that believes in, advocates, or teaches the overthrow of the United States Government, by force or by any illegal or unconstitutional methods." The faculty rebelled. Many distinguished scholars whose loyalty was beyond question refused to sign, and the university was thrown into an uproar that continued for nearly 3 years.

In the face of the faculty rebellion against the oath, university president Robert Gordon Sproul asked the regents to repeal it. But regent John Francis Neylan led a majority of the board in refusing to do so and in clinging to the refusal during a year of bitter debate. This was the same Neylan who had once accepted the case of Charlotte Anita Whitney and appealed her conviction for criminal syndicalism all the way to the United States Supreme Court—this fighting liberal of earlier years was still fighting but no longer liberal. He was, in fact, a strong admirer of Senator McCarthy.

Governor Warren, as an ex officio member of the board of regents, favored repeal of the oath. It was, he argued, not only harmful to the university and to academic freedom; it was also completely worthless. A Communist, he pointed out, "would take the oath and laugh." No one who was plotting to commit treason would cavil at mere perjury. But these arguments did not prevail. Regent Lawrence Mario Giannini, son and successor of the founder of the Bank of America, said that if the board rescinded the oath, "flags would fly in the Kremlin" in celebration and he himself would feel compelled to "organize twentieth-century vigilantes" against the subsequent wave of communism in California. Other regents argued that "insubordination" not "disloyalty" was the issue. In August 1950, by a vote of 12 to 10, the board voted to dismiss 32 nonsigning professors. In September the academic senate at Berkeley voted to "condemn" this action of "a bare majority" of the regents. Thus, for the first time in history, an American university faculty adopted a formal resolution of censure against a university governing board.

Professor Edward C. Tolman, previously chair of the Berkeley psychology department, led the nonsigners in bringing suit against the board as represented by its secretary and treasurer, Robert M. Underhill. In 1951 a state district court of appeals ruled that the oath violated the state constitutional provision protecting the freedom of the university against political influence. The state supreme court disagreed with this interpretation in its final ruling in *Tolman v. Underhill* in 1952, but it also invalidated the oath and ordered the professors reinstated, on the narrower ground that the requirement of a loyalty oath was within the power of the legislature and not of the regents. The legislature, in a special session called after the beginning of the Korean War in 1950, had adopted the Levering Act requiring an elaborate nondisloyalty oath of all state employees, including those of the university, and the state supreme court upheld this requirement. In doing so it was following the current doctrines of the United States Supreme Court; however, under Warren as chief justice that body became more liberal. In the 1960s it struck down similar oath laws in several other states and thus enabled the supreme court of California to declare the Levering oath unconstitutional in 1967, largely on the ground that mere membership in an organization was not evidence of disloyalty.

The state committee on un-American activities was dissolved in 1971, after the senate's new president pro tem discovered that it had established "subversive" files on several senators because they had voted against its appropriations.

The Governorship of Edmund G. Brown

The year 1958 was a turning point in California politics. Before that year, the Republicans held five of the six statewide executive offices that were filled by partisan elections, both of the United States senatorships, nearly two-thirds of the seats in the House of Representatives, and more than two-thirds of the seats in the state legislature. After 1958 these proportions were almost exactly reversed. Through a combination of Democratic efforts and Republican blunders, the latent Democratic majority was at last able to assert itself.

A key factor in the Democratic resurgence was the decision by Republican senator William F. Knowland to run for governor in 1958 on a platform openly antagonistic to organized labor. Knowland's decision was based on a combination of personal and political factors, not the least of which was his desire to secure passage of a state *right-to-work law.* The phrase "right to work," based on the idea that a worker should not have to join a union in order to hold a job, was a code name for an assault on the union shop. Following passage of the Taft-Hartley labor relations act of 1947, several states had adopted right-to-work laws forbidding union-shop contracts. Knowland hoped to consolidate his position as a leader of American conservatism, lead the large California delegation to the Republican national convention in 1960, and thus secure for himself the presidential nomination.

Knowland succeeded in winning the Republican nomination for governor, and Edmund G. Brown emerged as the victor in the Democratic primary. Voters in the November election were thus faced with a sharp choice between candidates and philosophies. Knowland endorsed a right-to-work ballot proposal and Brown campaigned against it.

In the campaign of 1958, organized labor achieved the greatest degree of unity that it had shown in the whole history of California politics, in support of Brown and in opposition to Knowland and the open shop. There were about 1.5 million union members in California, and with their close relatives they constituted more than a third of the eligible voters. Labor unions also sponsored a huge campaign of billboard, television, and newspaper advertising, stressing the argument that the "so-called right to work means the right to work for less and less and less."

In the election of November 1958, Brown won nearly 60 percent of the votes and the right-to-work ballot proposal lost by almost exactly the same percentage. Brown carried 54 of the state's 58 counties. The Democrats also won majorities in both the state senate and assembly.

Edmund G. Brown, who now emerged as the leader of the California Democrats, was a native San Franciscan, born in 1905. When he was in the seventh grade, a ringing patriotic speech for the sale of liberty bonds had earned him the nickname of "Patrick Henry" Brown, and he continued to be known as Pat throughout his later career. He became district attorney of San Francisco in 1944 and was elected state attorney general in 1950.

When Brown was inaugurated as governor in January 1959, the Democrats were in control of both houses of the California legislature for the first time in 80 years. In his inaugural address, Governor Brown promised to follow "the path of responsible