

SUPPORT THE COMMITTEE FOR FREE ASSEMBLY AND POLITICAL EXPRESSION ON CAMPUS

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The Committee for Free Assembly and Political Expression on Campus aims to publicize the facts of the YSA's fight for campus recognition throughout the country. Various prominent individuals, including prestigious academic figures and community and campus leaders, have already become sponsors of the Committee.

The central purpose of the committee is to launch a legal and public campaign to win the Young Socialist Alliance the right to official campus recognition on Florida State University campuses.

While the members of the Committee do not necessarily endorse the political views of the Young Socialist Alliance, they support its right to express its views without harassment and in a free and open manner. Funds are needed to publicize facts and issues in the case.

HOW YOU CAN HELP

- 1) Become an endorser of FAPEC.
- 2) Send in a donation to the defense fund.
- 3) Order copies of this brochure to inform others of the case.
- 4) Gain sponsors for the committee by approaching prominent individuals and campus and community leaders in your area.

Make checks payable to:
COMMITTEE FOR FREE ASSEMBLY AND POLITICAL EXPRESSION ON CAMPUS
 P.O. Box 6693 FSU, Tallahassee, Fla., 32306

I endorse the Committee for Free Assembly and Political Expression on Campus
 Enclosed is \$ _____ as my contribution to help defend civil liberties on Florida campuses
 Keep me informed of developments in this case

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**FIGHT A
 DEMOCRATIC
 RIGHTS**

• Support the right of the Young Socialist Alliance to gain recognition on Florida state campuses

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 Box 6693 FSU
 Tallahassee, Florida 32306

A FIGHT FOR DEMOCRATIC RIGHTS

On March 6, 1970, D. Burke Kibler, Chairman of the Florida Board of Regents, in a letter to the president of the University of Florida at Gainesville, enunciated a statewide policy of denying official campus recognition to the Young Socialist Alliance (YSA) on all of Florida's state university campuses.

This Board of Regents policy has denied the YSA the right to run candidates in student government elections, hold meetings, have literature tables, and gain access to other facilities available at state universities. This arbitrary ruling was made on the false ground that the YSA, in the opinion of the Board, has as its goal "the destruction of the total educational process" of the state university system.

The YSA's application for recognition at Florida State University in Tallahassee and the University of Florida in Gainesville in March of 1970 received widespread acceptance and support from students and faculty. The Student Senate at FSU, the body formally charged with the responsibility for recognizing student groups, quickly approved the YSA's application just two days after it was filed. However, soon after the FSU administration became aware of the Regents' attitude toward the YSA, it overturned the Student Senate ruling and denied the YSA recognition.

This restrictive policy was instituted solely on the initiative of the Board of Regents without any consultation, discussion, or hearing with any other section of the university community. In effect, it grants the Regents the sole right to decide who has acceptable beliefs and goals, and who, therefore, has a right to function on campus.

On the basis of this policy the Young Socialist Alliance, a campus-based organization which is recognized on campuses in every other state in the union where it has applied, was banned from all Florida state campuses. This proscription was accomplished solely through Chairman Kibler's March 6 letter.

The YSA was never granted a hearing on its plea for recognition nor given a chance to answer the charges made by Kibler in his letter.

In response to the administration's veto almost all chief officers in the FSU Student Government signed a letter of protest to the Board of Regents, stating in part:

"We perceive your letter regarding the recognition of the YSA as a blatant attempt to inhibit

the dissemination of dissenting analysis. As you know, the YSA uses only the normal democratic machinery in the course of presenting its views—petitions, elections, rallies. Consequently, since there is no illegal or disruptive method in question, we are forced to conclude that your objection is only to the organization's philosophy."

LEGAL HISTORY

Since the YSA was first denied recognition, defenders of democratic rights in Florida have taken part in a state-wide legal and public campaign against the Florida Board of Regents' policy.

The YSA initiated court action for an injunction

against the activities of the Board of Regents and Dr. Stanley Marshall, then president of FSU, in the late spring of 1970; and the Florida Civil Liberties Union is handling the legal proceedings.

On September 1, 1970, Judge David Middlebrooks of the U.S. District Court for the Northern District of Florida refused to rule on the constitutional questions involved in the case and dismissed the appeal for an injunction. However, later in that year, the Fifth Circuit Court of Appeals in New Orleans ruled that the Florida District Court of Judge Middlebrooks was required to hear the case on its constitutional merits.

Nearly two full years later, on June 14, 1972, Judge Middlebrooks held a non-jury trial to rule on the suit. His ruling, issued on July 11, maintained that the action taken by the Board was not in violation of the U.S. Constitution.

His opinion was that Florida State University is justified in banning the organization because the YSA advocates "change by use of force." At the trial the YSA repeatedly stated that it does not advocate "change by the use of force." The Florida District Court decision flies in the face of a recent Supreme Court ruling that universities cannot deny recognition to student organizations because of their political views.

According to the June 27, 1972, *New York Times* U.S. Supreme Court decision of June 26 in the case of *Healy vs. James* ruled that "a state-supported college may not deny official recognition to students who wish to form a chapter of the Students for a Democratic Society merely because the university's president finds the radical SDS philosophy abhorrent and fears that the local chapter will foment disorder."

On July 14, 1972, the YSA announced its decision to appeal its case to the Fifth Circuit Court of Appeals in New Orleans. The ACLU will continue to handle the courtroom proceedings for the YSA.

The Committee for Free Assembly and Political Expression on Campus sees the denial of campus recognition to the YSA as a violation of the U.S. Constitution's guarantees of free speech, equal rights and due process. It represents not only an attack on the democratic rights of the YSA but of the entire student movement. For this reason, we urge all who support civil liberties and academic freedom to join us in the campaign to defend these rights.

EXCERPTS: KIBLER LETTER

The basis for the YSA's proscription was a letter sent to state universities by the Chairman of the Board of Regents, D. Burke Kibler, III. Below are excerpts from this letter which clearly reveal that the ban is based solely on opposition to the YSA's political views:

"I am well aware that campuses have, since their existence, attracted revolutionary and anarchistic thought, and it is not my purpose to rid our campuses of people that hold these unpopular and unhealthy (sic) beliefs... However, there is a vast difference between sanctioning the expression of controversial ideas and sanctioning a student organization dedicated to revolution. I am aware that the argument has been put forth that the YSA differs... in that they do not countenance the use of force. Even if this is true (which I doubt), it is a distinction without difference..."

"I do not think we have yet come to the point in our society that under the specter of academic freedom we must let such radical activists have their way."

"Although YSA probably has met surreptitiously (sic) on campus this is certainly no reason to place on them a mantle of respectability by recognizing them."