences of the past. Through the examination and comparison of factors, individuals, events, and outcomes, historical events become something that has evolved and real to the researcher and reader alike.

The use of a historical comparative study with regards to the inquiries into Turner and Colodny is done to contribute to the historical literature for two primary purposes. First, its purpose is to develop further insights into the fragility of academic freedom and what types of factors may threaten such an academic issue. Secondly, it attempts to discuss how two such situations occurred during two different time periods in the same setting. In short, threats to academic freedom for two academics is compared and contrasted at the same institution in different historical times.

1.5 LIMITATIONS

This study has several limitations that need to be acknowledged. With respect to the data collected on each subject, in the case of Ralph Turner, no first-hand account of the events was ever produced. Data does exist that from the viewpoint of Chancellor Bowman, and the investigation team into the ordeal, but no records exist of Turner's personal insights.

In the Colodny case, while adequate primary documents exist from his vantage point, his situation played out somewhat differently in terms of the University's handling of his investigation. Therefore, unlike Turner, no third-party union group representing Colodny produced any official reports. While Turner had the benefit of an AAUP investigation to document their view from a third-party stance, no such data exists for Colodny.

The data that were produced for both cases is primarily localized to the Western Pennsylvania area. It was rare when either case got major national attention. The Turner case was given treatment in the AAUP bulletin, but beyond that both cases received brief notations in the *New York Times*, *Time*, *Harper's*, and *the New Republic*. The inquiries into these men were primarily covered by various Pittsburgh news sources and the student newspapers of the University – it was therefore primarily a Pittsburgh concern. In both instances, it can be seen that the primary newspapers of the time (*Pittsburgh Post-Gazette*, *Pittsburgh Press*, and *Pittsburgh Sun-Telegraph* in the case of Tuner; *Pittsburgh Post-Gazette* and *Pittsburgh Press* for the inquiry into Colodny) differ in both their findings and their editorial stances on these cases.

Since this research is focused on a comparative historical study at one institution, the aim of the study is to contribute to the understanding of academic freedom encountered by Turner and Colodny during the respected investigations at the University. The study makes no claims for generalizations of the findings of these two particular events, nor was an attempt made to connect these events with current conditions at the University. The cases are meant to be understood through the comparative lenses of situations faced in 1934-35 and 1961-62.

As is the case with many historical studies, the study rests on information constructed in the past. This research could find no living persons closely connected with either of the cases. Therefore, the study is completely reliant on whatever written documentation I was able to discover.

In terms of data collection, every effort was made to identify, locate, and use every artifact that offered insight into the two investigations of these men. This study, as stated previously, is a reflection of that written documentation. While significant efforts were made to

secure documentation, I recognize that few artifacts may exist that were not successfully found for this study.

Finally, it must be disclosed that some bias may exist on my part given that I am a graduate student of the institution that I am studying. This fact may or may not serve as a bias during my study. Whether or not such bias is actually evident is not known, but this factor should be acknowledged.

1.6 DELIMITATIONS

The investigations into Turner and Colodny represent a part of faculty controversies that have erupted at the University in the past, but are not the entirety of faculty issues that represent the history of the institution. That being said, they do hold a special place given that they are the two primary cases associated with aspects of academic freedom and inquiry into faculty behavior by the University.⁴ Other inquiries and dismissals have occurred, but they were not concerned with academic freedom at the heart of their respective matters.

The study also only concerns itself with these two academicians, and the University, during the designated periods of their investigations. The scope of the study will entirely take place between 1934-35 and 1961-62, except in instances where previous insights about historical events at the University relates to these two cases. This study will not be an examination of the complete history of the University nor its present day status.

⁴ This importance is confirmed first by Alberts (1986) coverage of the two events, where other faculty disputes are not mentioned, and by a brief survey of the local newspaper coverage of events at the University since the early part of the twentieth century.

Finally, academic freedom serves as the ever-present shadow, or backdrop, in the cases of these two faculty members. It, however, is not the only focus of this study. While an ample conversation is constructed to form an acceptable understanding of the ideology of academic freedom, it is done solely to give context to the study's larger purpose of comparing the application of academic freedom principles to the cases surrounding Ralph Turner and Robert Colodny.

1.7 OUTLINE OF CHAPTERS

The first chapter is comprised as an introduction to this study. This introductory summary includes the background of the research question, the limitations and delimitations of the work, the theoretical design of the work, the problem, and the statement of the problem. The first chapter also contains a brief synopsis of the two cases in question that are the central foundation of this study. Additionally, the chapter sets the tone for the study and offers a brief outline of the chapters to follow.

The second chapter explores the literature surrounding academic freedom. The central focus of the chapter is on the historical roots of academic freedom from its German traditions to its manifestation in American higher education. In this chapter, several historical and philosophical resources will be compared and contrasted to describe the ways in which academic freedom became vital to the academy. Additionally, a comparison of the contemporary thinking of the last several decades concerning academic freedom is shared for the creation of meaning around the concept. Many of the pieces are derived for the post World War II era as the AAUP, and other scholars, were attempting to shape the eventual status of academic freedom and how it

would apply for faculty members in the academy. This chapter demonstrates that multiple definitions of academic freedom exist, and describes how the same contested terrain of the philosophy existed during the time of Turner and Colodny, and continue to exist in a present day context.

The third chapter describes the methodological approach to the study. This includes an explanation behind the reasoning of why the cases were chosen, the manner in which they were investigated, and why they are of substance in the larger theme of academic freedom will be provided. Special attention is also given in this chapter to the use and need for historical exploration as it relates to such cases. Specifically, the birth and necessity of comparative history is detailed and described. Given that this study also represents a type of localized history, this methodology is also addressed.

The fourth chapter examines the termination of Ralph Turner during the mid-1930s. Turner was initially notified of his termination shortly after his renewal, a peculiar aspect of his case that is explored. Turner's national presence as scholar, along with the ambiguity of his dismissal created a difficult situation for then Chancellor Bowman. Bowman, for his part, was tackling the continued construction of the Cathedral of Learning on the campus, a costly project that may have contributed greatly to the dismissal of the outspoken, labor-advocate Turner⁵. This aspect of construction, along with the delicate community relationship and the leadership of the board of trustees is discussed as the termination fallout embroiled both Bowman and Turner.

⁵ Turner's labor concerns and advocacy is well documented, especially given his membership in several pro-labor organizations at the time. The clearest documentation of his labor stance is contained within his 1934 speech "*History in the Making in Western Pennsylvania*" given to the Western Pennsylvania Historical Society. Turner's tone and approach to his discussion of local wealth is generally critical.

The fifth chapter encompasses the investigation into the scholarship and political associations of Robert Colodny. Colodny, a professor of history at the University from 1959 to 1986, ended up in the rather uncomfortable position of being a media target following a questionable interview with the *Pittsburgh Press* which discussed the events on the island of Cuba in 1961. After Colodny was accused of being a communist sympathizer, his position and teachings were called into question by those local representatives in the Pennsylvania legislature. Colodny, unlike Turner, was able to escape termination for a myriad of reasons that will be fully discussed. This chapter also offers a description of the efforts of several prominent figures within the city of Pittsburgh that contributed to the eventual positive resolution for Colodny.

Chapter six offers a comparison of the two cases and the findings discovered between the two situations these faculty members faced during the inquiries into their scholarship. An examination into the factors which led to the termination of Turner, a nationally respected scholar, which differed some years later when Colodny was able to retain his position. Further investigation is given to the way in which each scholar was differently supported. In Turner's case, it was the Chancellor himself that pushed for his termination, while Colodny had the firm public support of Litchfield. A discussion regarding the leadership style, vision, and approach of these two chancellors will be demonstrated here. In addition, the nature of support from within the Pittsburgh community will be explored. A discussion of what had changed (from 1934 to 1961) in the city, the nation, and the University is explored, including national movements that may have also contributed to new ways of thinking by the time accusations were made against Colodny. Beyond the comparison of the cases, the implications, findings, and an overall summary of this study is also created here.

1.8 CONCLUSION

Regardless of the political climate, academic freedom will always be challenged given that there are various aspects of education that some might find controversial. It is for this reason that issues related to academic freedom must continually be reexamined and analyzed to see in what ways those challenges have gained momentum during different historical periods and political climates. It is only through this process that academic freedom can be properly defended and reaffirmed for those who serve in the academy. The cases of professor Turner and professor Colodny are essential to academic freedom and to the University of Pittsburgh, especially since they represent historical events in different periods of time. The comparison of their two cases will reaffirm not only academic freedom, but also what it has meant to the University during these two specific time periods. This method of localized comparison is rarely performed, but can speak volumes about how a university was managed, supported, and guided during contrasting periods of time. This study performs this action, and demonstrates the way in which the University, its leadership, and the community viewed the nature of academic freedom during two distinct periods of time.

The results of this study, including the historical understanding of the Turner and Colodny cases, are important to all who seek to understand academic freedom. Their cases represent lessons for administrators and faculty members in higher education, especially during hyper-political events in our society. For this reason, the Turner and Colodny cases are not just issues of concern to the University of Pittsburgh, but cases that demonstrate a broader understanding and application of academic freedom.

2.0 LITERATURE REVIEW

2.1 INTRODUCTION TO THE LITERATURE REVIEW

The Ralph Turner and Robert Colodny cases both create questions around the scope of academic freedom. In each case, an eventual concern about what each man was teaching during their lectures (and their belief systems guiding their scholarship) were ultimately raised by those affiliated and not affiliated with the institutions. The scrutiny they experienced, suggests that academic freedom to many individuals has its limits and that certain subject matters may be too sacred to approach or be connected with, especially given the community reactions of some. In order to fully appreciate the scope of academic freedom, and what the principle means to those in the academy, certain questions have to be explored to create a complete understanding of academic freedom as it has been most popularly applied. These questions must consider the historical foundations of academic freedom, how academic freedom has been protected, and the theoretical and political challenges to the principle.

This chapter seeks to compare the literature surrounding academic freedom and create a more complete understanding of how and why the term has been defined. A definition of the principle, along with a description of the ways it has been manifest in the United States and the challenges it has experienced will be explored through multiple historical works. By defining what academic freedom is (from different perspectives) and what it represents (or what some say

it should represent), a better understanding of the principle and will translate to a greater understanding of the Turner and Colodny cases. This is altogether necessary given that in each instance the question of how the cases relate to academic freedom will be analyzed. This is of great importance because behavior outside and inside the classroom can be viewed from very different perspectives. The Colodny and Turner cases share a commonality in that both types of behavior were questioned during their ordeals, so discussion of this aspect of academic freedom must be explored. After forming a larger understanding of academic freedom, a comparison of the Turner and Colodny cases becomes easier to create based on the literature that is available.

2.2 WHAT IS ACADEMIC FREEDOM?

Academic freedom does not necessarily contain one exact definition that is universally accepted. This is consistent with most principles, while some universality of the principle is accepted, but not defined to concrete level agreeable to all. For academic freedom, it is acknowledged that the principle suggests a lack of prescriptive oversight in scholarship. This however, is where the unanimous acceptance of the principle ends, as questions of degree and purpose are areas of debate behind this simple definition. What is taught, how it is taught, the line between indoctrination and teaching, the affiliation of those in the academy, and boundaries in regards to research, are all part of contested terrain as it applies to the principle.

The American understanding and practice of academic freedom is intrinsically linked to the American Association of University Professors (AAUP). In 1915, during the time of their formation, the AAUP put forth their statement on the nature of academic freedom. Part of their report states:

The term “academic freedom” has traditionally had two applications—to the freedom of the teacher and to that of the student, *Lehrfreiheit* and *Lernfreiheit*. It need scarcely be pointed out that the freedom which is the subject of this report is that of the teacher. Academic freedom in this sense comprises three elements: freedom of inquiry and research; freedom of teaching within the university or college; and freedom of extramural utterance and action. The first of these is almost everywhere so safeguarded that the dangers of its infringement are slight. It may therefore be disregarded in this report. The second and third phases of academic freedom are closely related, and are often not distinguished. The third, however, has an importance of its own, since of late it has perhaps more frequently been the occasion of difficulties and controversies than has the question of freedom of intra-academic teaching. (AAUP.org)

The AAUP definition offers these three distinct facets; freedom of inquiry, freedom in teaching, and lack of interference in the practice of inquiry and teaching. All are important aspects in protecting academic freedom through the formation of the AAUP. The AAUP definition, however, is written from the perspective of an academician, and thus does not discuss the various limits that may be part of such freedoms.

While the principle of academic freedom as defined by the AAUP received much acceptance, it has been continually tweaked or redefined. Fuchs⁶ (1963), for example, accepts some of the stated measures of the AAUP, but does add a clause about the nature of freedom that

⁶ Apart from being a professor of law at Indiana University, Fuchs was also a past president and general secretary of the AAUP. Metzger (1986) credits Fuchs with creating a sense of activism and responsiveness in the AAUP during the McCarthy Era, a stance that was not previously seen under different leadership.

faculty might enjoy – a feature that emerged out of concern for complete autonomy of the principle. He states:

Academic freedom is that freedom of members of the academic community, assembled in colleges and universities, which underlies the effective performance of the functions of teaching learning, practice of the arts, and research. The right to academic freedom is recognized in order to enable faculty members and students to carry on their roles. It is not sought as a personal privilege, although scholars enjoy the activities it permits, and the tenure rights of faculty members, which are conferred after a period of probation, bestow economic security as well as forestall restrictions of freedom that might stem from the power to dismiss. In relation to tenure the position of the faculty member resembles that of the judge who holds office during good behavior to safeguard his fearlessness and objectivity in the performance of his duties. (Fuchs, 1963, p.1).

Fuchs' definition is unique in two ways. First, Fuchs illustrates that academic freedom is not a personal privilege, an aspect of academic freedom that can often be challenged by those not in the academy or those in the academy proposing stricter limits; and second the notion of tenure. While academic freedom is most often not intended to be a personal privilege, it often can be an area of debate where much disagreement exists. Within major disagreement occur regarding academic freedom, the questions most often debated have to do with the privilege role versus the duty role. This debate centers on whether or not faculty members have special rights in their roles, or whether there is an obligation they are to serve. Furthermore, if an obligation does exist, to whom is this obligation meant to serve? Many works include a breakdown of this viewpoint, especially in present day higher education environments, as well as, and during the height of the culture wars (Horowitz, 2006; Gerstmann & Streb, 2006; O'Neil, 2008; Schueller

& Dawson, 2009). Fuchs also discusses the nature of tenure, which can be part of academic freedom but is not necessarily a definitive aspect of the principle. This research will not encompass a detailed history of tenure, it is accepted that it is a feature of higher education but not an area to be analyzed. The American experience with academic freedom is inherently unique, and therefore its system includes tenure as a feature through labor practices and protections, but this is not a universal aspect of academic freedom. Tenure, which is simply secure employment for those who earn such a designation, can be used as a protective feature for academic freedom, but typically the two are not reliant upon one another. Tenure can be seen as a distinctive aspect of the American model in higher education, but tenure has not been a consistent feature related to academic freedom in any historical record. Tenure, then, is mostly discussed in studies that address labor history. For this reason, tenure will be acknowledged but not feature prominently in this research.

A final definition of academic freedom offered by Grossman (1998), chooses to look at academic freedom as a set of basic tenets:

The basic idea of academic freedom has at least four substantive components: it protects the freedom of scholars and scientists to pursue untrammelled scholarly inquiry and publish the results without fear of institutional or public censorship; it protects the freedom of faculty to teach students, in whatever manner faculty choose, about the subjects of their expertise even if those teachings run counter to official dogma or popular belief; it protects the right of faculty to speak out on public issues without fear of official retaliation; and it protects the freedom of all members of the university community to listen and learn, and to seek the truth wherever it may lie and whatever the

consequences. There can be no compromise with these principles. (Grossman, p. 254, 1988)

Grossman's definition is built heavily upon the writing of Metzger and suggests the most definitive and liberal of the definitions of academic freedom. Grossman's view suggests that research, scholarship, and methods are all up to the faculty to decide and pursue. This view, as will be discussed further, is not without its challenges given the latitude he states that faculty should have.

Academic freedom is therefore defined as freedom of teaching and research, though the borders of this activity are not defined. Faculty members have a choice and luxury to pursue those matters that they wish, but whether or not this freedom is a right is contested. Given that the principle is challenged theoretically, a discussion of the ways in which academic freedom manifested offers the best practical understanding of the limits of academic freedom.

Metzger and Hofstadter's (1955) full study of academic freedom illustrates that the principle of academic freedom is not a relatively new concept, but what has changed with regards to the popular notion of academic freedom is the degree to which faculty might enjoy a space of freedom for exploration in scholarship. Hofstadter's work especially details the long nature of instances where academic freedom was encouraged, but not often supported, a history that dates back to the Middle-Ages (1955). The phenomenon of the greatest importance then, is the break from the old tradition of lacking support for intellectual freedom to a new point where some leniency and support occurred. This shift, however, cannot be marked by an event in history – no single event (or events) stands as evidence of the shift, but rather an evolutionary trail that describes the ways in which those in the academy were supported more fully.

Academic freedom has been most often challenged when scholarship and faculty membership touch upon politically sensitive areas, especially religious and moral issues. In the early part of the twentieth century, questions of academic freedom routinely centered around corporations and scholarship amongst academicians. This early period marks just one of the larger phases that created concern around academic freedom, the other common challenges dealt with the Communistic scares in the United States and larger U.S. activities (including foreign policy and wars). While sporadic cases exist concerning numerous political movements, the largest challenge by far occurred with Communist ideology, membership, and teaching. The height of this movement was achieved during the early part of the 1950's with the rise to power of U.S. Senator Joseph McCarthy. McCarthy invested considerable time to locate and out Communists he felt had infiltrated the United States. During this period, the institutions of higher education were closely inspected. This period, while extremely important in historical and political terms, is not part of the two time frames of this study and therefore the literature surrounding that time will not be explored in great detail. The Colodny case does connect with Communism in the academy, but by 1961 the fear of a Communist takeover had subsided to some degree. What was still questioned was whether or not academicians who held strong theoretical beliefs in Communist thought were fit to educate students. This work will primarily focus on academic freedom as it was manifested in the United States, how it was challenged in the context of corporate expansion, and the ways in which it was theoretically defended and altered.

Therefore, to begin tracing the history of academic freedom, specifically as it applies in the United States, two perspectives of the total history should be explored. There are other perspectives, which is especially true when a deep historical inspection is done with academic

freedom, however, this study concerns itself with the modern understanding of the American form of academic freedom and thus only a brief review from the 19th century will be included here.

First, the influence of the Prussian Empire on American intellectuals during the 19th century has been well documented and the influence of their education system has typically been described as the primary influence on the American model (Spring, 2005; Fuchs, 1963; Metzger, 1955; Karier, 1976; Karier, 1967). It is for this reason that a description of the Prussian model and its potential influence is needed, as well as a discussion of the German theories that guided their model. The literature on this subject will explore the importance of the Prussian approach.

The second area of investigation is the adoption, application, and protection of academic freedom as it was manifested in the United States. Unlike the German experience, the United States would see challenges from both inside and outside the state where institutions were funded differently. The American experience with academic freedom was therefore much different and the eventual protections of this freedom, and the political challenges encountered were very unique. The history of academic freedom will be discussed from its German roots to its American adoption after the turn of the 20th century.

2.3 WHAT IS THE HISTORY OF ACADEMIC FREEDOM?

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2.3.1 Academic Freedom in the German State

The history of academic freedom is generally accepted as having taken shape in the former modern-day German state of Prussia. In the 19th century, the Prussian higher education model became highly influential as a model for what the American system could look like if it were reorganized, and academics in the United States made numerous visits to study there (Spring, 2005; Fuchs, 1963; Metzger, 1955; Karier, 1976; Karier, 1967). The Prussian system represented a less prescriptive approach; it highlighted freedom to choose the course of study and a freedom to pursue a line of scholarship (Spring, 2005; Karier, 1976, Karier, 1967, Metzger, 1955). The Prussian style was an evolution from the church supported format of higher education in Europe during the Middle Ages that controlled and dominated the function of institutions of university education up until the Age of Enlightenment. As Hofstadter (1955) writes, the Prussian form of higher education departed from the ways in which religion

dominated control of higher education. Karier (1975), Marsden (1994), Metzger (1955), and Spring (2005) describe that the Prussian model represented not just the idealistic role of the student and the professor (*Lernfreiheit & Lehrfreiheit*), but also a state supported control of institutions of higher learning.

Lernfreiheit and *Lehrfreiheit* have been defined in the most simplistic ways by several authors in the same way; *Lernfreiheit* – freedom to learn, *Lehrfreiheit* – freedom to teach (Spring, 2005; Fuchs, 1963; Metzger, 1955; Karier, 1976; Karier, 1967), but the most complete depiction of what the terms meant to Prussian society have been defined by Metzger, 1955; Karier, 1975 & 1967; and Fuchs, 1963. Karier’s and Metzger’s descriptions of the terms, and the Prussian system at large, illustrate a system of freedom that challenges our current notions of what freedom means in the academy compared to our modern day understanding. As they both explain, freedom as it relates to *Lernfreiheit* and *Lehrfreiheit* differ from the modern understanding given the nature of the Prussian state (Karier, 1975; Metzger, 1955). Metzger, for instance, describes that the freedom applied to the Prussian system simply meant the scholarship and teaching of the academy was free from interference from entities beyond the institution and state, not complete freedom as is sometimes inferred. In order to demonstrate this point, Metzger and Karier illustrate the difficult state that academicians had to navigate as they discussed issues of society. While they were free to inquire about any topic of concern to them, they were not so free to label the state or its leadership as being at fault in their scholarship. Metzger states that, “It is also pointed out that the German universities were state universities in an undemocratic state, dependant up the uncertain good will for the minister of education and on a dynasty far more autocratic than the constitutional form reveal” (Metzger, 1955). Given this, however, Metzger also illustrates that the Prussian state had become less punitive, therefore the fear of

extreme persecution for one's work was somewhat avoided (Metzger, 1955). Karier (1975) describes that the influence of the Prussian model on the American system was critical, but agrees with Metzger on its limitations of practical applications. Karier describes a faculty dismissal at the University of Berlin that related to his outside political membership and what he sees as the three primary limitations on freedom in the Prussian approach to higher education. He details his three limitations, stating:

First, the professors and students were generally drawn from the aristocratic classes. Second, as hired officials of the state, the professors could not theoretically or practically support any causes that would undermine the authority of the state. Third, the role of the professor as a "scientific" inquirer producing new knowledge was so circumscribed that it prevented any advocacy role that would agitate the public peace and harmony of the state. (Karier, 1975)

Metzger and Karier both describe a situation in the Prussian system that displayed much more freedom than what was occurring in the United States, but not to the degree we currently experience. Although Metzger and Karier's approaches are very similar, Metzger's work is much more advanced in making a connection between academic freedom and its historical traditions beyond the Prussian state, as aspects that go beyond the scope of Karier's work. In fact, Metzger is credited along with Richard Hofstadter as having written the most definitive complete timeline of the evolution of academic freedom. The two-part collection that Metzger and Hofstadter (1955) created in *The Development of Academic Freedom in the United States*, was eventually divided into Hofstadter's *Academic Freedom in the Age of the College* (1955) and Metzger's *Academic Freedom in the Age of the University* (1955). Unlike the studies of

their contemporaries, Metzger and Hofstadter (though Hofstadter approach is much more extensive) trace the lineage of academic freedom far beyond the Prussian system.

In his view of the Prussian model, Fuchs (1963) relies heavily on German professor Freidrich Paulsen and his 1902 piece titled *The German Universities and University Study*. Fuchs finds that Paulsen described other present day misconceptions of ‘freedom’ that existed in the Prussian system. First, Fuchs illustrates that freedoms were granted depending on the subject discipline. As Fuchs details, those in the realm of theology would experience far less personal freedoms than those in other disciplines, and could not take an opposing viewpoint than that of the state (Fuchs, 1963). While this idea of the distinction of freedom depending on discipline is unique to Fuchs, he does demonstrate support for the views of Metzger and Karier when he describes intolerance for political affiliation amongst those in the faculty and large separation between the rules applied to academicians and those in the general public.

The writings on this subject matter clearly distinguish between the heavy influence of the Prussian model on Americans that studied there during the nineteenth century and the ideals that these educators took away with them to build a revised system in the United States. The ideas of freedom and choice were highly influential and as Hofstadter (1955) find, this influence was soon found in existing major institutions of study in America. Additionally, new institutions – especially Johns Hopkins University, would create an academic model that applied all the tenets of its German counterparts. The German influence certainly created a comparison for a different view of higher education; uniquely American challenges soon occurred that would create a new kind of academic freedom that differed from the Prussian system.

2.3.2 Academic Freedom in the United States

Academic freedom today is a widely accepted practice in American higher education. As stated previously, the degree of freedom contested has been discussed in great detail, but the principle itself is a staple of the university system. Even though the principle enjoys complete acceptance, this is a relatively new phenomenon. Academic freedom in the United States finds its roots has been most securely established near the end of the nineteenth century and the beginning of the twentieth century. According to Spring (2005), as discussed earlier, three factors led to the need and adoption of academic freedom in the United States. The federal involvement in higher education with Morrill Land Grant Act, the German influence on American students educated there, and the rise of the American corporate state that became reliant on higher education (Spring, 2005). Spring's description of the three primary factors that led to the adoption of academic freedom have been supported by Metzger (1955), Karier (1975), Fuchs (1963), and Hyde (1901). While Spring describes the relationship between the state and tertiary education, along with the Prussian influence, the influence of corporate interests garners the most attention (from both Spring and his contemporaries) when describing the need for academic freedom in the United States. This adoption has been most often attributed to the early cases that marked a need for such protections, the work of Karier and Metzger detail this period with great efficiency. The rise of state support is rarely addressed and the influence on scholars educated in the Prussian system is accepted without much disagreement on its importance.

Institutions of higher education were often closely connected to corporate wealth, or founded by wealthy benefactors (like Stanford and the University of Chicago) close to the turn of the twentieth century. The corporate challenges faced by academicians during this period is often described through an illustration of the cases that demonstrated where faculty members

were either terminated, or faced termination based on their scholarship that differed from the leadership of the institution. Spring (2005), for example, describes the situation faced by both Richard Ely at the University of Wisconsin and Edward Ross at Stanford University. He details each case, the Ross situation happened at a private institution and Ely's at a public, and why the cases were different in their outcomes (Spring, 2005). He also suggests that it was Ross' termination that led to the eventual formation of the AAUP. Spring's vision fails to reach the complex introspection into the same cases, and more, that both Karier (1975) and Metzger (1955) illustrate in their work. Karier offers a comparison of the Richard Ely case and that of Edward Bemis at the University of Chicago in a more complex study that puts academic freedom as a central part of his research. In his comparison, Karier demonstrates what separated the private and public aims and how each faculty member approached the charges put forth against them (Karier, 1975). Karier goes even further by adding a detailed description of the cases that includes evidence contained in news sources and correspondence between stakeholders in the various cases around academic freedom at the turn of the century. He then brings in the Ross case to further his assertion that the major university benefactors, or namesakes, contributed heavy influence to institutions during this period of time and thus challenges to academic freedom took shape; especially on matters that concerned manufacturing and economics (Karier, 1975). As opposed to Spring's more generalized notions, Karier works to go much more in depth, though in the defense of Spring this is the emphasis of Karier's study and only one part of Spring's research.

In the same way, Metzger (1955) took his work beyond the generalized for an in-depth case analysis of what early academic freedom challenges looked like. Metzger (1955) offers the most complete and detailed analysis of the early struggles, going beyond the major cases that

often receive most attention; Metzger includes a litany of academic freedom challenges and their backgrounds (Metzger, 1955). In doing so, Metzger establishes that challenges to academic freedom can be traced from the major cases that have been well recorded and also by inspecting the lesser-known cases that demonstrate that the challenges were not isolated to a few cases and were in fact a much larger concern.

The work of Metzger and Karier demonstrates the emergence of thought around academic freedom as universities became more defined in the twentieth century. The two authors historically documented events that transpired and created difficulty for faculty members to perform research and to teach on sensitive matters. While the rise in the federal involvement is accepted through legislative history, the German influence and case studies are well documented and describe the need for the presence of academic freedom in the academy. The rise of corporate wealth, combined with those individuals being involved in the decision-making process resulted in matters of scholarship needing some definition. Metzger, Spring, and Karier all define how this evolution transpired, and how the eventual definition of the American Association of University Professors would work to protect these newly created freedoms for academicians.

2.4 WHAT DIFFERENT THEORETICAL PERSPECTIVES OF ACADEMIC FREEDOM EXIST IN THE AMERICAN MODEL?

During the post-World War II era institutions of higher education began mass expansion that featured increasing enrollments, primarily attributed to the GI Bill and the returning servicemen from abroad. The initial questions around academic freedom were primarily an issue of what

matters could be taught in the classroom, especially in connection with labor as discussed in the previous section. The questions of where academic freedom ended, or its theoretical limits, were not a feature of early challenges (Metzger, 1955; Karier, 1975; Fuchs, 1963). With the advent of higher education expansion, and questions as to whether or not tertiary education was a public good (as state supported enrollments grew as well), new challenges to the limits of academic freedom were presented.

In the 1950's, two prominent theoretical perspectives were presented that addressed the principle of academic freedom from an alternative vantage point. The first, a work by William F. Buckley Jr. published in 1951 title *God and Man at Yale* discussed Buckley's view of anti-religious and anti-conservative sentiments by instructors at Yale in the latter part of the 1940's. The second was a historical and theoretical examination of academic freedom by Russell Kirk that suggested the duty, responsibility, and scope of what academic freedom should be based on his theories and historical interpretation. Each piece served as important foundational pieces for the conservative interpretation of academic freedom in the post World-War II era. In addition, as deliberations escalated regarding the scope of academic freedom from the period of the Vietnam politics to the War on Terror, the two pieces created interpretations for modern theoreticians to consider.

Prior to a discussion of some different modern interpretations of academic freedom, a complete discussion of the works of Buckley and Kirk is needed. First, Buckley's recollection of experiences at Yale offers a view of academic freedom uniquely connected to religion and his perceived view of anti-religious instruction, symbolism, and attitudes, while he was an undergraduate at Yale University (Buckley, Jr., 1951). Buckley finds that the University, during his time as a student, offered a theoretical slant toward the 'non-traditional' liberal perspective as

we conceive it in our modern epoch (Buckley, Jr., 1951). For Buckley, this system and culture dominance exhibited by the University that encompasses all aspects of the University's operations, from its instructors to its selected textbooks to its leadership. Buckley offers a thorough account of University activities from 1946-1950. This includes excerpts of texts and speeches, details of organization and management of the University, the perspective of Alumni, and continued comparison of what he experienced at Yale versus the principles that the University espoused in their official documentation (Buckley, Jr., 1951). Buckley's view of academic freedom at the University suggests, first, that no real objectivity exists in regards to the teaching and scholarship at the University and that, second, views that run counter to the normative behavior of the faculty are unappreciated and dismissed for the larger dominant ideology (Buckley, Jr., 1951). Buckley formulated these positions during his undergraduate experience and further strengthened his thesis with the publication of *God and Man at Yale*. Buckley's position suggests that academic freedom had found itself situated on the opposite end of the theoretical spectrum from its early origins in the United States, where once it had served as protection to speak on controversial matters, it had pushed to an extreme where diversity of thought was no longer tolerated.

Unlike Buckley's personal experience at Yale, Russell Kirk's (1955) *Academic Freedom: An Essay in Definition* is not written in a first-person narrative of insights and experiences at one institution, but rather from a theoretical and historical perspective analyzing academic freedom. While both Kirk and Buckley agree on the varied dangers of academic freedom in the hands of liberals, they have a major disagreement on what master academic freedom serves. Buckley's interpretation suggests that faculty are responsible for answering to the leadership of a University and the alumni of the school, where Kirk defends the historical role of the faculty citing the

plight of Socrates in Greek society⁷ (Buckley, 1951; Kirk; 1955). While Kirk and Buckley disagreed on what body should guide academic freedom, they both feared how academic freedom could be used for irresponsible scholarship and politics (Buckley, 1951; Kirk; 1955). For Kirk, the key of evidence centered on the conception and pursuit of ‘truth’ (Kirk, 1955). The pursuit of ‘truth’, as Kirk’s thesis states, is the role and responsibility of academics, any pursuits not of knowledge not supported by the truth discovery is therefore irreprehensible and those performing such acts should be removed from the faculty. This is where Buckley and Kirk agree, both felt that faculty pursuing untruthful means were politicizing and indoctrinating their students (Kirk, 1955). Kirk’s argument is much more grounded in the historical traditions and suggests a more dutiful obligation of the faculty to serve society at large rather than Buckley’s more narrow focus of purpose and intention at Yale (Kirk, 1955). For this reason, Kirk’s work and ideology is viewed far less politicized and containing no grudge for an educational experience that developed resentment. His work also suggests a more pragmatic paradigm of academic freedom, one that would be discussed with opposing ideas during this time by theoreticians with different perspectives.

Two additional theorists contributed heavily to the pragmatic application towards academic freedom in the Post-World War II era (and to some degree during this era), perhaps more pragmatic than the notions of Kirk. Sidney Hook, a philosopher and social critic of some distinction in the post World-War II era, discussed in multiple venues his pragmatic insights to academic freedom and the lines that must be created for correct applications of the principle

⁷ Kirk details the plights of Socrates in Greek society and his eventual trial and death as a result of his teachings. For Kirk, this was especially critical given that it raised the question of where an academic was to be situated within a society. The use of the Socrates example affirms Kirk’s view that those in the academy serve a purpose beyond those in leadership or financial power at a given institution.

(Hook, 1949; Hook, 1969; Hook, 1971). In addition, Arthur Schlesinger, Jr., the well known historian, also offered a similar pragmatic approach towards academic freedom that championed a traditional liberal approach in all matters political (Schlesinger, 1949; Schlesinger, 1953). Hook's position was developed through his roles as both a philosopher and educator, he too – much like Kirk, was concerned about the proper position for academics to be able to perform their duties. Hook suggested (among other things) that academics create a community of understanding and agreed upon principles, that they be judged by their counterparts where some disagreement occurs, and that legal matters should be settled by courts in proper jurisdictions (Hook, 1971). Hook's approach is one where academics do not enjoy a complete and total freedom as they see fit, nor can they affiliate and be active in any movement or organization they want. Hook⁸ argued against Communists in academia and suggested that roles for those fit to serve was to be a limited landscape, not an arena for anyone who wished to be involved. Schlesinger, however, was not universally against the involvement of Communists serving in the academy, noting their influence was often inflated (Schlesinger, 1953). While Schlesinger and Hook disagreed on the Communist position, they defended academic freedom from their conflicting points of view – never suggesting that the principle was not a needed part of the academy. They attempted to defend academic freedom against the conservative notions of academic freedom. Where Buckley describes the farthest politically right position on the parallel, Hook and Schlesinger represent a middle to slight left position opposing the more restrictive notions of academic freedom.

⁸ Although Hook established a position in opposition to Communism, he was a former supporter of Communist ideology and Soviet Russia. He later flipped from his position and became vehemently opposed to the ideology.

In the most recent trends related to academic freedom, there has been an increasing question as to what educators are attempting to achieve with their roles and what proper teaching and scholarship means in a new age of the media. This position relates further to a more intensively defined restrictive position for academic freedom. The most prolific author, advocate, and activist for this position is David Horowitz. Horowitz has constructed several measures, that could be classified as protective or prescriptive, in order to ensure the direction of higher education teaching and scholarship. Horowitz created the *Academic Bill of Rights* and the organization *Students for Academic Freedom*. Both of Horowitz's efforts have been designed to place limitation on what is discussed in the academy and require faculty members to instruct on only those issues that can be proven and documented. Accompanying these efforts are three primary works that describe his positions, *Indoctrination U.: The Left's War Against Academic Freedom* (2007), *The Professors: The 101 Most Dangerous Academics in America* (2006), and *One-Party Classroom: How Radical Professors at America's Top Colleges Indoctrinate Students and Undermine Our Democracy* (2009). Horowitz's central philosophy is that professors in American classrooms have used their platform to indoctrinate students to their liberal viewpoints. Horowitz thinks that this approach puts academic freedom at risk given that in this current trend there is a failure to achieve objectivity, and therefore both sides of a debate are left out of the conversation (most especially the conservative perspective as it relates to education). To document his points, Horowitz offers continual insights through case studies that demonstrate what he sees as non-objectivity in education at the tertiary level. Horowitz's writing has found a great deal of acceptance during this phase of the culture wars, creating a question of balance and objectivity as it connects to what is being taught and discovered by academics. His activism and

writings have created new debates regarding academic freedom, including responses to his work and further questions regarding the historical foundations of academic freedom.

Horowitz's position has been reexamined for clarity and concern in multiple forms for a modern day definition. Two pieces, Aby's (2007) *The Academic Bill of Rights Debate* along with Schueller and Dawson's (2009) *Dangerous Professors: Academic Freedom and National Security on Campus*, both feature multiple authors in edited pieces that discuss the current perspectives and limitations on academic freedom and critique/connect to Horowitz. It is important to note that all of these works have originated in the Post 9/11 era, where questions of nationally and political connection have added further furor to matters of academic freedom. Since 9/11, advanced questions of religious and nationality affiliation have created a cause for concern in the academy as the United States has engaged in multiple war fronts with no central enemy designated. For these reasons, current academics, like those writing the piece by Schueller and Dawson, argue that academic freedom might be on more dangerous ground than ever (2009). The fact that religion and nationality are a growing cause for concern, with a growing relationship between higher education institutions desperate for financing and corporations, academic freedom lies in a fragile state (Schueller & Dawson, 2009).

2.5 CONCLUSION

Our current understanding of academic freedom in the United State has been primarily constructed during the twentieth century, a time when higher education became more influential and important to American society. What is evident about academic freedom, however, is that the principle to a large extent has not existed as a stagnate concept without ambiguity or room

for clarification. Academic freedom and its limitations in the United States, represent a gradual progression that still exists in our present understanding. As institutions of higher education continue to serve a greater number of students, they, much like those in the K-12 environment, will be continually challenged on what they are teaching and whether or not that education is for the common good.

The history of academic freedom, as outlined in this literature review, demonstrates that the American notion of academic freedom is uniquely defined. This suggests that the American higher education system will continue to see an evolution of the principle as our institutions grow in both enrollment and diversity of students. This chapter describes that academic freedom will be challenged in environments where scholarship concerns examines business practices, political matters, or ideas that challenge societal norms. This has been the lasting legacy of academic freedom since the turn of the century and represents the types of challenges that may be experienced in the future.

The purpose for describing the literature surrounding academic freedom is to examine the ways the Turner and Colodny cases connect to the principle. In both cases, academic freedom is evoked as a cloak of protection for the experiences that each man endured. Their cases are not cut and dry circumstances where a clear line of academic freedom protection is drawn. It is for this reason that this literature review has been prepared, that is to create a space of understanding on the subject of academic freedom and how it relates to the cases being examined in this study.

3.0 METHODOLOGY

3.1 INTRODUCTION TO METHODOLOGY

While academic freedom has been an accepted practice in the American higher education system since the early part of the twentieth century, the subject matter has most often been examined in the literature through a theoretical exploration. A large body of work regarding academic freedom discusses whether or not such a philosophy should guide the scholarship of those in the academy. The historical examination of specific cases is somewhat popular, but generally only when the McCarthy Era is discussed, in which case the study is primarily political in nature. The explanation for the lack of individual attention to specific cases may be attributed to the unique, and often thoroughly complex nature of individual cases where faculty members faced controversy or termination related to matters of academic freedom. The complexity of such individual matters may make a full comparison of these cases difficult or rather timely to research and analyze.

The primary cases that relate to academic freedom, those that happened at the turn of the twentieth century have been documented, but a comparison of how those cases relate or differ has been rarely performed. Furthermore, cases after this period of time have not offered much in the way of comparative analysis either. While comparative literature on academic freedom cases is lacking, an even more rare occurrence is the comparison of two or more cases relating to

academic freedom at the same institution. The research performed for this study is designed to offer not only a comparison of academic freedom cases, but to do so at the same institution provides added insights.

This chapter will discuss the methodological procedures used for the comparison of the Turner and Colodny cases at the University of Pittsburgh. First, the chapter will discuss the way in which the cases will be viewed from a historical paradigm. The nature of comparative history and local history will be examined as they relate to this research study. Second, the selection process for the two cases will be discussed and clarified as they relate to the larger aspect of academic freedom will be explained. Finally, the manner in which the comparison and analysis for the two cases will also be explored, describing the way in which the cases will be compared to each other.

3.2 METHODOLOGICAL APPROACH

This study is designed as a comparative-historical model, written from a local history perspective. Given that both cases occurred prior to 1962, the historical method was chosen as the framework to gather the artifacts from the past and offer meaning from a modern day perspective. The use of a historical examination as applied to matters of education is of vital importance. Currently, issues related to educational policies and practices are discussed without regard to the historical influences of those policies and practices. In regards to academic freedom, whether it is a localized matter or one more global, this is can occur when the parties discussing academic freedom are ill informed of the historical significance and meaning of the

principle. In a modern day definition, academic freedom is often used interchangeably with freedom of speech, though those two concepts to differ greatly.

Two main types of historical analyses are performed in this study: comparative history and local history. These two types are long standing traditions in the historical field and represent perspectives from which to analyze data from the past and significantly each type is important to this study. Given this fact, both types of analyses will assist in constructing an understanding of the Turner and Colodny cases.

3.2.1 Comparative History

The two cases selected for this research contain many differences, but they are also similar in many regards. For this reason, the comparative historical model offers the best approach with which to find meaning of the past. The comparative historical approach has no one single point of origin, but of particular importance to the field are the contributions made by the *Annales School*. The *Annales School* was an historical movement that was founded in the latter part of the 1920's by Marc Bloch and Lucien Febvre, and was intended to alter the way in which historical examinations were performed and collected (Chase, 1985). The *Annales School* became primarily known for abhorrence of 'great man history', the use of extended time periods of examination, and the promotion of 'total history'⁹ as the best way to explore issues of the past. While this study does not attempt to perform a 'total history', it does support some of the tenants

⁹ The *Annales Schools* believed that the different sects of historical examination were too limited. Their approach of 'total history', suggested that all matters that related to the study should be explored: economics, sociology, psychology, environmental factors, politics, biology, and etc. Their belief held that only in 'total history' could the past be understood to the degree that was necessary.

that the *Annales School* promoted and closely relates to the theories of Marc Bloch. Bloch promoted the ideas of comparative history, often performing grand studies of ‘total history’ (Sewell, 1967). For this study, Bloch is used as a theoretical model for his perspectives on the purpose of history. Bloch, as Sewell (1967) reaffirms, the comparative model is essential to any historical study as it is imperative to challenge our hypothesis as it relates to a historical subject. Without a comparison of similar or related events, a historian’s work lay in isolation, unrelated to other historical matters. This was a precept that Bloch and his colleagues sought to avoid. Within the *Annales* paradigm, it was an absolute necessity that all historical examinations be placed in a larger context. This study utilizes Bloch’s theory that believes a comparative history gives a study further meaning and gives a broader sense of the historical examination. This study employs this method that provides a more refined reflection on academic freedom at the University during two distinct periods of time.

Beyond the strong influence of Bloch on this method, it has also been supported by the likes of Durkheim and Weber, which promote the same types of theory that Bloch performed. As Burke (1992) points out, Weber had long established the theory that comparative models can demonstrate what makes specific matters of history important. His historical work, especially *The Protestant Ethic*, demonstrates his comparative historical analysis of culture, religion, and differing societies. Comparative historical analysis has both a rich historical tradition and acceptance that makes it an ideal method for this type of study.

While this research differs from the large-scale work of Bloch, the *Annales School*, or Max Weber, it is none-the-less a comparative approach that will demonstrate the importance of the two primary cases of academic freedom cases at the University of Pittsburgh. As Burke (1992) said of Bloch’s approach, the comparative model lets the historian go beyond details all

the way to causes when doing comparative work. My study is an illustration of this assertion by Burke, and for that reason the comparative model serves in a manner that is fitting and meaningful to this study.

3.2.2 Local History

This document, though comparative in nature, is also an example of local history. Local history, though accepted by historians, is not viewed as an overly popular method of study in a large sense. Much of history, both today and in the past, has been represented by ‘great man’ history or popular history. Local history tends to be less popular because it most often focuses on a micro-level and is less concerned with big name historical figures and more with the interconnectedness of all types of individuals who may have impacted history from a social analysis paradigm. As Mahoney (1981) states:

Local history is a narrative of people and the communities in which they lived. Generally, it is a very small geographic unit of study, focusing on ordinary people and their significance. Because history too often is regarded as the study of only famous people and events, the attraction of local history is that it is very personalized. It is the story of one’s own community – what happened there, why it happened, when it happened, and who made it happen. (Mahoney, p. 8, 1981)

While this study will include some reference to the Carnegie and Mellon families, most of the examination centers on historical work discussing some events in Pittsburgh, and because these families are not the focus of the work. Instead, like Mahoney’s perspective, the intention is to look at the typical individual within the system of historical developments and examine the way in which they impacted certain events.

Comparing the Turner and Colodny cases offers great insight into the local issues of the community in two distinct periods of time; 1934 & 1961. Given that little research has been done in the way of local histories as it relates to academic freedom, specifically with respects to comparison, this study offers a unique historical interpretation of related events. The local historical method is used here to avoid the confusion that would come with any national comparison of similar types of cases and to see how one local institution responded to two separate, yet similar situations.

3.3 SELECTION OF CASES AND AREA OF ANALYSIS

The intention of this study is to compare two cases that caused university controversy as it relates to academic freedom. In order to perform such an examination, I created three criteria for my choice of institution. First, I intended to select a university in close proximity to this researcher that had a rich institutional history. Second, I wanted to make sure that I was in some way familiar with the institution that I had selected and the history of that university. Finally, I sought to find an institution that had some history of challenges with academic freedom and its faculty. The University of Pittsburgh met these three criteria. I am a graduate student of the institution, and it is located in reasonable proximity to my home. Additionally, the University is well over two-hundred years old and has had past challenges with its position on academic freedom. In order to confirm this, I surveyed the American Association of University Professors bulletins and substantiated that the University had experienced challenges in the past, including a period where they were blacklisted by the organization (AAUP Bulletin, 1934; Alberts, 1986).

The selection of the two cases was completed by surveying the history of the University and identifying those cases deemed to be most relevant. Alberts' (1986) history of the University was the primary text for this exercise. While his work makes mention of the blacklisted period of the University, only two primary academic cases received full coverage in the complete history of the University. Additionally, the Turner ordeal was covered in great detail by the AAUP in their annual bulletin, further implying the importance of this particular situation as the only University of Pittsburgh case to receive such coverage. Further, the University of Pittsburgh Archives were surveyed for the chancellor's papers. In surveying their files, only two of the chancellor's paper collections contained case analysis of issues related to academic freedom: the Turner case from Chancellor Bowman's files and the Colodny case in Chancellor Litchfield's files. In part, because of these files, the case against Ralph Tuner in 1934, and the case against Robert Colodny 1961 were chosen for examination; they represent the two most important cases related to academic freedom in the history of the University.

3.4 SIGNIFIGANCE OF CASES

The cases selected are not only the two cases that have the most historical records attached to them, but they also represent major points of interest in the history of the University. During the Turner case, the University was in the midst of transforming the physical grounds of the campus and expanding their presence in the Oakland neighborhood of Pittsburgh. In addition, the University was also growing in terms of enrollment. The Turner case put the University under a national microscope. Turner was a nationally known scholar who was well respected amongst his peers. His termination was not seen as simply another non-renewal, but a cause for alarm

amongst those who knew and had worked with him. The University soon found the matter drew a national response, and therefore the case became a source of contention for the institution for the years that followed.

In the same respects, the Colodny case represented a new approach to the way in which the University handled similar situations. Where the Turner ordeal was handled without an air of caution, Colodny's inquisition was far more formalized and careful. Colodny's case started out very small, but as various parties became involved with the accusations against him, the case grew to gain national attention. In much the same way as the Turner case, Colodny was a respected scholar, and the accusations against him drew a national audience during a politically charged era in U.S. history. The University's response and answer to the accusations, especially as they were politically challenged, demonstrated a new reaction strategy from years previous.

Beyond their meaning to the University, the two cases also represent challenges to academic freedom beyond the classroom. In both the cases studied, the question of whether in-class or out-of-class behavior represented why the two scholars were being investigated, a standard challenge to academic freedom writ large. During the Turner case, the University found that his dismissal was based solely on his religious attitude in class; Turner felt that it was related to his external actions. In the Colodny case, he was initially questioned for the remarks he stated to the local press and was then questioned about content taught in classes. The two cases represent to what degree teaching and non-teaching behaviors impact academic freedom and what role universities can play in both types of situations. For these particular cases, it is the behavior external from the classroom that is explored in depth given that is a far less developed standard and is greatly important to both cases

3.5 DATA SOURCES

3.5.1 Literature Review/Academic Freedom

3.5.1.1 History Of Academic Freedom In The United States

In order to discuss the nature of academic freedom, several boundaries were set into place with respect to the literature related to academic freedom. First, the area of emphasis would be placed on academic freedom as it exists (from the early 20th century to the present) only in the United States. While some examination will be made of the concepts of the early origins, most importantly Richard Hofstadter's (1955) *Academic Freedom in the Age of the College*. There will not be an attempt to construct a complete understanding of the evolution of the principle. Hofstadter's work describes the origins of the principle in full. His premise is acknowledged here for the original conceptions of the principle. Second, no attempt will be made to discuss the nature of whether or not academic freedom is essential to American higher education; I acknowledge its foundation and work only to understand its American roots. Therefore, no early literature that denounces such a theory will be included. Finally, while no discussion will occur as to the need for academic freedom, this work will explore the theories that surround the theory used in higher education systems by competing social theorists of the time. The post-World War II theories are the most relied upon in this work since they relate most closely to the time periods of the cases and offer the most in terms of modern understanding that coincides with academic freedom.

In constructing the historical framework of academic freedom in the United States, two primary texts will be examined. Walter Metzger's (1955) *Academic Freedom in the age of University* provides a full description of the American development of academic freedom and its

ultimate formal acceptance through measures provided by unionization and the AAUP. Metzger's work pushes forward from where Hofstadter leaves off and concerns itself solely with the American dilemma. Further development on this focus area is Clarence Karier's (1975) *The Shaping of the American Educational State*. In the beginning of his book, Karier examines through case studies the connection between academic freedom and the rise of the American corporate state. Both he and Metzger describe how the growing influence in universities by corporations created the need for freedom of research and scholarship. These two works combined create powerful insights into the battle for academic freedom at the turn of the twentieth century.

Along with the work of Metzger, Hofstadter, and Karier, this chapter will also discuss MacIver's (1955) *Academic Freedom in our Time*, Schrecker's (1986) *No Ivory Tower*, Finkin and Post's (2009) *For the Common Good*, and Cauter's (1978) *The Great Fear*. These works will be used to describe the early struggles for academic freedom, the formation of the AAUP and its principles, and the political challenges to academic freedom in the middle part of the twentieth century. Each of these works offer different historical understandings of the nature of academic freedom and the challenges poised by external factors.

3.5.1.2 Interpretations Of Academic Freedom

Although the rise of the AAUP gave credence and stability to academic freedom, the road to its eventual adoption and acceptance in the academy remains contested terrain. The space of this contestation has existed since the early formation of the AAUP. To understand the thinking and mission of the AAUP, some examination of its 1915 and 1940 declarations will be done along with its early formation by academics such as Dewey and Lovejoy. The thought process of the

AAUP will be viewed from its philosophical underpinnings along with its formation for unionization purposes. Additionally, the early cases that the AAUP associated themselves with will be discussed for a fuller understanding of their early intentions.

The philosophical differences, perspectives, and especially the limitations as it relates to academic freedom will be discussed through the perspectives of Sidney Hook, William F. Buckley, Jr., and Russell Kirk. Buckley and Kirk offer contending, and yet similar perspectives, on the sacristy of academic freedom and its place in the academy. Buckley's views relate to his time at Yale and his assertion that the institution had lost its way. *God and the Man at Yale* (1951) received a great deal of exposure when it was initially released, and Buckley's critique is condemning as well as impressive. Kirk (1955), for his effort, shares the viewpoint that a violation of academic freedom had occurred and that different approaches must be sought – mainly the full pursuit of the 'truth' as Kirk suggests in his work. While Buckley and Kirk differ in their suggestions/approaches, they both share that academic freedom must serve in a different manner than what was happening in the early post-World War II period.

Hook's *Academic Freedom and Academic Anarchy* (1969), *In Defense of Academic Freedom* (1971), and *The Principles and Problems of Academic Freedom* (1986) discusses perspectives of academic freedom during the Vietnam War era. Hook continually claims that the radicalism and student movements of the Vietnam era put academic freedom at risk. While Hook is a proponent of academic freedom, he also reveals concerns about its lasting legacy.

3.5.2 Ralph Turner Case

3.5.2.1 Books

The main text that discusses the termination of professors Turner and Colodny is the work of historian Robert C. Alberts (1986). Alberts' *Pitt: The Story of the University of Pittsburgh 1787-1987* which covers many of the major developments of the University of Pittsburgh's more than two-hundred year history. In his work, Alberts devotes considerable time with the tenure of Chancellor Bowman and many of his uncomfortable decisions and behaviors that resulted in both growth and controversy about the University of Pittsburgh (Alberts, 1986). Turner also is discussed at some length, his termination, along with non-renewal of many other faculty contracts, is used to show how Bowman demonstrated his power to ensure his vision of the University. In addition, it is suggested that Bowman sought a to maintain a homogenous faculty body to prevent community distrust and support for the University. Alberts uses the termination of Turner as evidence for this theory that the termination of a nationally known scholar occurred during an important part of the University's growth and was done to secure confidence in the University's plans for expansion (Alberts, 1986). Related to this, Alberts also discusses the creation of the Cathedral of Learning, the tremendous financial constraints that the University faced, and the need for cohesion as national prominence became of greater importance to Bowman during his tenure (Alberts, 1986).

In addition to the work of Alberts, the Turner case is also discussed by Jerome Davis (1935) in *Capitalism and its Culture* as it relates to the connection of Turner to Pittsburgh's financial elite. Here Davis, in a contemporary time period, makes the claim that Turner's dismissal is without a doubt linked to the financial interests of Mellon and the financial strength of the city. Another work, by an author who will be used to a large extent, is Richard Mulcahy's

(1996) contribution to *Advocacy in the Classroom* edited by Patricia Meyer Spacks. In a chapter, Mulcahy discusses the case against Turner and how it relates to the theoretical conception of academic freedom, the work of Sidney Hook, and the related ideological positions of the AAUP.

Biddle's (1951) *The Fear of Freedom* describes the nature of fear as it relates to multiple forms of freedom in American society. One chapter is devoted to the freedom of teaching and research, and creates a discussion around Turner. Biddle compares the Turner case, along with his interaction with Bowman, to other freedom cases and the ways in which fear results in administrative action.

3.5.2.2 AAUP Bulletin

In 1934-1935, the American Association of University Professors chose to investigate the situation at the University of Pittsburgh and what was happening to professor Turner based on a request from Turner himself. For their part, the dispatched AAUP representative prepared a report for Commission A discussing the situation between Turner and Bowman. The Committee consisted of Professor Ralph E. Himstead (Syracuse University), Professor A.B. Wolfe (Ohio State University), and Professor James B. Bullitt (University of North Carolina). This bulletin contains descriptive insights into the conditions at the University in the middle part of the 1930's. The committee also describes in detail the history of Turner's time at the University prior to his dismissal.

3.5.2.3 Papers Of Chancellor Bowman

The writings of Chancellor Bowman are especially vital to the discussion of the Turner case. Located in the University of Pittsburgh's archives, the collection of boxes and papers on the Turner case are numerous. The papers provide the reader with the opportunity to explore

Bowman's thought pattern at the time, as well as the inner-workings of the University during a difficult period of growth and change. The Turner case impacted the Bowman administration as his papers clearly demonstrate his desire to maintain a strong centralized University dedicated to order and maintenance of proper etiquette. While the prepared AAUP report discusses the behavior and demeanor of Bowman at the time, the papers prepared by Bowman himself offer a full and detailed description of his views.

Additionally, the Bowman papers serve as the official University written documentation of the event. The papers discuss the complete list of events as they relate to Turner and the procedural manner in which they were approached. Beyond these records, the University houses no other documents related to the Turner affair or descriptions of transpired events. No official record of the events could be found from the view of Turner himself. With the two primary individuals in this case, having one first hand account of the event presents a unique, though biased, view of this historical event.

3.5.2.4 Articles By Mulcahy

Richard Mulcahy wrote many articles related to the Turner and Colodny cases, and his work will be used extensively in both events. Mulcahy, a professor of history and political science at the University of Pittsburgh, Titusville, wrote varied pieces regarding each case over twenty years. During his graduate work at the University of Pittsburgh, Mulcahy created the unpublished document *The Turner and Colodny Cases: A Comparative Study in Academic Freedom and Power at the University of Pittsburgh*. His work traces the historical origins of the Turner and Colodny cases. Additionally, the intricacies and pertinent individuals in each case are also described. In the end, Mulcahy reaches some conclusions as to the way in which each case was decided. His findings center on what made each case distinctively unique and describe what

conditions led to their eventual conclusions. While Mulcahy's work leaves some unanswered questions, his theoretical framework and design are of importance to this work and serves as a foundation from which it is derived.

In addition to this particular piece, there are also published articles that Mulcahy created separately about the Turner and Colodny cases. In respects to Turner, Mulcahy's (1986) *The Dark Side of the Cathedral of Learning: The Turner Case* offers a description of the Turner case as it is connected to the growth and construction at the University. Mulcahy operates from the framework that strongly implies that the Cathedral of Learning's construction, along with the pursuit for capital, created a sterile academic environment where the actions of Turner (and many others), simply would not be tolerated (Mulcahy, 1986). Mulcahy highlights the leadership and wealth structure of the city of Pittsburgh during this period as well as the membership of the Board of Trustees of the University. Mulcahy finds that while the Turner case impacted the University during this time, its lasting effect on the status of academic freedom for the institution was ultimately enhanced for the better given the events that transpired (Mulcahy, 1986).

3.5.2.5 Newspapers and Periodicals

The three primary newspapers during the middle part of the 1930's (*Pittsburgh Press*, *Pittsburgh Post-Gazette*, and *the Pittsburgh Sun-Telegraph*) all offered ample descriptions of Turner and his dismissal. These accounts will be used to describe both the detail of the events at the University prior to the Turner affair and the chronology of his termination from the University. Through the use of these sources, a distinction will be made in the coverage by the three different news outlets and their treatment of Turner, Chancellor Bowman, and the University in general during this event. When available, some discussion of other local news sources, and national news

services like the *New York Times*, will also be used to further elaborate the particulars of the Turner case. Additionally, articles concerning the Turner case from the *Nation*, *Forum and Century*, and the *Journal of Higher Education* will be analyzed.

3.5.2.6 Unpublished Turner Speech

Another item of discussion, perhaps one of the central pieces to the Turner case, are Turner's writings and research. Of particular importance is a 1934 speech Turner gave to the Western Pennsylvania Historical Society. Titled "*History in the Making in Western Pennsylvania*", it discussed the motivation and psychology behind those most influentially involved in the economy of that region. As part of Turner's main thesis, the question of power relation, finance, and social control are discussed in depth. In the advancement of the case to dismiss Turner, this lecture became the tipping point for Turner's eventual termination. Contained within this speech is Turner's clear disdain for the financial giants of the region, his pro-labor stance, and his skepticism regarding the theories of classical liberalism.

3.5.3 Robert Colodny Case

3.5.3.1 Books

Similar to the Turner chapter, the University history compiled by Alberts is used extensively. In his book *Pitt: The Story of the University of Pittsburgh 1787-1987*, Alberts (1986) addresses the case against Colodny in the context of the University's new aspirations under the leadership of Chancellor Litchfield. Alberts addresses the unique nature of the public reaction in the case against Colodny. His work chronicles the number of editorials that appeared in the competing news sources, and the University's position to the public and its political reaction. Alberts also

discusses at length the role of Chancellor Litchfield and the enormous financial cost the University was burdened with defending Colodny. Unlike Alberts' approach to Turner, he gives more space to Colodny's case and discusses the case in a more isolated format. In his treatment of Turner, Alberts' discussion takes place in a larger context of University growth and the attention given to Chancellor Bowman. However, for Colodny, the historical analysis is placed almost entirely on Colodny himself and the issues germane to his case and not the greater plight of the University.

A brief, yet telling description of Colodny's experience, exists in Griffin Fariello's (1996) *Red Scare: Memories of the American Inquisition*. Fariello's approach is that of an oral history, and his piece uses historical records, and the insights of Colodny to create a full understanding of events. This historical study is of significance given the responses of Colodny himself that are contained within this work.

3.5.3.2 Local History Articles

Local history is once again an area of focus, this time for an understanding of the Colodny case. The contributing work of Richard Mulcahy is important here, which is similar to the Turner case. Mulcahy's *Robert Colodny and the Pittsburgh Renaissance: A Study in Local McCarthyism* offers an interpretation of the events played against the backdrop of the Pittsburgh Renaissance and the leadership of the Democratic Party in the early 1960's. This historical study offers a more complete picture of how the leadership of David Lawrence and the Democrats in Pittsburgh, along with the proposed expansion of the University created an environment in Pittsburgh where the University was seen rather unfavorably. Additionally, Mulcahy's (1984) graduate thesis *The Turner and Colodny Cases: A Comparative Study in Academic Freedom and Power at the University of Pittsburgh* is again used in the Colodny section. This thesis is used

for its initial findings that relates to both cases, then expanded upon through the use of further comparison and more social historical insights.

Colodny's (1990) personal insights are contained within *An American Dark Age: Echoes and Memories*. Colodny prepared this book review for Bud and Ruth Schultz's (1990) *It Did Happen Here: Reflections of Repression in America*. While reviewing this book, Colodny described his personal experiences and inquiry into his activities. Colodny discusses the specifics of the inquiry he endured and the type of judgmental questioning he was subjected to by his accusers. Colodny's insights are critical to this piece, as he had created a chronology of his life and the Post World War II political climate that produced such anti-communist charges in the academy.

3.5.3.3 Local Newspapers

The 1960's would see the demise of the three main newspapers in Pittsburgh. The *Post-Gazette* purchased the *Sun-Telegraph*, and the *Press* and *Post-Gazette* were left to vie for readership for a short time during the first part of that decade as the only two papers in the city. Reports of the Colodny events were carried by both outlets, and the two houses were geometrically opposed to one another on the issues related to Colodny. In its publications, the *Press* began the coverage on Colodny controversy with reporter William Gill's first claims of Communism at the University (the *Post-Gazette* took the opposite stance on the Colodny case, and the *Post-Gazette* offered coverage of the case in much different form than did the *Press*). Shortly after this time period, the *Post-Gazette* would become the sole newspaper in the city. The debates that occurred within the pages of the *Press* and *Post-Gazette* during this period speak to the contrast of political views among the citizens of Pittsburgh during this time period.

3.5.3.4 Papers Of Chancellor Litchfield

The leader of the University has a prominent role in the Colodny case as well. Litchfield, very much the opposite of Bowman, provided the forum and conditions for the investigation into Colodny in a different manner. The Litchfield papers contain the communications related to the affair, information from the department of history related to Colodny, and the findings of Litchfield's appointed Powers Commission that investigated the claims against professor Colodny. Also included are Litchfield's dealings with the legislative branch of Pennsylvania's government. The documents contain important information that describe in context what occurred when Colodny's investigation moved beyond a mere local matter and became a more prominent issue.

3.5.3.5 Robert Colodny Papers

Housed at the archives of New York University are the collective papers of Robert Colodny. While the majority of these papers are dedicated to Colodny's involvement in the Spanish Civil War (though Colodny described it as the Spanish Conflict, a matter of concern to him, it will be referred to as a Civil War for the sake of creating a common understanding) and the Abraham Lincoln Brigade, several boxes contained Colodny's personal collection of items from the University's inquiry. While the newspaper clippings, journal entries, and testimony of Colodny is discussed in other areas of this literature review, it is important to note here that numerous personal communications related to the investigation are also contained in this collection. Colodny kept correspondences with other academics, writers of editorials, reporters, and University officials regarding his case; all are contained within his archived papers. Wherever prudent, these communications will be used to describe the series of events and the post-resolution period for Colodny.

3.5.3.6 Investigative Testimony By The Powers Commission

In March, 1961, Colodny was called to testify in regards to his background and affiliations as it related to the current controversy. The Powers Commission was working along side the appointed legal firm of Eckert, Seamans, and Cherin. What began as an investigation to gain further information on the past association of Colodny became substantially different by the time of the Commission's interrogation (a word they chose for the fact finding work they were appointed for). The intent of the Commission may have been investigative in its formation, but the recordings of the proceedings read much more prosecutorial in nature (Powers Commission, 1961). This testimony, coupled with Colodny's reflections later in life, will be discussed at some length in the Colodny chapter.

3.6 DATA SELECTION

In gathering and assigning weight to each of my data sources, I have created a system for data review based on the work of W.H. McDowell (2002). McDowell uses a descriptive and lengthy approach to historical documents, some of which are not applicable to this study. For this reason, a version of this approach is used. Each data source will be reviewed with the following procedures:

- What is the origin and age of the material?
- Who has written the material?
- What biases and/or errors might exist in this material?
- How does this material compare to similar material on the same subject?
- For whom is the material written?

- How does the material relate to, or enhance, understanding of the Turner and Colodny cases?

3.7 APPROACH TO ANALYSIS

Each case will be described in its full historical context. The conditions, challenges, insights, and eventual conclusion of each case will be described using the sources previously discussed. In addition to the formation of an historical understanding, I will also describe how each case relates to common understanding of academic freedom. For this portion of analysis in each case, I will use the AAUP's *1940 Statement of Principles on Academic Freedom and Tenure* as the baseline for a discussion on how the case relates to academic freedom, with attention exclusively placed on the academic freedom portion of this statement. The statement features three parts:

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they

should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution. (AAUP.org)

At the conclusion of my study on each case, I will describe in what ways the case connects to the three distinct parts of this statement.

After examining each of the two cases, I will compare and contrast the ways in which the two cases are similar or differ in relation to events and connection with academic freedom. The study acknowledges that the two cases happened at different times in the history of Pittsburgh, so the comparison of individuals will focus less on who they might be and more on the roles that they played during both events. With respects to organizations or associations, the comparison does not seek to compare preset groups for both cases, but rather groups that became active during the events and made themselves known. For example, the AAUP played a prominent role in the Turner case, but its activity in the Colodny case was much less involved and entirely localized. The media outlets are compared by the their public responses and handling of events and no attempt to compare their behind-the-scenes thinking is performed. Finally, the two men are compared for their handling of the events. In regards to Colodny, his writing can be used for comparisons; a self-reflection by Turner does not exist to offer the same insight. For the most part, then, the comparison is done with respect to their public reaction to the events. The questions guiding the comparison of the cases are:

- (1) How did the University respond to each case?

- (2) What were the community reactions, as seen through the news sources, to the events that transpired? Can an impact of this reaction be related to the eventual outcome of the case?
- (3) In what way did local politics play into both cases?
- (4) How did the public response of each man differ in his handling of events/accusations?
- (5) What key factors may have led to the eventual outcome of each case?

3.8 CONCLUSION

The research approach, sources, and approach to analysis are discussed at length in this chapter. The chapter intends to offer the reader my perspective of my approach towards this study, and how I came to study the matter. Through the use of quality sources, the use of a sound model, and the development of relevant questions as to the relations of these two cases, a model is presented here to describe the way in which the two primary cases of academic freedom at the University of Pittsburgh will be examined. This methodology will use comparative, localized history to describe the way in which academic freedom was challenged by using an historical case study model during 1934 and 1961.

Through the proper use of this method, the case of Ralph Turner and Robert Colodny is presented here. The significance of the two cases, their individual challenges faced by Turner and Colodny, and the reaction of the University and Pittsburgh community are all presented and described. The study demonstrates that both cases impacted the University and serve as important historical markers of scholarship and leadership.

4.0 THE DISMISSAL OF RALPH TURNER

4.1 BACKGROUND

During the 1930's, the University of Pittsburgh found itself in a period where physical expansion and enrollment growth were needed to support the University's goal to be nationally recognized. By 1934, Pitt had seen its enrollment decline¹⁰ over the previous five years and their physical expansion stalled, creating a fragmented campus without a central focus (Bowman Files, "University of Pittsburgh Enrollment", 1934). Chancellor John Gabbert Bowman had hoped that his planned Cathedral of Learning project in the Oakland section of Pittsburgh, and growth of student enrollment would fuel further support, but both hopes were being challenged given a low level of community support and the prevailing economic depression. It was well known that Bowman, chancellor since 1921, desired to improve the University's reputation, as well as its fiscal stability (Alberts, 1986).

In order to accomplish these goals, Bowman reshaped several rules that related to the University's faculty, and created a strong hierarchical system of oversight and the beginning of his tenure in 1921 (Spacks, 1996; AAUP Report, 1935). Bowman changed the rules for faculty

¹⁰ During the 1930-1931 academic year, the University had achieved their highest enrollment since the turn of the century, 14,342 students. That number steadily declined annually for at least the next four years. During the 1934-1935 academic year, the number of students had fell to just above 10,000 (Bowman Files, "University of Pittsburgh Enrollment", 1934).

appointment during the early part of his tenure primarily to save the University money in difficult economic times (AAUP Report, 1935). In doing so the practice of tenure was removed and faculty operated on yearly contracts that were either renewed or non-renewed on an annual basis depending on budgets and enrollments (AAUP Report, 1935). Bowman's system of faculty retention was largely inconsistent and unpredictable. Faculty members could be retained given their role as family men, or they may be non-renewed based on their teaching ability or bachelor status. Years of service to the University may or may not have played a role in the University's process for retaining faculty members, and a common application of retention rules was not secured (AAUP Report, 1935).

It was in this environment that the termination of history professor Ralph Turner took place. Turner was not new to the University, having arrived in 1925 (Spacks, 1996). By 1927, Turner was promoted to associate professor and was voted the most popular professor in the College by students in the senior class of 1932 (Alberts, 1986). Turner spent a majority of his time teaching a freshman course¹¹ in history until 1933 when he took on several other courses including a course in English History (AAUP Report, 1935). During his tenure at Pitt, Turner reported that he received a minimal number of complaints, mostly related to his discussion of evolution, and some related suggested affiliations he might have kept outside the classroom with labor organizations (AAUP Report, 1935). Turner agreed not to maintain any affiliations that might cause the University harm and did so until the 1932-1933 school year when he became

¹¹ This introductory survey course would be the topic of much discussion regarding events of Turner's termination. Turner asked early to be removed from the course, suggesting that freshmen students would struggle with the content and that he wished to pursue deeper historical questions. Each time Turner requested to be relieved of this class he was denied (AAUP Report).

active in the Pennsylvania Security League,¹² an affiliation he saw having no conflict with his position or his scholarship. Turner's activity in the PSL was viewed unfavorably by his superiors at the University and he was only renewed for the 1933-1934 academic year on the condition that he quit the organization (AAUP Report, 1935). Professor Turner operated during the 1933-1934 academic year without incident and was reappointed in May of 1934. However, Turner soon found that this reappointment was rescinded and he was informed of his non-renewal¹³ in June of 1934.

Following his non-renewal, the University and its chancellor faced a great deal of scrutiny from the local press, politicians, and labor groups. Questions arose immediately as to whether Turner's dismissal was truly based on Bowman's assertion that Turner's, "...flippant attitude toward religion and his ridicule of students known to be religious," or the University's quest for harmony as it sought capital for growth of its physical plant (Alberts, 1986). In the months following Turner's dismissal these and other questions would challenge the University at a time when the direction and vision of the institution was being highly scrutinized.

4.2 THE UNIVERSITY PRIOR TO THE TURNER CASE

In order to understand the non-renewal of professor Turner, especially from the perspective of

¹² The Pennsylvania Security League worked for large-scale social causes in Pennsylvania in the 1930's. According to Alberts (1986), the issues that the league sought to advance were, "...unemployment insurance; old age pensions; adequate relief for the poor; minimum wages for women and minors; and abolition of child labor, sweatshops, and 'starvation almshouses'.

¹³ This chapter will use dismissal, non-renewal, and termination as it relates to the Turner case. The AAUP report published in 1935 uses the same approach using the terms interchangeably. Chancellor Bowman never took issue with the terms being used collectively to represent the action against Turner, this document will follow that same logic.

Chancellor Bowman (the official position of the University), it is necessary to describe the events that both immediately led up to, or connected with, the dismissal of professor Turner. Bowman had arrived at the University in the early 1920's with plans for expansion and growth in the Oakland area of Pittsburgh, hoping to move the campus to one central location rather than the multiple locations it had at the time (Alberts, 1986). The type of vision Bowman possessed, however, was nearly unattainable given the state of the institution during this period both in terms of economics and public perception. In the beginning of his tenure, Bowman proposed to A.W. Mellon¹⁴ his idea for University growth in Oakland and his proposed Cathedral of Learning. The Cathedral of Learning would be an enormous academic building, serving as the beacon for all University of Pittsburgh students and the city. Bowman made an appeal to Mellon for funding, his estimate for the completion of the project would be \$11,000,000 (Alberts, 1986). Bowman's estimate was an astronomical sum, the University had been plagued by debt since Bowman arrived¹⁵ in 1925.

Part of Bowman's plan was to construct a monument to the city that it could take pride in and support. The plan was to construct a shrine for the children and citizens of the city; a symbol of Pittsburgh pride (Alberts, 1986). Bowman was able to secure the financial support of the Mellon brothers after a reasonable amount of pressure was applied by the Chancellor. The Chancellor was able to secure financing and the donation Frick Acres from the Mellon brothers,

¹⁴ Mellon, and his family, represent a large body of wealth in the Pittsburgh area during the time period of the Turner ordeal. Mellon, along with his brother Richard, wielded significant influence with their large fortunes. A.W. Mellon was banker, industrialist, and U.S. Secretary of the Treasury. Likewise, his brother Richard was a wealthy industrialist with wide influence. The brothers, and the Mellon family at large, were polarizing figures during the 1920's and 1930's.

¹⁵ From the files of Chancellor Bowman, the AAUP Report, and state investigation into the Turner case, the estimated of debt of the University at the time was about two million dollars.

but despite the substantial gains by Bowman, the Cathedral project was still sitting in limbo at the beginning of 1930's (Alberts, 1986). Time magazine described the building in 1935 (when discussing the Turner case), as the, "exterior is done but whose interior awaits the raising of more millions " (Education: Tower of Trouble, Time Magazine, 1935). This was the status of the project even after considerable fundraising that included major financial donations from some local, affluent citizens, and community driven capital campaigns (Education: Tower of Trouble, Time Magazine, 1935).

Bowman's fundraising and visions of expansion were in jeopardy during the late 1920's and early 1930's because of the staggering amount of capital needed, and a series of controversial events that included Turner's dismissal. Chancellor Bowman first experienced difficulties on campus with a University approved organization known as the Liberal Club that was active at the institution since 1929. The initial incident that attracted the greatest ire of the Chancellor, and drew attention from the community as well, occurred when the organization attempted to use the University's facilities for meetings where they could discuss liberal causes. These were activities that the University had not approved when permission was granted to use the campus facilities. Included in these meetings were the organization's discussion and protest of the politically charged Mooney-Billings case¹⁶ (Alberts, 1986). When the Liberal Club

¹⁶ In 1916 Tom Mooney and Warren K. Billings were tried and convicted of the Preparedness Day parade bombing that occurred in San Francisco. It was felt by many that the charges and convictions against the men were false (see *The Story of Mooney and Billings*, 1928; *A Heinous Plot: An Expose of the Frame-up System in the San Francisco Bomb Cases Against Billings, Mooney, Mrs. Mooney, Weinberg and Nolan*, 1917). Mooney and Billings were still jailed in 1929 during the Liberal Club incident at the University. They would both eventually be released from jail after serving substantial periods of time.

intensified their protests and attempted to have Harry Elmer Barnes¹⁷ speak on campus, and then subsequently meet on campus again shortly following his discussion, the University lashed back expelling three students for their involvement with the organization (Alberts, 1986). Bowman and his administration received numerous negative reactions from the community for their handling of the issue. The Chancellor and his administrative team were able to handle the events internally and the view from outsiders was that the events were somewhat isolated and not cause for major concern.

The University was again publicly criticized in 1932 when General Douglas MacArthur¹⁸ spoke to the student body. Students who made signs protesting the presence of the general were arrested, jailed, and fined¹⁹ (Alberts, 1986). While all the protesting students were eventually cleared of any wrong doing, the press described this as just another negative event at the University. Despite the disapproving feedback, the University pressed on with its hard-line, conservative approach, including an adopted loyalty pledge required for incoming students in the fall of 1932 (Alberts, 1986). This strict application of rules and regulations was not just reserved for incoming students, the faculty of the University were under heavy scrutiny as well. This scrutiny suggested that the University would maintain a strong central operation and push individual rights of faculty and students to the side in order to maintain harmony and a positive

¹⁷ Barnes was well known scholar from Smith College and was in town for an unrelated event. His discussion of the Mooney-Billings case was very well attended, though he was forced to speak off campus (Alberts, 1986)

¹⁸ As Alberts (1986) accurately points out, MacArthur arrived at campus as a war hero (reputation still in tact), this was prior to the events that took place at Anacostia flats and the Bonus Army where MacArthur used military means to evacuate members of the Bonus Army from the area of Washington D.C.. Several veterans were killed during these events, creating a negative image of MacArthur for many American citizens.

¹⁹ The series of events described by the students and the administration contradicted each other. Although the students were eventually exonerated, the appeals judge who heard the case from the students strongly criticized the University for their handling of the situation (Alberts, 1986).

public image.

4.3 TURNER'S BACKGROUND

Turner's time at the University had been relatively peaceful since his arrival in 1925. He arrived at the institution having been educated at the University of Iowa and published a textbook *America in Civilization* (A.A. Knopf, 1925) (Alberts, 1986; Mulcahy, 1984). Turner advanced at the University and moved from assistant to associate professor by 1927 (Alberts, 1986). His courses he offered had high attendance even though they were not required for many students, evidence of his popularity and teaching ability (Alberts, 1986).

Turner's record at the University from his arrival in 1925, up until 1934, contains no mention of any incident²⁰. He had reported (during the investigation into his termination to both the AAUP investigation team and the state investigation team) that the University was not pleased with his inquiries into the Liberal Club incident, but this was a common dissatisfaction that was experienced among several faculty members throughout the College, not a unique experience to Turner (AAUP Report, 1935). Turner relayed to the AAUP investigation team that over the course of his tenure at the University, where he had taught over 2,900 students, he had only received six complaints related to his teaching (AAUP Report, 1935). While administrators said the number was slightly higher, the complaints in question all dealt with Turner's discussion

²⁰ The official papers of John G. Bowman contain no specific mention of Turner until a discussion of his dismissal was described in considerable detail. Moreover, no files addressing his behavior or teaching is available prior to this event.

of religion and evolution²¹ and a claim (that would later be proven erroneous) by the Sons of the American Revolution²² that Turner had attended a Friends of the Soviet Russia meeting (AAUP Report, 1935). Beyond these events, however, Turner served without any significant incident until his involvement with the Pennsylvania Security League, of which he became the chairman in 1933. The Pennsylvania Security League, an organization that pushed for social change, could be viewed as a supportive organization for New Deal politics during the Franklin Roosevelt years. Alberts (1986) describes the organization as a group of concerned community activists:

...which worked to enact a legislative program (written by Turner) for such radical causes as unemployment insurance; old age pensions; adequate relief for the poor; minimum wages for women and minors; and abolition of child labor, sweatshops, and “starvation almshouses.” The league distributed *Black News*, a one-sheet paper that recorded the attitudes and votes of assemblymen on such measures. (Alberts, 1986, p. 149)

Turner’s involvement caused some concern for University officials, but after a brief discussion regarding his association with the organization Turner quickly relinquished his position and ended his direct involvement with the organization. This move on behalf of Turner was viewed favorably, and Turner felt that having done so his position at the institution would not be at risk

²¹ These complaints regarding evolution stemmed from Turner’s approach to the introductory course mentioned previously. The AAUP said in their report that Dr. Turner’s continuous assignment to this course, even though he requested not to be, created an environment where controversy was probable. They stated that had Turner been discussing matters with more seasoned students in the University, no cause for alarm would have happened. Turner, however, was discussing religion with first-year students many of whom had not been exposed to a contrary view of religion.

²² The Sons of the American Revolution are an organization that supports with zeal the tenets of American freedom and patriotism.

in the future (AAUP Report, 1935).

4.4 TURNER'S DISMISSAL

During the year after relinquishing his Pennsylvania Security League post, 1933-1934, he was, "...given assurance by administrative officers that his position was no longer in jeopardy" (AAUP Report, 1935). He was further assured that he, "...had played the game and lived up to his promise not to engage in outside activities" (AAUP Report, 1935). Although Turner was assured by Dean Sieg and Chairman Oliver that his position was secure, those assurances were quickly challenged.

On May 9, 1934, Dr. Turner was notified of his renewal for the 1934-1935 academic year and taught the two week pre-summer session that ended the day before he was suddenly informed of his non-renewal, June 29, 1934 (AAUP Report, 1935). Professor Turner was informed of his non-renewal by department chairperson John Oliver, who offered no explanation for the reversal of his contract status; Dean Sieg, head of the College, offered Turner the same lack of specifics regarding the status of his employment (AAUP Report, 1935; Alberts, 1986). Mulcahy (1986) describes Turner as being 'shocked' by the course of events, and writes that Sieg eventually told Turner that, "...if he wanted the full story, he would have to see Chancellor Bowman" (p. 37).

Without any clear explanation from his immediate supervisors, yet based on their recommendations, Turner sought to meet with Chancellor Bowman directly to understand the reversal of his renewal. The two men met on July 5, 1934 to discuss his status with the University. Turner was primarily interested in knowing what occurred during the time of his

reappointment until June 30 that would result in his dismissal (AAUP Report, 1935; Alberts, 1986). The AAUP Report states:

On July 5th, Chancellor Bowman and Mr. Turner, at the latter's request, met in conference. Mr. Turner said that he raised the same question with the Chancellor that he had raised with Dr. Oliver and Dean Sieg, "What happened between May 9th and June 30th to cause my dismissal?" He said the Chancellor replied, "Absolutely nothing." He stated that he then asked "What did cause my dismissal?" and the Chancellor, speaking very slowly then said, "The University can carry on its policy better with you away from here," and added "There is discontent in the community." The Chancellor was then asked among whom there was discontent and the Chancellor again speaking slowly said, "The Board of Trustees is a group of business men and among them there is a good deal of discontent." Mr. Turner's next question was, "Among what other group in the community is there discontent?" He stated the Chancellor said, "Turner, I want to talk to with you as a friend." Mr. Turner told the committee that he replied, "No, Dr. Bowman, this is official. Dr. Olive and Dean Sieg referred me to you for an official explanation and I want it." After a long silence he said, the Chancellor stated, "It is not politics" and said nothing more. (AAUP Report, 1935)

Turner then supplied this sequence of events to the AAUP investigative committee, but the version provided by Bowman was quite different. He described Turner as being in an 'emotional state' and unwilling to listen to the reason that Chancellor Bowman could, and was willing to, offer during their conference (AAUP Report, 1935). In the days that followed the meeting between Turner and Bowman, the matter took new shape and the main news sources in Pittsburgh offered a full description of the events.

4.5 NEWS COVERAGE AND PUBLIC REACTION

Turner's termination did not receive coverage until July 5, 1934. The initial article by the *Pittsburgh Press* stated the facts in the case and raised the question of whether or not Turner had been 'fired' (Pittsburgh Press, July 5, 1934). In the days that followed, similar articles would be published in both the *Press* and the *Post-Gazette*. For the most part, the articles focused on Turner's comments. His comments to the *Post-Gazette* asserted that his rights had been violated and questioned the extent of Bowman's authority (Pittsburgh Post-Gazette, July 6, 1934). He also claimed that his dismissal was related to local business interests. In the July 6, 1934 issue of the *Pittsburgh Sun-Telegraph* Turner blamed the 'Mellon-Grundy machine' for facilitating his dismissal.

Apart from Turner's direct comments, the feedback from politicians began to be published in the local press. Both David Lawrence and Gifford Pinchot made comments on the state of the University at the same time. Lawrence, specifically, stated that financial support could be halted altogether if matters did not improve at the University (Pittsburgh Press, July 6, 1934). Similar comments regarding financial backing were made by Pinchot and Lawrence in the days and weeks that followed, all of which eventually led to the Commonwealth's investigation into the University. Pinchot, the Republican governor, and Lawrence, the state Democratic chairman and future mayor of Pittsburgh, were on the same page with the Turner case, despite their political differences. Both men demanded answers from Bowman on what caused the Turner dismissal (Alberts, 1986).

The overall public reaction was not extensive, mostly the reaction was isolated to politicians, students, alumni, or colleagues of Turner. It was not until the July 14, 1934 issues of the *Press* that a significant number of community members commented on the issue. Of those

comments, they remained mixed and cautious. The matter, it seemed, was much more of an issue to those directly related to the events than to those in the community who were not connected to the University in some manner.

4.6 FALLOUT FROM THE TURNER DISMISSAL

The meeting between Turner and Bowman caused Turner great distress, and he wrote an extensive follow-up letter to Bowman in which he asked further questions and recorded the highlights of their conversation. Turner was determined not to let the matter go and persisted on further answers. It was at this point that he contacted the AAUP regarding his situation at the University and began questioning the motives and nature of his dismissal.

Bowman offered no public comment on Turner's dismissal, which had begun to garner attention in the local press. Bowman remained silent for some time until Pennsylvania Congressman Henry Ellenbogen, a Democratic member of the U.S. House of Representatives and previous champion for the Cathedral project, demanded that the Chancellor explain at length the reason behind the dismissal of Turner. Bowman's letter to Ellenbogen stated that Turner's attitude toward religion, mainly sarcasm and ridicule, were not consistent with the expectations that the University had for scholars (Bowman Files, "Bowman's Letter to Ellenbogen", 1934). Ellenbogen requests for information behind the dismissal were coupled with similar requests from local political heavyweights David Lawrence, future mayor of Pittsburgh and Pennsylvania Governor, and Gifford Pinchot who was then Pennsylvania Governor (Alberts, 1986). Pinchot was particularly aggressive in his attack (calculating Turner's dismissal was political in nature)

stating that, “If the Mellons [sic] want a school to teach their ideas, then let them support it. The Commonwealth cannot” (Alberts, 1986).

4.7 POSSIBLE REASONS FOR TURNER’S DISMISSAL

While Chancellor Bowman affirmed his position to Congressman Ellenbogen and Governor Pinchot that Turner’s dismissal related to his attacks on religion, it is merely one reason that historian Richard Mulcahy (1986) offers in *The Dark Side of the Cathedral of Learning: The Turner Case*, his examination of Turner’s dismissal. Mulcahy believes that apart from Turner’s comments regarding religion, his support of campus activities and his comments in local social settings all extensively contributed to his eventual dismissal. These three aspects, while not fully illustrated from the position of the University, will be discussed for their possible motivation in the non-renewal of Turner following the 1934 academic year.

Mulcahy documents the three troubling aspects that the Bowman administration had with Turner, his anti-religious behavior, campus support for liberal activity, and his public speeches/advocacy and how these factors contributed to his non-renewal. With respect to religion, Mulcahy outlines the comments made by students following his dismissal. According to student, Charles A. Rucks, “Turner compared baptism to a hog wallow, and he could turn a staunch Catholic boy into an agnostic in two years” (Mulcahy, 1986). Turner denied making such statements and the alleged complaints made to the College were never formally discussed with Turner. In addition, there was also a detailed discussion about a speech Turner gave in January of 1930 regarding religion titled, *Why Religion?* Notes from this speech, taken by

Kinley McMillan²³, became a part of the state investigation into the Turner dismissal²⁴. McMillan states that Turner compared religion to superstition, questioned the role of women in the church, talked about the erroneous representation of race in religion, and discussed the ills of institutionalized religion as it existed at the time (Bowman Files, “Notes of McMillan”, 1930). Turner’s views are represented as anti-religious in McMillan’s notes, as they should be according to Mulcahy (Mulcahy, 1986). Mulcahy illustrates that the comments made by Turner in this speech, and the others associated with this YMCA function, were part of a series of talks where Turner was asked to demonstrate the unfavorable side of religion (Mulcahy, 1986). Turner’s position and comments on religion received further attention as the investigations into the matter matured, this is especially evident in the complete report put forth by the AAUP investigative committee. The AAUP report discussed in detail Turner’s teaching assignment and how religion was connected to courses he was assigned. The report also clearly outlines that the nature of religion in class occurred repeatedly in the same freshmen survey course (AAUP Report, 1935). Turner had requested numerous times to be relieved of this course and the AAUP found that the discussion of religion in this course may have put Turner in a precarious situation (AAUP Report, 1935).

Second within Mulcahy’s speculations about Turner’s non-renewal was Turner’s previously mentioned support for some of the Liberal Club activities on campus. While the

²³ McMillan was, as the document from the Bowman file states: “at the time Student Pastor to the Presbyterian students under the Presbytery of Pittsburgh”. The notes were from a series of discussions (four in all) regarding religion sponsored by the YWCA. The discussions took place at the Heinz House.

²⁴ A copy of the notes taken by McMillan is housed in the Bowman files at the University of Pittsburgh Library. The notes appear to only highlight some of the comments made by Turner during a speech given in January of 1930. Notes from the other speeches, if there are any in existence, are not contained within the Bowman file.

official AAUP report downplays this series of events, and chooses to focus more on how Turner may have offended prominent University representatives, both in teaching and community activity, Mulcahy (and Turner himself) states that Turner's initial support of events might have made him an earlier target. As Mulcahy states about Turner's opinion on the reason for his dismissal:

Turner believed it lay in a faculty petition he signed and delivered to Bowman. Signed by fifteen faculty members, the petition asked the chancellor [sic] to reconsider his actions concerning the Liberal Club. According to Turner, this made him a "marked man," and all have believed this to be true...(Mulcahy, 1986)

The state investigative committee would later look into this claim made by Turner and determine the validity of such a remark as invalid. The comment itself shows that perhaps Turner had felt for some time that he was not in the good graces of the Chancellor, but if this was the case there was no official record of hostility on the part of the Chancellor towards Turner. It was not until Turner's service with the Pennsylvania Security League that Turner was questioned and cautioned in an official manner regarding his behavior.

Mulcahy's purposes that the final explanation for Turner's termination was Turner's public advocacy and speeches regarding the economic condition of Pittsburgh. This included Turner's activity with the Pennsylvania Security League with events that drew the ire of the upper administration. In his teaching role, Turner was cautioned a few times, but these caution were always considered 'friendly' and dealt with his discussion of evolution in the classroom (AAUP Report, 1935). These cautions, along with some other general complaints, were loosely documented and not addressed as 'serious' in nature and subsequently pushed aside. While there is no documentation of Turner drawing criticisms from Chancellor Bowman in his support of the

Liberal Club²⁵, the first event to draw attention to Turner from the Chancellor occurred when he was linked with a gathering of the Friends of Soviet Russia meeting (AAUP Report, 1935). Turner was erroneously listed as presiding over the meeting, a meeting that he agreed to attend based on the invitation of a student. Turner, however, was not at the meeting even though literature distributed regarding the event listed his presence. Turner was out of town in New York discussing the publication of historical textbooks (AAUP Report, 1935). Regardless, the Sons of the American Revolution wrote a letter of complaint to Chancellor Bowman expressing their discontent with Turner's behavior and association with such an organization (AAUP Report, 1935). Turner was cautioned in a 'friendly' manner and upon meeting the Chancellor at an annual faculty dinner offered his apology for the misunderstanding (AAUP Report, 1935). The Chancellor was quoted as saying, "Yes, you don't know how much trouble that incident caused" (AAUP Report, 1935). Though the Chancellor was described by many as being 'nettled' with his conversation and attitude toward Turner during this event, he did tell Turner to forget the matter (AAUP Report, 1935).

Perhaps the culminating event in Turner's dismissal, and certainly a hallmark of his outside activities, was a speech that Turner made to the Historical Society of Western Pennsylvania. As Alberts notes:

And on April 24, 1934, he made a speech at the Historical Society of Western Pennsylvania that he, later testified was the "last straw" that caused his dismissal. This lecture, "History in the Making in Western Pennsylvania," was never published...More

²⁵ Documents show that the Chancellor was not in favor of some of the faculty and their support for the Liberal Club and its student membership/activity. While the Chancellor may not have approved the actions of these faculty, the faculty members themselves were never called out in name in any official record that was obtained in this research.

clearly than any other document, it tells what Turner was thinking and saying in the spring of 1934 that caused so much trouble, and it reveals perhaps, something of his controversial classroom conduct. (Alberts, 1986)

The speech was a sophisticated argument against the rise of corporate power and domination in the American economy. Turner argued against the classic liberal approach to economics, and how, in such an ultra-capitalistic environment, a dominant group of entrepreneurs is created, able to suppress and manage those with less status. Turner copied the classic *bourgeois* versus *proletariat* argument, and suggested that in such economic conditions those without power, and essentially without freedom, become trapped in an unjust system. There is no doubt, especially in Pittsburgh during the 1930's, that those with financial power would find Turner's speech disconcerting. As Alberts points out, the Mellon's are never referred to by name but the characterization of them associated by Turner leads the reader to reason that he is most certainly speaking about their wealth and action in the Western Pennsylvania area (Alberts, 1986). Turner's speech labels those with such affluent wealth as destroying a culture of true progress and freedom. He stated that such conditions imposed by those in the dominant power structure negatively impacted the talent of others, retarded the idea of scientific progress, lessened the pursuit of good intentions, and corrupted the overall purpose of education and human exploration (Ralph Turner, *History in the Making in Western Pennsylvania*, Bowman Files, University of Pittsburgh Archives). The fallout from this paper hit Turner almost immediately. According to Alberts:

John S. Fisher, ex-governor of the state and president of the Historical Society, and several others who were present as this exegesis, were displeased, and they expressed their displeasure to the chancellor [sic] and to some of the trustees of the University.

(Alberts, 1986)

Turner was dismissed from the University shortly following this speech. Though Bowman would later contend that this event was not the cause of his dismissal, the speech itself has been examined in great detail in any discussion regarding the dismissal of Turner. While this series of events cannot be definitively linked as the motivation behind Turner's dismissal, they did create a sense of alarm and confusion about how faculty members at the University were being treated. In the months that followed the dismissal of Turner, the AAUP would send an investigative team to research the matter and obtain a more complete picture of Turner's dismissal. Furthermore, they wanted to gauge the health of academic freedom at the University and its relationship with the faculty.

4.8 AAUP INVESTIGATION

During the latter part of the summer of 1934, an AAUP Investigative Committee began its work in Pittsburgh researching the status of academic freedom at the University. The Committee's work was prompted by Turner's request to the AAUP, citing his personal experiences with the Chancellor, his dismissal from the faculty, and the violation of his academic freedom (AAUP Report, 1935; Bowman Files, 1935). The construction of the committee was delayed as Chancellor Bowman sought final approval of the committee's formation (AAUP Report, 1935). Bowman had dealt with members of the AAUP previously regarding academic freedom at the

University and the Chancellor deemed that investigative team unfavorable.²⁶ He sought a team that he approved and felt was objective. In the end, three members that Bowman approved were dispatched to represent the AAUP – Ralph Himstead, Professor of Law, Syracuse University (Committee Chairman), A.B. Wolfe, Professor of Economics, Ohio State University, and James B. Bullitt, Professor of Pathology, University of North Carolina (AAUP Report, 1935). The Committee researched the Turner case for nearly four months during 1934, making visits to the University of Pittsburgh campus in August and November, and maintaining extended correspondence during that same time period.

The report was finished in 1935 and appeared in the AAUP's Annual Bulletin. It began with a full account of events from the perspective of Turner himself and then offered the Chancellor the same opportunity. While the first part of the report concerned itself only with the dismissal of Turner, the second half examined academic freedom at the University from a larger perspective. In Bowman's portion of the report, he offers a more complete analysis of his reasons behind the dismissal of Turner – the most extensive remarks Bowman ever offered regarding the Turner case. He emphasized that Turner's dismissal was not based on his activities associated with economic policy or politics (AAUP Report, 1935). He did, however, state that he had received complaints from businessmen in the community regarding Turner, typically this would occur if the Chancellor was at the Duquesne Club (AAUP Report, 1935). Furthermore, he stated that he had not received complaints from the trustees in the Turner matter, even though most were among the financial elites of the city, and that Turner's attitude toward the economic

²⁶ The University had a general investigation into the faculty hiring and firing situation at the University near the beginning of Bowman's tenure. Bowman was left frustrated and untrusting after this experience, his general attitude toward the AAUP was not very supportive (Alberts, 1986).

conditions of Pittsburgh in no way contributed to his dismissal (AAUP Report, 1935). He also stated that Turner's dismissal was not related to the University's quest for capital to complete the Cathedral of Learning, though the investigative committee would differ significantly in their finding with Bowman on this particular assertion (AAUP Report, 1935). The AAUP documented Bowman's position on the Turner dismissal stating:

The complaints, he said, which caused him to dismiss Mr. Turner came from parents, ministers, and students, and were that Mr. Turner's attitude toward religion was flippant and sneering. He told the Committee that after a ministers' meeting he had been asked to address, several ministers had said to him that this man Turner was undoing all they were trying to do. A large number of such complaints had been brought to his attention, he averred, but they had all been oral and therefore he had no written evidence of such complaints received prior to the dismissal to show the committee. (AAUP Report, 1935)

For this reason, Chancellor Bowman could not provide any written documentation of complaints regarding Turner's behavior toward religion prior to July 7, 1934, two days after Turner had met with Bowman and discussed his dismissal, and several days following Turner's June 30, 1934 meeting with department chair John Oliver (AAUP Report, 1935). As the report states, most of the letters were written after July 10, 1934 when Chancellor Bowman had offered his first public comments on Turner's dismissal. The Chancellor described how he had been getting complaints about Turner's discussion of religion since his arrival on campus, though the frequency had been less over time, even so he dismissed Turner because his, "...patience at hearing complaints about religion had become exhausted..." (AAUP Report, 1935). Chancellor Bowman spoke on the matter further adding:

...that he had dismissed Mr. Turner not only because of a flippant and sneering attitude

toward religion, but because Mr. Turner sought to break down the faith of his students. The Chancellor stated that there were two qualifications which he insisted all professors should possess. They must be patriotic, and they must be reverent in their attitude toward religion. Mr. Turner, he said, did not have the latter qualification, and that was the sole reason for the dismissal. (AAUP Report, 1935)

Chancellor Bowman stated that he decided to dismiss Turner based on his anti-religious behavior and the complaints he had received, he told the AAUP investigation team that he had made the decision to release Turner prior to June 30, 1934. Bowman told the Committee that he brought the matter of Turner's dismissal to the Board of Trustees in March (where they approved the dismissal of Turner), but they decided not to make the matter public for two reasons (AAUP Report, 1935). First, the University had begun another capital campaign for the Cathedral of Learning and the Board of Trustees wished not, "...to be embarrassed by the undesirable publicity which they feared might be caused by Mr. Turner's dismissal"²⁷ (AAUP Report, 1935). Second, Chancellor Bowman stated that in delaying Turner's dismissal until after the end of the academic year, he was assisting Turner with further financial support. Dismissing him at that point would allow the Chancellor to pay Turner for the following year, although he would not be part of the faculty for the upcoming year (AAUP Report, 1935).

²⁷ For this reason, the investigative committee was confident that some connection between the raising of capital and Turner's dismissal were connected. The Chancellor would protest that this was not the case, but the Committee maintained its position in its final report on the matter.

4.9 AAUP'S COMMITTEE FINDINGS

The Committee reported their findings by outlining the feedback from the various groups who provided testimony. This included professors at the University, administrators, trustees, and students. The members believed that Turner's dismissal had been connected with the Chancellor's capital campaign, and that his negative views on religion did not contribute to his termination (AAUP Report, 1935). There was a split among the faculty interviewed by the committee as to whether the Chancellor was against those who shared anti-religious beliefs, or simply against those who did it in such a way that it might negatively impact the University (AAUP Report, 1935). The faculty was also skeptical that Turner was actually dismissed in March, and not at the end of the academic year. The Committee tried to verify the date of the actual dismissal from the minutes of the Trustees meeting, but no record could be found (AAUP Report, 1935). When the Committee spoke to the Chancellor regarding this, his comment was that, "...the action had been more or less informal and that would explain why it did not appear in the minutes" (AAUP Report, 1935). The President of the Board of Trustees reported to the Committee that he could not recall when the decision on Turner had been made, adding further confusion as to when the decision was officially approved (AAUP Report, 1935).

The testimony from the administrators, trustees, and students of the University was rather brief. The Committee only noted that the majority believed that religion was not the reason Turner was dismissed (AAUP Report, 1935). They, much like the faculty, felt that Turner's activities with economics and social causes were the primary motivations for the non-renewal (AAUP Report, 1935). The students the Committee spoke with shared similar reactions, that it was indeed Turner's stance and activities surrounding economics that eventually caused his dismissal (AAUP Report, 1935). The majority of students spoke highly of Turner and his ability

to inspire learning and a motivation to engage with material outside the classroom. The Trustees interviewed offered very little, stating only that they were not aware of who Mr. Turner was and tended to agree with the Chancellor on personnel matters (AAUP Report, 1935).

The Committee reported that they viewed Turner as an able scholar and educator, and that his personality and approach produced strong reactions. They felt that such reactions most likely had a negative impact on Turner during his time at the University by those in leadership positions. In particular, citing a specific event, the Committee chose to address the speech that Turner gave to the Western Pennsylvania Historical Society in April of his final year at the University. Discussing the speech, the Committee stated:

The Committee desires to comment briefly about his speech before the Western Pennsylvania Historical Society...His subject was, "History in the Making in Western Pennsylvania." He read this address, which was a scholarly presentation of his interpretation of the forces of industrialism and capitalism which have shaped the destinies of this great coal and iron region. The testimony concerning this meeting indicated that a considerable number of those in the audience were not used to critical historical analysis, were not expecting that sort of thing, and consequently had little difficulty in retaining their enthusiasm over his logic and conclusions. It seems that several prominent individuals including certain political personages were in the audience, and that they were more than a little irritated. The Committee has read the speech and can find nothing in it that need offend an open-minded person. But it was the wrong speech for that particular audience. It was an address better adapted to an audience composed of students of history. Whether Mr. Turner misjudged the character of the audience or simply neglected to adapt himself to it, the Committee does not know. There

is some testimony, however to the effect that his manner of address, characterized by his usual energetic positiveness [sic] -- easily misconstrued as combativeness -- augmented the irritation of those who disagree with the ideas he expressed. A large number of the individuals with whom the Committee conferred believe that this particular speech was a powerful factor in causing Mr. Turner's dismissal. (AAUP Report, 1935)

The speech, and the fallout in its aftermath were of some concern, but the Committee began their search into the Turner dismissal with the simple task of finding whether or not his termination was justified. On that sole matter, the Committee found (unanimously) that the grounds for the termination and approach to the termination of Turner was, "...an unjustifiable termination of his services," and that the actions of the University was taken, "...without any justification" (AAUP Report, 1935).

4.10 BOWMAN'S REACTION TO THE AAUP REPORT

A copy of the drafted report was sent to Chancellor Bowman in February, 1935. The letter from the AAUP office asked Chancellor Bowman to check the report for factual errors and to keep the report private until its eventual publications (Letter from W.W. Cook to Bowman, Bowman Files, University of Pittsburgh Archives). While the report was a carefully crafted piece on the conditions of academic freedom, with evidence suggesting that Bowman's reign was not at all pleasant, it made an egregious error that Bowman would take advantage of when dealing with the AAUP. In one passage the authors of the report speak regarding the city of Pittsburgh saying:

In the world of the existing Pittsburgh, with its extremes of riches and poverty, its unrelieved dirtiness and ugliness, its ruthless materialism and individualism, its irrepressible industrial conflicts, its lack of any integrating principle other than the sign of the dollar, the Chancellor moves with one immediate driving motive; to wring from the community the money essential to the development and support of the kind of university which his mind conceives as the ideal for this particular city. (AAUP Report, 1935).

Bowman seized on the language, characterizing the Committee as harsh critics of a fine community and releasing the draft to the *Pittsburgh Post-Gazette* the next day. Bowman's critique of the Committee's findings are recorded in full detail, as is a complete overview of the full report (Pittsburgh Post-Gazette, February 21, 1935). Alberts (1986) described this tactic as 'shrewd' and that Bowman's approach toward the report had shifted community reaction, noting a, "...noticeable swing of support and sympathy to the University as part of the public anger at the insult to the city" (Alberts, 1986, p. 152). Alberts also states that W.W. Cook was "shocked" by Bowman's approach of using a portion of the complete report without giving the complete context (Alberts, 1986). The AAUP went forward and printed the report in its annual Bulletin, though editorial changes were made to the passage that described the city unfavorably. The final report described the city in more favorable light and avoided the negative descriptors of the city (AAUP Report, 1935). Although Bowman had changed the conversation around the report, members of the legislative branch of the Commonwealth still sought to discover what was happening at the University. While Bowman pushed attention toward a few unflattering remarks, the largest part of the report still detailed Bowman's authoritarian rule and the University was scrutinized following the release of the report. For these reasons, the state investigated the conditions at the University in the spring of 1935.

4.11 STATE HOUSE OF REPRESENTATIVES INVESTIGATION

While the AAUP fully investigated the matters at the University, members of the state legislative branch were also concerned about the health of the institution following Turner's dismissal. Many of the politicians concerned were Democrats who had experienced a rejuvenation of power at the city, county, and state level. Keller's (1962) *Pennsylvania's Little New Deal* describes the new influence of the Democratic party in Western Pennsylvania, as well as statewide, during the elections of 1934. As Alberts (1986) states, several Democrats (all serving on the House Appropriation Committee) under the direction of University alumnus Eugene A. Caputo conducted what was viewed as a more transparent investigation where witnesses were called and interaction amongst the participants was encouraged (Alberts, 1986). The state team had limited backing and conducted an investigation that lasted for two weeks (Alberts, 1986). The process involved many of the same witnesses from the AAUP investigation, including Turner. While Turner's initial testimony was perceived positively by those involved, he included exaggerated details into the second part of his testimony which raised criticism. This area of dispute centered around Turner's assertion that any faculty member who supported the Liberal Club was 'marked'. According to Alberts, Turner claimed that all of the faculty who signed the petition supporting the Liberal Club were targeted and eventually dismissed (Alberts, 1986). Charles F. C. Arnsberg, the University's legal representative, however, showed evidence that of all the men who signed the petition only two were dismissed (Alberts, 1986). Further, Arnsberg provided record that a majority of those signers were actually promoted and honored by the University since the incident (Alberts, 1986). While Turner participated in his initial testimony, he never showed for his full cross-examination during the proceedings (Alberts, 1986). The reason for Turner's absence has never been adequately explained.

The findings of the committee were bland and non-committal in nature, choosing to take a soft position on all material matters. While they were supportive of how Bowman transformed the University, their findings regarding the Liberal Club and MacArthur incident were fairly neutral. They also found that they did not have enough evidence to rule either on the Turner matter or the state of academic freedom at the University.

The state investigation made no significant impact on the Chancellor or the University, in the end its findings were essentially a non-issue. Between the two investigations, it was only the AAUP findings that really created any reaction – the state investigative findings were far too neutral. Though the state investigation was weak, it is clear that the AAUP report negatively impacted the University to some degree, although the University and Chancellor managed to eventually escape relatively harmless. Only the matter of tenure haunted the Chancellor in the years following the Turner dismissal. In fact, it was not until Rufus Fitzgerald²⁸ took over as Chancellor in the decade that followed that the matter of tenure was put to rest and formally approved. Beyond that aspect, Bowman ignored the entire ordeal and much of the reaction it caused. Some years after the event, in 1940, Chancellor Bowman said²⁹ of the AAUP investigation and Turner controversy:

The officers of the American Association did not, in my opinion represent the membership of the Association. The officers I came in contact with were a radical group.

²⁸ Rufus H. Fitzgerald served as provost under Bowman before becoming chancellor in 1945. Fitzgerald served as chancellor for ten years following Bowman's tenure. Fitzgerald Field House, an athletic center on the Pitt campus, was named after him.

²⁹ Bowman's reaction was documented in correspondence with L.N. Duncan, the president of Alabama Polytechnic Institute. Duncan had dismissed staff members at his institution was facing penalties from the AAUP. He wrote to ask Chancellor Bowman about his reaction to the 'blacklisting' of the University of Pittsburgh and whether or not this label had caused any substantial injury to the University.

The outcome of the whole matter has been some unfavorable publicity but beyond that the effect is negligible. (Bowman Files, "Bowman's correspondence with L.N. Duncan", 1940)

The matter was of little significance in the eyes of Bowman, and it was only the AAUP work that really garnered any attention. The state's involvement in the matter proved to be without incident and the Bowman administration would work without any further interruption until later in the decade.

4.12 CONCLUSION

Three main events symbolize the tenure of Chancellor John Bowman at the University of Pittsburgh. The first was his ambitious and successful completion of the Cathedral of Learning. The second was his purification of the University's athletics and the resignation of Jack Sutherland³⁰. The final was the dismissal of Ralph Turner. The Turner case could not have happened at a worse time for the University, and the events that followed put many of Bowman's plans at great risk. For this reason, it is particularly evident that Ralph Turner was not dismissed from the University for his religious beliefs alone. Given that no letters of concern regarding

³⁰ Dr. John 'Jock' Sutherland was the most successful football coach in University history. He was pushed out of his position as head football coach at the University during a period of time where Bowman sought to regulate athletics and restore order with student athletes. This restoration, known as "Code Bowman", restricted the funds and scholarships for athletics, thus reorganizing what some thought was an untamed mess (Alberts, 1986). His quarreling with Bowman and official resignation took place shortly following the Turner case. Sutherland's resignation was viewed very poorly by both the community and, especially, the alumni who staged a series of protests (Alberts, 1986). His resignation was another indication that the operations of the University were autocratic and poorly planned.

religious discussion were received by Chancellor Bowman prior to July 7, 1934, and that the rates of complaints had actually decreased since Turner's arrival, made it highly unlikely that Turner was released on grounds of religious discussion alone. Rather, it is more likely that Turner was dismissed because he had offended affluent members of the community and had put the University in a precarious position while they were attempting to raise funds. Bowman's astute management of the case, however, placed him in a position to turn a public problem into sympathy for the University, and ultimately raise the capital needed for the massive building project.

For his part, Turner found continued success following the Pitt debacle. He continued to teach history at the University of Minnesota and American University, eventually becoming a full professor at Yale (Alberts, 1986). He also worked for the State Department and assisted in the creation of the United Nations Educational, Scientific, and Cultural Organizations (UNESCO) (Albert, 1986). Perhaps Turner's most lasting contribution, at least for the University, was the carefulness and caution that future administrators would exhibit when dealing with future faculty issues. It is clear, as Alberts (1986) illustrates, that in the administrations that followed Bowman, more prudence and respect was given to such matters. Furthermore, it can be argued that the issue of academic freedom at the University was advanced.

5.0 THE COLODNY CASE

5.1 BACKGROUND

From the beginning of the 1960's, the environment for academics was thought to have changed, not just at the University of Pittsburgh, but for faculty everywhere across the country. The McCarthy-style inquiries for Communists that had haunted the previous decade were supposed to have subsided. This was not the case according to many observers familiar with the situation at the University of Pittsburgh, who thought that the old tradition of hunting for 'Reds' within the academy were being rehashed in the case against Robert Colodny. The opening line of an October 1961 edition of *The New Republic* sums up the frustration and political nature of what was being charged against Colodny; it simply read: "It still happens" (Colangelo, p.13, 1961). Perhaps, as many thought at the time, the search for Communists amongst academics had not ceased and events of the past decade seemed to be continually reported.

In 1961, Robert Colodny was in his second year as a faculty member in the history department at the University. As Mulcahy (1992) and others have stated, Colodny came to the University highly regarded. He had earned a PhD in the California system at Berkley, was an established scholar, and was an American who had extensive worldly knowledge based on his experiences, travel and research efforts (Mulcahy, 1992). In addition to his background, he also came with a tremendous amount of support from his previous institution, the University of

Kansas whose Chancellor, Franklin Murphy, detailed in a letter to Chancellor Litchfield that the their loss was the University of Pittsburgh's gain, offering further evidence of support for Professor Colodny (Litchfield Files, "Colodny Case").

Largely because of his strong support and backing, Colodny was not viewed as a candidate ripe for controversy. Colodny worked at the University without incident for his first year, but during his second year his service came under scrutiny by the local press and some politicians. At the center of the Colodny case was the interview and alleged comments between Colodny and a *Pittsburgh Press* reporter, William Gill. After Gill published accusatory remarks against Colodny, he soon found himself labeled as a supporter of Communism, Communist political regimes, and with associations deemed to be Communist fronts. As a result of this report, Colodny went through a series of investigations, both locally and nationally, that would last throughout much of 1961.

5.2 PITTSBURGH PRESS ARTICLE

On Sunday January 15, 1961, the front-page of the *Pittsburgh Press* led with a middle column headline stating '*Agrarian Reform, He Says – Pitt Prof Compares Castro Cuba With 'Crucified' Spain Of 1930's*' (Pittsburgh Press, January 15, 1961). From the very first line of the piece Gill created a connection between Colodny and Communism, saying first that Colodny had, "...fought with the Communist forces in the Spanish Civil War..." (Pittsburgh Press, January 15,

1961). The accusation was connected to Colodny's service with the Abraham Lincoln Brigade³¹ during the Spanish Civil War, an organization that Gill describes saying that it, "...still tops the Attorney General's list of subversive organizations seeking to overthrow the United States Government by force and violence" (Pittsburgh Press, January 15, 1961). This point, like many others made by Gill during this piece, was done using parenthetical notations separated from the main text that appears to be taken out of context. In the article Gill further quotes Colodny as describing the events in Cuba as an example of 'agrarian reform', and then adds another note stating – "The Chinese Communist leaders were also portrayed as 'agrarian reformers' to the American public before China and its 600 million people fell to the Reds in 1949" (Pittsburgh Press, January 15, 1961). The sidebar notes that Gill inserted throughout the article were connected to Communism and how Colodny may be associated with the ideology, though it is not evident whether Gill or Colodny ever spoke about the claims that Gill made with these notes. Gill would use this technique throughout the article and shaped much of the conversation surrounding Colodny without expressly using the words of Colodny.

Additionally, Gill's article described Colodny as having Communist connections by questioning his support of the Sane Nuclear Policy Committee³², his employment by the

³¹ The Abraham Lincoln Brigade was a group of American volunteers who took up arms to defend the Spanish Republic during the late 1930's against the nationalist and revolutionary actions of General Francisco Franco. Colodny, like many of those Americans who served, saw Franco's brand of Fascism as detrimental to Spain's freedom and democracy. The Abraham Lincoln Brigade, as well as the Friends & Veterans of the Abraham Lincoln Brigade, did have some members who were Communists, thus the false assertion that all three organizations were Communist fronts or supporters following the end of the Spanish Civil War.

³² Throughout the entirety of the investigation into the background and associations of Colodny, the only association that he asserted he was unapologetically associated with was the Sane Nuclear Policy Committee. During this period of time, the Committee sought ways to control and limit the proliferation of nuclear arms (Powers Committee Transcript, 1961).

Mexican government³³ in the 1930's, and his name appearing on an advertisement for the Fair Play for Cuba Committee³⁴ (Pittsburgh Press, January 15, 1961). While Gill's mention of the Fair Play for Cuba Committee may be considered relevant, questioning Colodny's views on nuclear weapons and his employment situation after the Spanish Civil War did not relate to the discussion of Cuba. At the conclusion of the article, he again described Colodny's apparent connection to Communism based on the Spanish Civil War memorabilia that Colodny kept on display at his University office. Throughout the article, Gill describes events and his associations that loosely connect Colodny to Communism.

Gill's article made several claims that associated Colodny with Communist activity. In short, he alluded that: (1) Colodny was in some way connected to Communism given his service in the Abraham Lincoln Brigade, his work with the Mexican government, and his lack of opposition to events in Cuba; (2) that Colodny's historical views were skewed given his political allegiances and; (3) that Colodny was of questionable character given his views (Pittsburgh Press, January 15, 1961). Because of these accusations, Colodny, the University, local politicians, and community members would all be involved with the discussion of his employment and teaching. In the days following the article, the various parties would be involved not only in the local newspapers, but also through legislative means and community

³³ The Mexican government in the 1930's was under the leadership of president Lazaro Cardenas. In his article, Gill described this regime as 'pro-Communist'. Colodny lived in Mexico from 1939-1941 where he worked for the Department of Press and Publicity and the Inter-Allied Information Bureau.

³⁴ The Fair Play for Cuba Committee was formed in 1960 to end the United States sanctions against Cuba. On April 6, 1960, the Committee published a signed advertisement in the New York Times, professor Colodny's name was one of the signatures. Colodny would later say that he had not seen the advertisement prior to its publication and only supported the theory of the advertisement and not every statement made in the advertisement.

action. The article served as a catalyst for events that would transpire for months to follow and place Colodny and the University under scrutiny.

5.3 REACTION FROM JOHN T. WALSH AND OTHER POLITICIANS

By January 17, 1961, the article by Gill created a sharp political reaction. The heading of the *Press* states on that date, “*Pitt Prof Hit On Support For Castro*,” which describes the action of McKeesport representative, and McKeesport mayoral candidate, John T. Walsh. Walsh had introduced a resolution in Harrisburg, “...condemning the attitudes and policies of Dr. Robert Colodny history professor at the University of Pittsburgh” (Pittsburgh Press, January 17, 1961). Mulcahy (1984) states, it was this reaction from Walsh that ultimately spurred the controversy further surrounding Colodny to much greater heights. Mulcahy further states that Chancellor Litchfield was convinced of Colodny’s loyalty, so the matter would most likely have gone away if not for the political action of Walsh (Mulcahy, 1984). Walsh’s reaction was swift and severe stating that, “Any professor who confuses the dirt of the Castro regime with the earth of any agrarian policy is a confused person, and unreliable as teacher” (Pittsburgh Press, January 17, 1961). He further stated that the funding of the University be called into question and scrutinized for employing someone like Colodny:

If we continue to appropriate funds for education we must be sure that these funds will be spent properly, and will be channelled [sic] as to aid and abet the American way of life and the high ideals and objectives of decent Americans. To allow supposed educational activity to undercut the objective of our total activity and for the Commonwealth to

appropriate funds to institutions harboring leftists who preach pro-Communist doctrines, is a woeful waste of our substance. (Pittsburgh Press, January 17, 1961)

While Walsh pushed for an inquiry, the January 18th edition of the *Press* described in more detail the discussion associated with the Colodny case within the state legislature. In the article, *Resolution Backed In House – Colodny Probe Gaining Support*, the next steps after Walsh's initial complaints against Colodny were unveiled. While Walsh, a Democrat, introduced the resolution to the state legislature, two minority Republicans, Willard Agnew Jr. and Stuart Helm, were quoted as saying they would make sure the resolution received a full inquiry in Harrisburg. The article discusses how Walsh and his concerned Republican counterparts will request that a, "joint House-Senate investigation of all State institutions with emphasis on pro-Communist philosophy in classrooms" (Pittsburgh Press, January 18, 1961). Additionally, Agnew says of the Colodny inquiry, "Pitt owes the community and the Legislature an explanation of Dr. Colodny's defense of Castro's Cuba as merely an agrarian reform movement" (Pittsburgh Press, January 18, 1961). While the article concluded with mention that several Democrats opposed a rapid investigation requested further intervention from the University before an inquiry, the piece clearly indicated that some legislative investigation into Colodny and the University was imminent (Pittsburgh Press, January 18, 1961). With the involvement of state representatives the issues raised by the Gill article would not soon disappear.

The reaction gained further attention when another prominent political figure offered his opinion on the article and the employment of Colodny at the University. On January 19, 1961, Colodny was further chastised, this time by a state Supreme Court justice, Michael A.

Musmanno³⁵. He offered his opinions of the Colodny case to the *Press* without mention of the motivation behind his comments or perspectives on the events (Pittsburgh Press, January 18, 1961). Musmanno spoke to the *Press* in respect to Colodny, although the article offered no explanation as to why his opinion on Colodny was being sought, or what relationship he had to the case. During the interview, Musmanno offered most of his venom towards Litchfield who in that week requested patience and the need for concrete evidence with regards to any accusation against Colodny (Pittsburgh Press, January 18, 1961). Musmanno's comments suggest that he did not support the way in which Litchfield requested caution in the case:

It is astonishing to me how Dr. Litchfield rationalized and justifies whatever one of his professors may say against the United States and in favor of a government like Cuba which has killed American citizens, stolen American property and insulted over and over the nation which gave it liberty and independence. (Pittsburgh Press, January 19, 1961)

He further criticized Litchfield's call for evidence and patience saying:

If it is democratic for Dr. Colodny to support Castro, why isn't it democratic for someone to say a word in behalf of the much-maligned United States which gives to Dr. Colodny the best living that can be found anywhere in the world? If Chancellor Litchfield will deliver a lecture in which he will point out how and why it is a matter of academic freedom for a university professor to deride the United States and support her enemies, but it is an attack on democratic processes for someone to uphold America against her Communist enemies, I am sure that the Cathedral of Learning will not be large enough or

³⁵ Musmanno was a state supreme court justice member, his views on the case are of interest given that he really had no interaction with the matter at hand related to Colodny in his professional role. His views on the Colodny case that were printed in the *Press* offer no clear explanation as to why he was commenting on the events that had transpired, or why his views were of any substance other than his staunch anti-communist activity.

tall enough to contain all those who would like to hear him. (Pittsburgh Press, January 19, 1961)

Musmanno's comments gave further attention to the Gill article, especially from a prominent politician. The responses from state legislators, in combination with the reaction Musmanno, exacerbated the case against Colodny. Given the public reaction, the University had to take a position in the matter.

5.4 UNIVERSITY RESPONSE

On January 18, the Wednesday following Gill's Sunday article attacking Colodny, Chancellor Litchfield made his first public comments in defense of Colodny. Litchfield indicated that the University knew the background of Colodny and planned to support him fully. In the article by Gill, *Rips 'Unfair Accusations' - Pitt's Litchfield Defends Prof*, Litchfield was quoted:

We were aware that Dr. Robert G. Colodny was among the non-Communist Americans who actively resisted the Axis powers in Spain in 1938. We have attested to Dr. Colodny's loyalty to democracy and we have found nothing substantive to date which would cause us to doubt his loyalty now. By law, by charter and by conviction, the University of Pittsburgh is committed to resist Communism in every possible way. If anyone ever has concrete evidence that any one of our faculty members is engaged in activities subversive to the Constitution of our nation and our commonwealth, it is his responsibility to come forward with that evidence. At the same time, we deplore all forms of unfair and defamatory accusations leveled against any man. Such attacks are in

reality attacks on our democratic processes and freedom, and have no place in a society such as ours. (Pittsburgh Press, January 18, 1961).

In Litchfield's press release, and throughout the ordeal, the Chancellor continually points out that the University had thoroughly investigated Colodny's past before hiring him. One important point he highlighted was that the University was aware of Colodny's former allegiances and therefore Gill's statements about Colodny and the Abraham Lincoln Brigade did not take the University by surprise. As Mulcahy details (1984):

Upon coming to the University, Colodny told Vice-Chancellor Peake that he had been suspected of being a Communist in the past. Peake ordered the History department to look into the matter and see if any reason existed to doubt Colodny's loyalty. The Department did this, and reported it found nothing to suspect that Colodny was disloyal. (p. 15)

Due to the results of the past investigation, Litchfield's support was already established and he was confident of the commitment of Colodny. Nevertheless, the political response and printed allegations put forth against Colodny created a negative environment for the University and the professor. Litchfield had developed a the University's plan to reaffirm the loyalty of Colodny, and so he appointed a "fact-finding committee" charged with examining the allegations aimed at Colodny (Pittsburgh Press, January 19, 1961). The committee appointed by Litchfield consisted of George D. Lockhart, a board of trustees member, professor Robert E. Olson, Graduate School of Public Health, and Phillip H. Powers, Assistant Chancellor for development (Pittsburgh Press, January 19, 1961). Powers chaired the committee, thus the continued use of the title "Powers Committee" associated with the case. In addition to the internal University committee, Litchfield also retained the law firm Seamans, Eckert, and Cherin to serve as an independent arm

of the investigation (Pittsburgh Press, January 19, 1961). The law firm worked alongside the appointed faculty members during the investigation, they used their resources to gather background evidence and testimony related to the case.

Beyond the appointment of the “Powers Committee,” the University intentionally limited the discussion of the allegations against Colodny. They had an investigative committee in place and had clearly stated their position on the matter. While locally the matter began to draw less attention after February of 1961, Litchfield still had to address the pressure from Walsh and others in the state legislature. At the end of January, Litchfield put forward a request for a delay in any action from the state legislature until the University had completed their investigation. Litchfield acknowledged that the proposed resolution by Walsh to restrict funding to an institution harboring Communists was connected to the University³⁶, and that this matter was of concern, but added:

We feel very strongly however, that in this matter the responsibility to our faculty, the Commonwealth and the nation, and to the parents and students rest first with the university itself. We believe we should, in the best traditions of democratic education, be allowed to fulfill our obligation to examine and report on allegations concerning our faculty before such charges are made the subject of legislative investigation or trial by public press. (Pittsburgh Press, January 18, 1961).

Litchfield’s request was eventually granted and the University was allowed to perform their own inquiry into the allegations put forth by the Gill article. The University’s response throughout

³⁶ The initial resolution presented by Walsh specifically targeted Colodny. It was later altered to be a more inclusive document that would investigate all state supported institutions expected of harboring Communists, not just the University of Pittsburgh. (Litchfield Files)

the ordeal was consistent and brief. Litchfield made it known that the University believed in the loyalty of Colodny, but would conduct an investigation to independently verify their position.

5.5 COMMUNITY RESPONSE AND EDITORIALS

In the same January 18th issue of the *Press*, the public scrutiny of Colodny became more evident through the increasing number of editorials. Three letters were sent to the editor that were published on this date, two letters were written in support of Gill and his article, while the other defended the professor Colodny (Pittsburgh Press, January 18, 1961). One of the supporters of the *Press* portion was penned by a Cuban refugee who disagreed with Colodny's purported statements and suggested he visit Cubans in Miami, or in Cuba itself, to really acknowledge what was happening there (Pittsburgh Press, January 18, 1961). The other supporter of the piece by Gill, praised him for uncovering a person who held such views at a local institution that could damage young minds. Additionally, the author argued that the institution should investigate such a man and that the teachings of the University should solely be concerned with the pursuit of the truth (Pittsburgh Press, January 18, 1961). The *Press* did receive criticism in their opinion section; criticism that suggested the Gill article was in fact a personal attack on Colodny. One specific piece, titled, "*Sees Story As 'Violent Attack'*", took strong objection with the manner in which Gill penned his story. The author, a local peace activist, claimed that the story itself was in fact not a straightforward news story done on Cuba, but rather an opinion piece by Gill criticizing Colodny (Pittsburgh Press, January 18, 1961). The *Press* addressed the accusations made by this author and stated that:

...we have published literally hundreds of straightforward stories on Cuba, undiluted by either opinion or propaganda. As for Dr. Colodny, we published facts about his background and opinions as obtained from him, for the information of the public, together with related information necessary for full understanding of the subject matter. We expressed no opinions in the story and made no such 'violent attacks' as is charged above. (Pittsburgh Press, January 18, 1961)

On January 19th, several opinion pieces again appeared in the *Press*, including one by the *Press* itself and another by a student who defended professor Colodny. The *Press* took the offensive by addressing the supportive comments that Litchfield made on behalf of Colodny. In their staff editorial, the *Press* took exception with Litchfield's assertion that "unfair and defamatory accusations" were made against Colodny (assumably by the *Press*), and offered evidence as to why the information they obtained on Colodny was more than just mere accusations (Pittsburgh Press, January 19, 1961). The *Press* defended the Constitutional rights of professor Colodny, but noted that Colodny was misinformed, unwise as to the tremendous atrocities occurring in Cuba, and that he was a person who had caused his own problems in this case (Pittsburgh Press, January 19, 1961). In conclusion the editorials noted:

Does a scholar, even one cloaked in the mantle of academic freedom, not have a duty to see facts whole and straight and to understand the policies of the Government of his own nation as well as those of the nation he chooses to defend? We believe that, in justice to his university, his students and his fellow citizens – and in the cause of learning – he has such a duty. (Pittsburgh Press, January 19, 1961)

This editorial, along with the numerous articles published throughout the month of January, made the *Press's* position on the Colodny case very evident.

The student in the same issue spoke to the purpose of a liberal arts education, and his view of professor Colodny as an effective teacher (Pittsburgh Press, January 18, 1961). The student argued that even had professor Colodny displayed views not congruent with his own, this was acceptable given that it represented the purpose of what a university education embodied. Colodny was supported as a scholar and citizen by the student who suggested the entire event was a farce (Pittsburgh Press, January 18, 1961). While the *Press* published this pro-Colodny opinion piece, it was a rare example of letters that supported Colodny the *Press* published in the days after the Gill article ran. More pro-Colodny letters would be published in the *Press*, but their frequency did not match those published by the *Post-Gazette*.

5.6 COVERAGE FROM THE POST-GAZETTE

A unique aspect of the Colodny case is the opposite positions taken by the two primary newspapers in Pittsburgh. While the *Press* offered a strong case against Colodny (the source that broke the investigation), the *Post-Gazette* took the opposite position from the outset of the case. While the *Press* charged subversive activity, the *Post-Gazette* argued for a complete investigation of the events in any investigation regarding professor Colodny and the University.

The *Post-Gazette*'s first mention of the Colodny case took place on January 18, 1961. The publication dictated that on the prior evening Chancellor Litchfield had offered his support in a written statement for Colodny. The *Post-Gazette* described in an all-encompassing piece regarding fallout from the *Press* article, the reaction of John T. Walsh, the reaction of the American Association of University Professors (AAUP), and Colodny's reaction (Pittsburgh

Post-Gazette, January 18, 1961). In doing so the *Post-Gazette* printed, unlike the *Press*, the statement of the Pittsburgh chapter of the AAUP:

The University of Pittsburgh chapter of the American Association of University Professors protests the personal attack on our colleague Prof. Robert G. Colodny, which appeared in the Pittsburgh Press on Sunday, Jan. 15, 1961. The article in question, though in the guise of a news story, was interspersed with editorial comment, and employed the techniques of innuendo and guilt-by-association, and could serve no purpose other than to injure the reputation of Prof. Colodny. The style and tenor of this article constitute a threat to academic freedom in this community. (Pittsburgh Post-Gazette, January 18, 1961).

Additionally, Colodny voiced his displeasure with the Gill article by stating that the piece misstated what he had said with regards to Cuba (Pittsburgh Post-Gazette, January 18, 1961).

Colodny, speaking to the *Post-Gazette*, said:

I was misquoted in all essential points in newspaper accounts which alleged that I had defended the actions of the Castro government. Under no circumstances could it be said that I either supported or attacked the Cuban government. I merely explained the history of it and the actual development of the Cuba revolution, as an historian. What I did tell the Pittsburgh Press reporter who misquoted me was that the Castro government was unable to properly assess American intentions, and this is what led to the aggression scare. (Pittsburgh Post-Gazette, January 18, 1961).

While the *Post-Gazette* discussed the views of Litchfield, Colodny, and the local AAUP in its initial coverage, the *Press* chose to only cover Litchfield in depth and ignored the responses from the other parties. Additionally, though they only covered the Litchfield statement, the *Press* did

so with the same negative perspective they offered to Colodny in the initial investigation into his background. They questioned Litchfield's support of Colodny and why he would defend him so blindly (Pittsburgh Press, January 19, 1961).

In the January 19th issue of the *Post-Gazette*, the divergence between the *Press* coverage and that of the *Post-Gazette* became even more apparent. The *Post-Gazette* offered a brief description of the investigation committee that Litchfield had appointed for the Colodny case, but they also offered a staff editorial in defense of Colodny and an interview piece with Colodny. In their editorial, the *Post-Gazette* staff took several exceptions, primarily with the actions of representative John T. Walsh. While the *Press* defended and applauded the actions of representative Walsh, the *Post-Gazette* clearly questioned his behavior:

If representative John T. Walsh, of McKeesport, were a more responsible legislator, he would have checked thoroughly into the background of Dr. Robert G. Colodny, a professor of history at the University of Pittsburgh, before attacking the professor in the Pennsylvania Assembly. His attack was based upon an interview with Dr. Colodny published in last Sunday's Pittsburgh Press. It came apparently without effort to determine the facts behind innuendoes in the interview. If, for example, he had checked with Dr. Colodny, he would have learned that the professor claims to have been misquoted and his views on the Cuban revolution misinterpreted. If he had checked with University officials, he would have learned that the Administration had looked thoroughly into Dr. Colodny's career before employing him in 1959 and had given him a clean bill of health. (Pittsburgh Press, January 19, 1961).

The editorial board of the *Post-Gazette* also defended the administration of the University, another contrasting position from the *Press*. While the *Press* called for action immediately after

the initial Gill article, they were also less than understanding on the University's request for patience. On the other hand the *Post-Gazette* said of the University response:

The administration at Pitt is to be commended for coming promptly and forthrightly to the defense of Dr. Colodny. In the absence of evidence that he is subverting the U.S. Government, the administration could do no less without jeopardizing academic freedom. (Pittsburgh Post-Gazette, January 19, 1961).

While the *Post-Gazette* editorial demonstrates a different ideological and journalistic style, the most prominent evidence of this difference was given when the *Post-Gazette* provided space for Colodny to express his own views on the case.

Whether the *Press* offered the same opportunity to Colodny, or if Colodny would have accepted such an opportunity is not known. The *Post-Gazette* did offer such a venue, however, and Colodny took their offer. During the piece titled, "*Pitt Prof. Denies Doing Anything Against U.S.*" the full story of Colodny is told from his perspective. This article tells a more complete story of Colodny's past. Specifically it details that Colodny fought and supported the Spanish republic as a fight against Fascism, that he was a proud World War II³⁷ veteran, and that at no time was he ever associated with an organization that sought harm to the United States (Pittsburgh Post-Gazette, January 20, 1961). The timeline offered by the *Post-Gazette* lacked any of the sidebar comments of the *Press* piece and gave space for Colodny to describe his past (Pittsburgh Post-Gazette, January 20, 1961).

³⁷ Colodny was injured during his ALB service in 1937, despite this fact he joined the U.S. Army when World War II began. Colodny was initially detained during the early part of his Army service for his previous activities in the ALB. After his detainment, Colodny served honorably and was made staff sergeant by the end of his service (Gettleman, 2004)

The difference in coverage was visible to the University. During the height of the controversy surrounding Colodny, the public relations department of the University generated a report that described the nature of the coverage of the two news sources and the differed approach of the *Press* (Litchfield Files, “Report from the Public Relations Department”, 1961). The report describes the ways in which headlines were used, the scope of the editorials published, and the split that the coverage had caused amongst the *Press* staff (Litchfield Files, “Report from the Public Relations Department”, 1961). The report indicated that:

...it has been learned from reliable sources that the PRESS’ own staff is sharply divided in its opinion of the newspaper’s handling of the Colodny story. It is the opinion of the Public Relations Department that, regardless of the merits of the charges, the PRESS’ stories were deliberately written in a biased manner and that this could not be denied by any competent observer. It is not known, however, what prompted the original story nor whether there has been any collusion among the PRESS, Gill, Walsh, and Walter³⁸.

(Litchfield Files, “Report from the Public Relations Department”, 1961)

The University indicated that they perceived the attention given to Colodny by the *Press* as deliberately biased. While the *Press* defended their coverage of the case, both in staff editorials and to the University, the University found that the coverage was not performed in an equitable manner, and therefore directed their press release to defend Colodny and combat the flawed claims made against the professor (Litchfield Files, “Report from the Public Relations Department”, 1961).

³⁸ Francis W. Walter was a state representative who was identified as being the person who leaked several of the personal files regarding Colodny to the *Pittsburgh Press*, files that described the past associations of Colodny.

5.7 CONTINUED REPORTING AND COMMUNITY REACTION

Reaction from both papers remained consistent throughout January of 1961, but in the months that followed a sharp decline in interest occurred. Mulcahy (1984), who interviewed Colodny, stated that professor Colodny attributed this decline to the intervention of Richard King Mellon³⁹ who exerted pressure upon the *Press* to soften their coverage of the story. Mellon was a central figure in Pittsburgh capable of having the kind of influence to cause such a result. The early winter months saw the appointed Powers Committee begin their work while Walsh was held at bay in Harrisburg having been quieted while more information was being collected on the matter.

While the efforts of Mellon undoubtedly kept the *Press* from continuing the inquiry into Colodny, it is also evident that the early actions of Litchfield were also key in quelling the controversy surrounding the case. Litchfield's early action supporting Colodny, while allowing for a proper investigation, and at the same time asking for patience from State legislators, created an environment that dampened further accusations. The lack of attention by both newspapers, but mostly the *Press*, is noticeable and attention was not fully given again until Walsh rekindled the issue in late April, 1961.

³⁹ Richard King Mellon was heir to the financial tradition of his uncle Andrew William Mellon. The influence of the Mellon family in the city of Pittsburgh was significant and is well documented.

Another possible contribution to the lull in coverage can be attributed to Father Charles Owen Rice⁴⁰. Fr. Rice was well-respected member of Pittsburgh society who often wrote editorials for the *Pittsburgh Catholic* and gave radio addresses on WWSW in Pittsburgh. Directly following the publication of the Gill article, Monsignor Rice addressed the situation on his radio broadcast. In this address, Msgr. Rice discussed in great detail the events that transpired in Spain during the 1930's and what type of involvement someone like professor Colodny would have had (Colodny Files, Radio Sunday Transcript, 1961). Msgr. Rice stated that Colodny's action was a matter of some praise and that it certainly shaped the way in which he would view the current situations occurring in Cuba (Colodny Files, Radio Sunday Transcript, 1961). In a written statement, Rice criticized the hysteria surrounding the Colodny case in a regularly featured column in the *Pittsburgh Catholic*. Rice was critical of the *Press* and its conservative position, questioned U.S. foreign policy as it related to Cuba, and said that genuinely strong evidence must be presented against Colodny to cause such an uproar to occur (Pittsburgh Catholic, January 26, 1961). Rice stated that he felt the charges made against Colodny from the *Press* are not in themselves proof of wrongdoing on the part of Colodny (Pittsburgh Catholic, January 26, 1961). He concluded saying:

I would say that the case against Robert G. Colodny is not very strong. There is enough of a case to warrant seeing if he is up to something, but not enough to justify the sort of

⁴⁰ Msgr. Rice, a progressive, was often referred to as Pittsburgh's "Labor Priest" (Pittsburgh Post-Gazette, November 14, 2005). Msgr. Rice was a social activist from the 1930's on in the community as well as a spokesperson for many Catholic parishioners. He wrote extensively in the *Pittsburgh Catholic* regarding numerous social issues facing the city. Additionally, Rice was anti-communism, so his support of Colodny took away much of the powerful reaction to his case. (Pittsburgh Post-Gazette, November 14, 2005)

hysteria that denounces chancellors and threatens to cut off appropriations if...
(Pittsburgh Catholic, January 26, 1961)

Rice continued his argument stating that academicians are not beyond reproach, but in any debate about their academic work caution and care must be demonstrated to gain a proper understanding on some of the difficult positions they must take (Pittsburgh Catholic, January 26, 1961). He argued that the situation with Colodny is no different and therefore a meaningful, thoughtful conversation must be had to ensure that a faculty member is not dedicated to Communist movements as Colodny was claimed to be by the Gill piece (Pittsburgh Catholic, January 26, 1961).

5.8 UNIVERSITY INVESTIGATION

While the public's concern about the Colodny case died down, the University began a full exploration of Colodny's past. Of primary concern for Litchfield's appointed Powers' Committee were Gill's allegations that connected him to Communist organizations, his life before arriving at the University, and his present views on Cuba and Communism. Litchfield had named a three member committee in the days immediately following the Gill article; faculty member Olson, administrator Powers, and trustee Lockhart. This committee, along with the law firm Seamans, Eckert, and Cherin, had been secured for the endeavor. They spent February, 1961 investigating and by March 1961 they were ready to meet with Colodny for his "interrogation" (Powers Committee Transcript, 1961).

Colodny's first of two inquiries took place on March 16, 1961 in the Cathedral of Learning (Pittsburgh Catholic, January 26, 1961). Frank Seamans, of the appointed law firm, did

most of the questioning, while the other members only contributed sparingly during the process. Seamans described in the early part of the process what the Committee would focus on during the duration of the questioning, namely to settle conflicting information regarding Colodny and to explore evidence that the Committee had either been given or uncovered during the discovery process (Powers Committee Transcript, 1961). The materials that were given to the Committee were of interest to Colodny, though he was not able to review the documents, nor was he made aware where the evidence originated. This was despite his repeated requests to know where the materials came from during the investigation process (Powers Committee Transcript, 1961).

Some of the most interesting features during the Powers Committee's questioning of Colodny was their overall formal approach and Colodny's tactical style in response to the questioning. The Committee called their interviewing of Colodny an "interrogation" and swore Colodny's testimony into formal record, a fact that Colodny would later describe when reflecting on the process he endured (Colodny Files, "Letter to Peter Carroll", 1991). Additionally, Samuel Hays, history professor and department chair, expressed concern in an open letter to Chancellor Litchfield (Litchfield Files, "Letter from Samuel Hays", 1961). Hays said that the, "...relative roles of the Committee and lawyers, as originally announced, was in the course of the investigation completely reversed" (Litchfield Files, "Letter from Samuel Hays", 1961). Colodny's approach to the interrogation was also of note, although he was offered the opportunity to have legal council, which would be paid for by the University, which he refused citing, "In my judgment counsel could serve no useful purpose" (Powers Committee Transcript, 1961). Having created an environment for interrogation and knowing Colodny's stance on counsel, the Powers Committee began to verify the imperative facts of Colodny's background (Powers Committee Transcript, 1961).

The Committee spent the early part of their interrogation vetting the details of Colodny's early life, this quickly gave way to an understanding of Colodny's time with the Abraham Lincoln Brigade, his purpose in defending the Spanish Republic, and his connection with the Mexican government following the Spanish Civil War (Powers Committee Transcript, 1961). The Committee sought to address the principle assertions of the Gill article and how these experiences may or may not have been connected to Communism in any way. They were also concerned with his research interests, grants that he received, and what types of associated employment he may have had after his service in the Abraham Lincoln Brigade (Powers Committee Transcript, 1961). Colodny was quick to point out during this portion of his questioning that in both of his higher education appointments prior to the University, in the California and Kansas state systems, he had signed loyalty oaths and adhered to the beliefs contained within those oaths (Powers Committee Transcript, 1961). The Committee, having accurately confirmed the timeline of Colodny and his background, went further with a line of questioning regarding any of his other affiliations and what relations to Communism those affiliations might have had. The Committee questioned any of his possible connections with The American Student Union and John Reed Club⁴¹, while asserting that these were possible Communist fronts (Powers Committee Transcript, 1961). Colodny admitted to knowing about their activities, but denied any formal activity with either organization (Powers Committee Transcript, 1961).

The Committee's two main areas of interest during the rest of the first session were the Abraham Lincoln Brigade and the Fair Play for Cuba campaign. The discussion regarding

⁴¹ Both the American Student Union and the John Reed Club were often described as Communist friendly, or pro-Marxist in nature during this time period.

Colodny's defense of the Spanish Republic with the Abraham Lincoln Brigade could be described as a history lesson presented to the Committee. Colodny described that what he was fighting for was an end to Fascism, not a promotion of Communism (Powers Committee Transcript, 1961). Colodny described how many individuals supported the Abraham Lincoln Brigade for the same reason, while some of them *may* have supported Communism as one alternative to Fascism, not all of them did and therefore the labeling of the Abraham Lincoln Brigade as a Communist front was historically erroneous (Powers Committee Transcript, 1961). Additionally, Colodny described from an historical perspective how the practice of Communism and Marxist ideology differ; and though he may have been influenced by some Marxist philosophy, he did not support the violent Communist push that served as the example of Communist movements (Powers Committee Transcript, 1961). In the same light, Colodny also defended his similar association with the Veterans of the Abraham Lincoln Brigade⁴² and what he viewed as their post conflict role, decidedly not pro-Communist from his historical perspective (Powers Committee Transcript, 1961). Both of these affiliations were called into question based on a supposed interview that Colodny was reported to have given in 1938 in Chicago to radio station WIND. This interview became a major concern as the investigation grew in scope. Colodny was accused of saying he was indeed a Communist during this interaction, a claim that he vehemently denied. Colodny stated that the 'interview' was supposed to be a point-counter-point interaction between himself and a supporter of the Franco's fascist Spanish movement. However, he found the experience to be lacking in substance and not indicative of a true discussion on political ideologies (Powers Committee Transcript, 1961).

⁴² In the same regard as the Abraham Lincoln Brigade itself, the two offshoots of the Brigade, the Friends of Abraham Lincoln Brigade and the Veterans of the Abraham Lincoln Brigade were often labeled as Communist fronts.

Colodny's radio experience was instead a show to gather attention, not a genuine discussion of conflicting political happening in Europe and elsewhere. This radio broadcast would appear and reappear several times during the entirety of the investigation.

The other primary concern of the Committee was the appearance of professor Colodny's name on an advertisement supporting the Fair Play for Cuba Committee that appeared in the New York Times on April 6, 1960 (Powers Committee Transcript, 1961). Colodny was asked whether or not he helped finance this advertisement, and if so to explain his reasoning. Colodny stated that he did indeed support the ad with a contribution of \$2.50, but that he was not a member of the Committee and only supported the text of what the advertisement stated (Powers Committee Transcript, 1961). Colodny explained that from his viewpoint, both historically and politically, the situation in Cuba needed to be better supported so that the Cuban government would not turn to the only conceivable partner for them if the United States suspended relations (Powers Committee Transcript, 1961). He felt that by failing to understand and work with the new regime in Cuba, the United States would be putting the hemisphere at risk and creating foreign policy difficulties (Powers Committee Transcript, 1961). Colodny defended being part of the advertisement for his specific concern for the hemisphere and diplomatic relations, and denied that his support for this advertisement in any way gave support to what Castro was working towards (Powers Committee Transcript, 1961).

On April 4, 1961, Colodny was again called in front of the Committee for his second and last testimony. The Committee had collected further information regarding Colodny and sought to clarify many points that were previously discussed in the first session. The first item that needed clarification, and one that the Committee had received more information regarding, was the 1938 radio broadcast in Chicago where Colodny purportedly stated that he was a Communist.

The Committee stated that they received further information regarding this broadcast which included a supposed transcript of the broadcast (Powers Committee Transcript, 1961). Colodny questioned the origins of the document and how such a broadcast was remembered so clearly by a person who testified on what was said during the broadcast (Powers Committee Transcript, 1961). Colodny produced a news report about the radio broadcast in the following days. Colodny provided the news report to demonstrate that if he had said that he was indeed a Communist that this statement would surely have been mentioned in a news report, which it was not (Powers Committee Transcript, 1961).

Colodny was again asked to defend his actions with regards to his connection with Marxism prior to World War II. Colodny detailed that during the 1930's, because much of the public became fascinated with possible ways to alleviate some of the social ills in the United States (Powers Committee Transcript, 1961). Communism was one of those philosophies that individuals became intrigued by, but Colodny stated that the weaknesses of the ideology were quickly discovered (Powers Committee Transcript, 1961). So while many people became intrigued with Marxism, they were not necessarily Communist nor fully understanding of what Communism meant (Powers Committee Transcript, 1961).

The rest of the second session again focused on the organization and affiliations that professor Colodny may have had over the years. In addition, the Committee attempted to understand the present day affiliations that Colodny had. Colodny admitted to being a proud member of the Committee on Sane Nuclear Policy, especially at the local level in Pittsburgh, but the rest of the accused affiliations were unfounded (Powers Committee Transcript, 1961). The Committee was forced to rely on the sworn accounts from unnamed individuals that Colodny

was affiliated with several Communists fronts, but beyond personal accusations no other evidence could be presented (Powers Committee Transcript, 1961).

Colodny requested and was given the opportunity to conclude the second and final session by offering a statement regarding his investigation. Colodny stated that he agreed to voluntarily cooperate with the investigation to provide further insights into his alleged association and to help save the University of Pittsburgh any further negative press regarding the matter (Powers Committee Transcript, 1961). He concluded by saying that the importance of a scholar's work is to pursue knowledge wherever it may lead and that this is essential to the mission of the University. Specifically, he stated:

...I think it is part of the obligation of a university to maintain an atmosphere wherein a professor may search out the truth and communicate it, and be shielded by his institution if he offends some established center of power or some entrenched idea. (Powers Committee Transcript, 1961).

5.9 COMMITTEE FINDINGS

On May 18, 1961 the Powers Committee released their official findings on Colodny. The thirty-page document ended with seven essential conclusions:

- (1) Dr. Colodny is a loyal America, is not now, and never had been a Communist and is not a subversive person as defined by the Pennsylvania Loyalty Act of 1951.

(2) Dr. Colodny is an exceptionally gifted scholar and an inspiring professor who does not teach doctrines subversive to our government.

(3) Dr. Colodny exhibits exceptional independence of thought and action, according to his own conscience, in both his scholarly and societal pursuits.

(4) Dr. Colodny has in the past knowingly associated with Communists and Communist-front organization, solely in order to promote causes in which he believed deeply, especially the fight against Fascism and the establishment of world peace.

(5) In common with many other young people during the Depression, Dr. Colodny maintained hope for some of the promises of the Soviet Union, but his feeling has given way to disillusionment and criticism of Russia's oppression. He brands Marxist doctrines as fallacious and believes that Communism has no place in a highly developed society such as ours.

(6) Dr. Colodny fought with the Abraham Lincoln Brigade in the Spanish Civil War, risking death and suffering serious wounds, because of his hatred for Fascism. For the same reason –hatred of Hitler and Hitlerism – he volunteered in the U.S. Army before Pearl Harbor, despite severe physical disability.

(7). Dr. Colodny believes that the Cuban revolution gained its impetus through the peasants' hope for agrarian reform, but that the Castro government now has slipped into the Soviet orbit. He believes this to be a calamity for the people of Cuba, of the United States and of the entire Western Hemisphere.

(Litchfield Files, "Powers Committee Report", 1961)

5.10 LITCHFIELD'S REPORT

On June 14, 1961, both the *Press* and *Post-Gazette* ran headlines stating that Robert Colodny had been cleared of any subversive activity and would remain with the University without any further inquiry on the matter. The University had worked on the case for six months, and the decision signaled the end of the controversy surrounding Colodny. In his final report on the matter, Litchfield described the beneficial merit of the inquiry into Colodny and reaffirmed the findings of the Powers' Committee (Litchfield Files, "Letter to Gwilym Price", 1961). In conclusion, Litchfield summarized the position of the University on the case stating:

I therefore wish specifically to say that to the very best of our knowledge, after most careful investigation, Dr. Colodny is a loyal American, is not a Communist or subversive person as defined by the Pennsylvania Loyalty Act of 1951, is an able and objective scholar, and is an inspiring teacher who does not teach doctrines subversive to our way of life. (Litchfield Files, "Letter to Gwilym Price", 1961).

Litchfield's letter and press release makes it known that no action will be taken by the University and the University has proven its allegiance to avoid employment and hiring of anyone seeking to cause harm to the United States (Litchfield Files, "Letter to Gwilym Price", 1961).

Litchfield's letter, like much of the process, was cautious and thorough to the very end. Before making his decision known to the public, Litchfield gave the Powers' Committee report to several colleagues for their impartial review. The review team was made up of D.W. Molott (President of Cornell), Maurice T. Moore (attorney, New York City), and Dexter Perkins (distinguished history professor, University of Rochester) (Mulcahy, 1992). They served as Litchfield's external review team to reaffirm that the manner of the investigation into Colodny, and the findings in the case, were done so properly.

5.11 CONCLUSION

The Colodny Case served as a major victory for the University during the early part of the 1960's. While John T. Walsh pushed for legislative involvement, the resolution was eventually defeated by a wide margin before the results of the Powers' Committee were ever released, a fact that suggests Walsh's exaggerated claims were rejected by his colleagues (Mulcahy, 1992). The political fervor around the Colodny case statewide never garnered the attention that Walsh had hoped, and after the defeat of his resolution and the political influence behind the inquiry into Colodny his influence lost substantially.

Although the University was in the end "victorious", this came at a price in terms of the cost to the University and, especially to Colodny's reputation. The University estimated that their costs totaled nearly \$10,000 to secure the legal firm to investigate the allegations against Colodny, while at the same time the process temporarily called into question the University's integrity (Litchfield Files, "Colodny Case", 1961). For Colodny, his personal reputation was eventually saved, but not before enduring inquiries that examined every part of his life.

While Colodny endured the University investigation, he would also be called to testify before the House Un-American Activities Committee (HUAC) (Colodny, 1990). Although Colodny's appearance before HUAC drew little coverage except some mention in the local press, Colodny's appearance was of great importance during this period where those called before HUAC still faced great scrutiny and potential career harm (Colodny, 1990). Colodny would continue to serve without incident as a faculty member at the University until his retirement in 1985 (Alberts, 1986).

The University's approach to the entire case, and especially that of Litchfield⁴³, was a demonstration of a leadership team that exhibited care in all matters related to the public perception of the University. In doing so the loyalty of Colodny (and by extension all academics) was avowed through democratic procedures that ensured the University was willing to come to the defense of its faculty when attacked. This approach not only left the University better off after the ordeal was resolved, but it reassured not only the faculty of the University but to the national faculty community that a careful set of procedures would be followed in any future claims of subversive activity.

⁴³ Litchfield's chancellorship ended in 1965. He resigned after mounting debt that he had took on in an effort to expand the University. A few years after his resignation, he was killed in an airplane accident in Lake Michigan on his way to a family reunion. The three-tier residence halls being constructed at this time on campus would eventually be named in his honor, they are formally known as Litchfield Towers (Alberts, 1986).

6.0 FINDINGS AND CONCLUSIONS

6.1 INTRODUCTION

The Turner and Colodny cases demonstrate how academic freedom was applied to faculty members for a better part of the twentieth century at the University of Pittsburgh. In the two hundred plus history of the University of Pittsburgh, academic freedom has only been a part of the last hundred years at the institution, and most of that was only formalized after the 1940's – demonstrating the importance of the Turner case. The emergence of academic freedom as an adopted principle at the institution created a sense of security and purpose for those in the academy, and the Turner and Colodny cases illustrate the ways in which that security has been challenged or violated altogether. The two cases serve as historical evidence of the ways academic freedom was valued, practiced, and ultimately formalized during the twentieth-century at the University. The way in which institutions formally accepted academic freedom as principle differs, while the way in which the University of Pittsburgh accepted the principle can be seen through historical case analysis. This research was done to better understand the nature of academic freedom at the University through its two primary challenges. Turner's 1934 case served as the impetus for the adoption of formal academic freedom at the institution, while Colodny's 1961 case reaffirmed and strengthened academic freedom at the University.

Although the cases happened during different decades, with different leaders, and had different outcomes, they still have overall connections and are generally comparable with similarities and differences. The broad similarities include the obvious location of the two cases, similar investigations into academic freedom/loyalty at the institution, and the question of what protections professors can expect from external attacks on their academic work. The differences are many, and are more intricate than the large-scale similarities. This chapter will compare and analyze the two events through comparative history. The chapter will also examine the ways in which the two cases were viewed and handled differently, with additional insights into how they are similar. The details of both cases and the impact each had on the University will also be explored.

6.2 IMPETUS FOR INQUIRIES

The series of events pursuant to the Turner and Colodny cases have been rather thoroughly documented in this study. Turner's difficulties began when he both offended those who represented religious institutions in the city and those who represented power and wealth. Depending on one's perspective, the date of Turner's inquiry is entirely uncertain and dependent on the viewpoint regarding the true meaning behind his dismissal. Bowman contended the matter was building for some time, yet there is no evidence to validate this claim, only his testimony. The official AAUP report suggests that from the evidence they gathered they believed the dismissal was not a matter of religious concern, but rather connected to something much larger; namely funds for the building of the Cathedral of Learning (AAUP Report, 1935).

Colodny's case differed from Turner's since his can be identified as having begun with the Gill article, and related events connected to that article. Colodny's issues were also tied to the Gill article; there was no reason to doubt his behavior or scholarship prior to that event. Colodny had not, according to the Litchfield documents, ever been warned or questioned about his behavior or teaching prior to the events of 1961. For this reason, it can be concluded that Colodny's case was an isolated issue connected to the publication and viewpoints of the *Press* and their reporter. The Turner case cannot be as easily summarized. But it can be said however, as was indicated by the AAUP, that his dismissal was not grounded in the reasoning offered by Chancellor Bowman.

6.3 SIMILARITIES AND DIFFERENCES

The cases do share some overarching similarities and differences that need to be identified. While the purported motivations behind the inquiries are not similar, the suggested ulterior motives behind each case share some similarity in that they were perpetrated (or at least instigated) by individuals not associated with the University. Turner, as the AAUP report affirms, did not offend the religious sensibilities of his students as Bowman argued. Instead, he did offend the wealth and power of the community, therefore threatening the values of city leaders and financial elites. Colodny did not just speak to the wrong reporter looking to score a big story; instead he was targeted for his support of peace activities and anti-war views by an opportunistic news source that objected to his past experiences and political beliefs. Given that only loose evidence supports these counter views of the inquiries, they are likely reasons that

have been offered and may explain some of the missing details as to why the cases began initially.

The inquiries into both differ greatly because of the various ways in which the matters were investigated. During the Turner case, both the AAUP and Commonwealth were involved in inquiries as to the state of academic freedom at the institution. This larger question, the health of academic freedom at the University, was probably the bigger focus of both investigative bodies. Turner's case became a central focus of each investigation, though both bodies were most largely concerned with the greater issue of academic freedom of all faculty members, not just the case of professor Turner. Colodny's inquiry was dissimilar since his case was held almost entirely internally and only concerned with his role. The external inquiry into his case, done by HUAC, was focused mainly on his loyalty to America and his ability to serve as a faculty member in the Commonwealth. Where Turner's external investigations were detailed, Colodny's was comparatively brief. Colodny was completely exonerated of all claims brought against him, where Turner was never given such a clearance on his scholarship and teaching, and was summarily terminated.

6.4 APPROACH OF EACH CHANCELLOR

The major difference in the two cases was the manner in which each Chancellor approached the matter. This was caused by the underlying motives each leader had during their respective tenures. Bowman clearly wanted to remove Turner from the institution, where Litchfield sought to retain Colodny. Given this polarizing difference, the two cases were approached from different perspectives. Where Litchfield sought thorough investigation and patience with his

faculty member, Bowman used his position at the University to ensure that the termination of Turner would be supported both internally and externally. Although Bowman would testify to the AAUP and state investigation teams that the actions were done in a manner of 'respect' for Turner, the AAUP Report suggests that Bowman worked to support the dismissal of Turner by gathering documentation from the community to support his claim for dismissal (AAUP Report, 1935). This behavior is most likely not representative of actions that one would expect from a person who was advocating on behalf of another. The difference between the two chancellors could simply be a matter of personality or character. However, it would be difficult to distinguish if this difference in personality could solely be associated with the way in which each man approached each case. Regardless, it is more likely to be their views on how the University affairs should be run and, more importantly, how faculty rights to free speech need to be protected that are of central importance. It is necessary to note, however, that both the University and the role of the chancellor had changed significantly in several ways between 1934-1961.

The first change that should be noted was that the chancellor's position during Bowman's tenure operated with little oversight or supervision. Bowman was free to make the decisions he deemed appropriate. This point is important because, ironically, it was most likely because Bowman had so much total freedom during his chancellorship that the position became more formalized and processed orientated over time. Near the end of his tenure, Bowman became increasingly scrutinized and restricted with his actions (Alberts, 1986). Unlike the beginning of his time at the University, Bowman was held more accountable by the trustees than in his initial years of service. Therefore, when Litchfield dealt with the Colodny case he was not operating as an isolated decision maker; he had formalized an administrative team to work with handling the case. Though he exerted tremendous power during this case, it was not isolated power.

Second, the Chancellor's autonomy and power during Bowman's reign (and prior) was related to the way in which the Board of Trustees was organized and operated. During Bowman's tenure, the Board was made up entirely of prominent businessmen and the process of their appointment was not transparent. Following the numerous faculty disputes that occurred early in Bowman's tenure, his dismissal of Turner, and the resignation of 'Jock' Sutherland⁴⁴ in 1938, the process for electing and serving on the Board became more regulated and representative of the demands of the Commonwealth of Pennsylvania, as directed then by Governor George H. Earle⁴⁵. The University, therefore, changed significantly in this regard and leadership decisions became more diplomatic. Thus, Litchfield's response was not that of one person, or one perspective, but rather a collective approach that differed greatly from Bowman's administration. This change in style would not just represent the decision-making and approach of Litchfield, but decisions in general made at the University following the new composition of the Board of Trustees in the late 1930's.

Finally, between the years 1934 and 1961, the financial health of the University had shifted to a positive direction as the demands for post-secondary education greatly increased in the post World-War II era. Given these facts, the University no longer operated under the stress of debt and uncertainty that had plagued the institution when Bowman arrived⁴⁶, especially with

⁴⁴ As mentioned in chapter 4, Sutherland was the successful and popular head coach of the University's varsity football team. In 1938, Sutherland resigned from his position following pressure from Bowman to change his handling of the football program, though for many it was viewed as a termination.

⁴⁵ As Mulcahy (1984) states, after the Turner situation the Commonwealth demanded reforms in the makeup of the Board of Trustees. Bowman would eventually accept the demands of the Commonwealth after the threat of losing funds. By 1937, all members of the Board of Trustees were voted on by alumni of the University.

⁴⁶ As Alberts (1986) notes, the financial status that Litchfield inherited was debt free, a remarkable turnaround from the previous decades. However, in just a few years the financial

a large construction project in limbo. Instead, the University was heading in a direction of growth both in terms of academic recognition and physical grounds while enjoying healthy enrollments, though the financial future was only slightly better. Litchfield had assisted greatly with this new momentum, hiring nationally recognized faculty, hoping to push the University higher in status and prestige. For this reason, Litchfield did not have to concern himself with the fact that a controversial professor might jeopardize his position, or the entirety of the University's financial status. This may explain why Bowman's actions were as stringent as they were, he was operating from a perspective of uncertainty and concern for the financial welfare of the institution.

6.5 ACADEMIC FREEDOM

At the core of both cases is the issue of academic freedom and what protections it offers; both were interconnected to academic freedom given their relation to external activities outside the University. In Turner's case, his in-class discussions of religion were a major source of Chancellor Bowman's dismissal of him, and clearly Turner's academic freedom was violated. However, these discussions serve as only one part of the information concerning Turner and do not connect to Colodny in the same way. Turner's external activities (especially the PSL and support of the Liberal Club, etc.) were directly connected to his dismissal. If Turner was indeed dismissed from the University, in addition to his negative discussion of religion in the classroom,

situation would shift significantly. Litchfield would later resign under the stresses and pressure related to increasing debt. Nevertheless, but when he first took office the outlook was entirely positive.

then his academic freedom was indeed violated in the most egregious way. Even though Turner had discussed some controversial issues, challenged the social and political views of many, and, in short, spoke his mind about his support and advocacy of New Deal policies, these were not reasons enough for his dismissal.

Colodny's case takes place completely separate from his classroom activities and raises questions about what an academic may or may not say in the public sphere. Colodny's situation is related solely to his activities away from the University as enumerated in the Gill piece that appeared in the *Press*. While Colodny maintained that he was misquoted in his discussion with Gill, this is a claim that cannot be verified. What is evident, however, is that Gill took liberties with Colodny's statements and connected his thoughts to matters that Colodny did not discuss. His remarks in the paper, though not shared by the public, could easily have been defended if Colodny was provided an audience to explain his views, something he eventually did in the *Post-Gazette* and in the University investigation. The thoroughness that Litchfield and the University demonstrated in the Colodny investigation greatly benefited Colodny. By doing so, the University did not make rushed and irrational decisions related to Colodny's employment. This not only benefited Colodny, it also created a positive approach for the handling of future cases that related to academic freedom at the University.

6.6 PUBLIC REACTIONS

The public reaction to the two cases differed greatly. Unlike the Colodny case, the Turner case did not generate a large public outcry from average citizens in the community. This difference in response can be identified in three ways:

First, the media coverage of the two events greatly contrasted. This can be attributed to the way in which the local newspapers responded. In the Colodny case, the two news sources took opposing positions based on a clear difference in political ideologies. The *Pittsburgh Press* started a negative chain of events for Colodny, while the *Pittsburgh Post-Gazette* defended him. The difference in coverage created a large public reaction, especially when the idea of Communism was raised. This did not occur with Turner. The reaction that did occur came from local politicians or politically connected individuals. These politically concerned individuals fought vigorously against the dismissal of Turner. In Turner's case, it was the political elite that created the most attention around the situation. In Colodny's situation, the public outcry matched that of political leaders.

Second, the public's reaction to matters of public speech and political ideologies shifted from 1934 to 1961. The public's reaction to the issue of Communism was much less tolerated in 1961 which can be attributed largely to the legacy of Joseph McCarthy. In the 1950's, McCarthy's accusations about Communists in high levels of government created near public hysteria. While McCarthy's efforts were initially applauded by some, the ongoing paranoia created by his techniques had dissipated over time. Therefore, by the time Colodny's incident took place the public's interest in Communism had declined. The editorials that discussed Colodny, especially in the Gill article, was both a public denunciation of Communistic baiting while showing support for Colodny.

Finally, the Colodny case was an emerging controversy, not a fixed one. In contrast, Turner's dismissal was final and complete (and according to Bowman had been complete for some time). It would be difficult to assess how the reaction to the Turner case would have differed if his termination was emerging publicly rather than already complete. The public found

out about his termination after the fact and could only react and could not create pressure on an emerging issue. The public reaction to the Colodny situation was the opposite and could be attributed to individuals hoping to steer the decision in one direction or the other. This difference, then, explains one possible reason the cases were decided as they were. Indeed, the public pressure related to the Colodny case was done in an effort to be influential with the eventual outcome, while the reaction to the Turner case was simply done after the fact.

6.7 POLITICAL CONNECTIONS

Both cases demonstrate how state and local politics can play a critical role in higher education. The Turner case connected very directly with funding the building of the Cathedral of Learning, and the events of his case may have transpired much differently if such a project were not taking place at the time. Also, the state of the project and the University finances at large were of major concern to the businessmen, the Board of Trustees, who oversaw the University and its functions. Turner's activism and public discourse were disliked primarily because financial backing was being sought in the community while, at the same time, Turner was railing against the pursuit of money and economic practices he believed were largely corrupt within the city of Pittsburgh. Although he was terminated without just cause, his case would, ironically, ultimately benefit faculty members at the University. The collective efforts of labor groups and politicians over time pushed the University to work more closely with the AAUP, created a recognized tenure system for faculty, and developed a Board of Trustees configuration that would balance the power between the board and the position of the chancellor.

Colodny benefited from this change, and for this reason his case was handled significantly different. His case is an example of political motivation for personal gain, whether that personal gain was for Gill, Walsh, or any other individual who chose to become involved in the attempt to oust Colodny. If it were not for these individuals, it is possible that no controversy at all would have occurred. Colodny's situation, therefore, is directly connected to political actions.

6.8 SUMMARY OF FINDINGS

The following is a list of findings based on my work, and the research questions used to explore the events of Turner and Colodny:

(1) It is improbable to suggest that Turner's dismissal was mostly related to his discussion of religion in the classroom. The evidence offered by Chancellor Bowman in the AAUP Report simply does not support his claim. While Turner may have been antagonistic and unflattering when discussing religion, Bowman was unable to offer any evidence of complaints that he claimed to be receiving for nearly a decade. The AAUP report supports this conclusion as well, yet the Bowman Papers offer no evidence that would change the initial AAUP findings. Likewise, even had Turner offended Bowman's view of religion; he violated his academic freedom when he dismissed him without any recourse.

(2) The most likely motivation behind the *Pittsburgh Press*' article regarding Colodny was more personal than professional. It was not consistent with the tenets of professional journalism. The reason behind the negativity towards Colodny cannot be known, but Gill's article was constructed in a way that leaves little doubt that Gill intended to portray Colodny in a negative manner. Clearly Bowman violated the academic freedom of Turner, whereas Litchfield did virtually the opposite by preserving Colodny's academic freedom.

(3) Chancellor Bowman administered at a different time in history, and with a different academic environment. Bowman did not see any reason to support academic freedom either from an administrative point-of-view or from a theoretical perspective. Instead, he reasoned that academicians were to be part of an institution only if needed, and their responsibility for scholarship was beholden to those that attended and financially supported the institution. On this matter, Chancellor's Bowman and Litchfield could not be more different. Litchfield understood the purpose of academic freedom and what this freedom meant to the University and those that performed scholarship there. This lead Litchfield to protect academic freedom for his faculty and exhibit caution and patience in matters related to this principle.

(4) The two cases were most likely handled differently given the status of the University during the events, especially as it relates to financing. The University was in a reasonably good financial position in 1961 and was not concerned with

having a homogenous faculty group for fundraising purposes. Additionally, the campus in 1934 was in debt that was exacerbated by the construction of a very expensive building project - the Cathedral of Learning. This was the primary difference in the two cases that helps to explain the ways in which the cases were handled.

(5) Given that the community reaction to the two cases was so different, it also explains some of the motivation for the difference in outcomes. Colodny's troubles followed the politically volatile McCarthy Era with accusations of communists in many areas of public service, but by 1961 the public had grown rather weary of such charges that lessened the reaction to the Colodny case. The Turner case did not take place in a tense political environment and thus did not produce such a strong public reaction. The Turner case was more a reflection of how the University was being managed than a negative public response.

(6) The management of the University changed after the Turner case largely as a result of a newly established committee who had oversight of institutional affairs; this was especially due to new regulations on who could serve on the Board of Trustees. Given this development, the Colodny case was handled differently given that the supervision of University matters did not fall solely on the Chancellor. Therefore, it can be concluded that the newly formed management of the University helped to ensure a fairer treatment of Colodny, but not Turner.

(7) Academic freedom was at the heart of both cases. Colodny was able to defend himself and his ability to remain at the University with his position in tact. Turner, however, did not benefit from the same result and his academic freedom rights were violated, forcing him to leave the institution and teach elsewhere. The cases were significant in that they contributed to the development of academic freedom for future faculty members at the University of Pittsburgh.

6.9 CONCLUSION

The Turner and Colodny cases both served as major milestones that helped shape the relationship between the administration and faculty at the University of Pittsburgh during the twentieth century. At a point in time when the University sought to define itself and its position as an institution of higher learning, the cases demonstrated the institution's commitment to academic freedom in a relatively short period of time. The cases also demonstrated the way in which the University grew in terms of financial strength and oversight. The University of Pittsburgh had fully moved from a decentralized⁴⁷, local institution⁴⁸ to a fully developed University with the prestige associated with that status. The cases of Ralph Turner and Robert Colodny signify this growth and helped to tell the story of how the institution's maturation occurred. The cases signify more than just the story of the University of Pittsburgh, however, they describe the larger

⁴⁷ During the Turner situation, and prior, the University operated both in the Oakland area of Pittsburgh and downtown. The centralization of the University took place in the years that followed the Turner case.

⁴⁸ As Mulcahy (1984) states, "Under Chancellor Litchfield, the University changed from a parochial streetcar college with a second rate standing, to a first rate center for higher learning" (p.15).

pursuit and acceptance of academic freedom nationally. The current freedom that most faculty members in the academy enjoy today can in part be directly attributed to these cases.

This research shows how academic freedom was applied at two points in time in the history of the University of Pittsburgh. Through a comparative introspection, it also shows how the University's idea of academic freedom changed from 1934 to 1961. This change occurred over a three-decade period, and perspectives of academic freedom continue to change even in our current understanding of the principle. The 'culture wars', political polarization, and the post-9/11 era have all created questions about what is considered appropriate for faculty members to discuss, even with protections of academic freedom. Universities and colleges have become increasingly reliant on tuition dollars for support and less reliant on state subsidies, creating corporate universities that are increasingly concerned with public perception and support for the institution in order for it to succeed. With these substantial changes in the management and design of American institutions of higher education, it can be reasoned that academic freedom will be further scrutinized in the future. The increased sensitivity to hyper-politicalization and rapid information dissemination can only heighten this concern. Academic freedom, however, as a cornerstone to learning must be supported in order to allow ideas to be discussed and explored for the betterment of learners. Since academic freedom is not just freedom of speech, it is especially important that it be defended as a principle and not just a legal issue. The cases studied in this research detail two cases where freedom of speech is not challenged in legal terms, but the principle of academic freedom runs much deeper and must be championed by institutions and professional groups to ensure its future health. When done properly, as is demonstrated in the Colodny case, universities maintain their basic values that have been vital to institutions of higher education from early on. Undoubtedly the various

constraints of current society will create newer situations where academic freedom is challenged and it will probably be redefined. What is crucial is the idea that academic freedom always be viewed as what is best for the student, the faculty, and the institution at large. This will most likely require that higher education institutions support the idea of academic freedom, especially with the recent attacks on unions, tenure, and, indeed, the very principle of academic freedom.

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