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University of California
Berkeley, California

Watson M. Laetsch

Six Weeks in Spring
UC Berkeley Management of Campus Protest Oral History Project

Interview conducted by
Julie Shearer
in 1985

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Interview: July 29, July 1985

[Begin Tape 1, Side A]

Shearer: This is July 29, and I'm in the office of Watson M. Laetsch. Is that correct?

Laetsch: That's correct.

Shearer: And what is the "M" for?

Laetsch: Macmillan.

Shearer: So that's why you're called Mac?

Laetsch: Right.

Shearer: Can you name and describe your position?

Laetsch: I'm Vice Chancellor for Undergraduate Affairs, and that means that I have responsibility for, I think, something like twenty-three units, plus other kinds of programs that are not defined within units, and then responsibility for initiating and carrying through quite a few other campus-wide efforts that, again, don't fit within specific units.

Shearer: Now, unit, in this sense—

Laetsch: Well, they range from intercollegiate athletics to the Student Health Service to the Lawrence Hall of Science to—let's see, I don't think I have any graduate programs any longer—just about everything you can think of related to undergraduates. Then in addition to that I'm responsible for most of the campus programs related to instructional improvement, development, et cetera. Then you might say general overall coordination of many things at the undergraduate level, not only in terms of line units like admissions and financial aid and so forth, but the general improvement of undergraduate education and working out specific curricular areas and all kinds of stuff.

Shearer: That is quite a sweep of responsibilities.

Laetsch: It is a sweep, yes.

Shearer: I imagine it could be formidable if you think about it all at once! [laughter]
How long have you been at the University?

- Laetsch: Going on twenty-three years.
- Shearer: You were here, then, in the sixties?
- Laetsch: During FSM [Free Speech Movement], yes, right.
- Shearer: Are you also a University graduate?
- Laetsch: No. I am a university graduate, but not of this one. [laughs]
- Shearer: When did it occur to you that the anti-apartheid issue would become a cause for demonstration on the campus here?
- Laetsch: Well, we had discussions on this last fall, and within the Office of Undergraduate Affairs we had discussion with the Chancellor and the Vice Chancellor about this as a possibility, again in the—as I recall, the late fall, and certainly in the beginning of the spring as issues which would be forthcoming [arose]. Then, as the spring progressed, it became increasingly apparent that this would be something that would be heard from.
- Shearer: Did the conversations coalesce around the December arrests, or it was prior to that? The December 7 arrests at University Hall.
- Laetsch: No, there were indications earlier. That is, as you know, the more national publicity, the arrests in Washington, DC, at the South African Embassy, just kind of things that we saw. There were student groups that were increasingly mentioning it, discussions within the various student body organizations, et cetera; it was just in the air.
- Shearer: When you say “we” were discussing it as far back as the fall, who constitutes the “we” in this case?
- Laetsch: This would be—within Undergraduate Affairs—it would be specifically my immediate staff, two assistant vice chancellors.
- Shearer: And that would be—
- Laetsch: Bud Travers and Robert O’Hara. Particularly the indication of this as an issue really comes out of Bud Travers’ operation because he has the Office of Student Activities and Services, which is our liaison with student groups. In fact, it is the organization that registers student groups. They also have student discipline. They also have the ones that work with the ASUC and keep track of the sort of things that are going on there and talk with them, negotiate, and so on and so forth. So

you might say they're our diplomatic wing with the student groups.

Shearer: I see. So he would be working very closely, then, with Michele Woods?

Laetsch: Michele reports to Bud, yes.

Shearer: So, within the Office of Undergraduate Affairs, it was you, Travers, and O'Hara?

Laetsch: Well, there're other groups as well. For example, within this office, as I said, immediate staff, we held a weekly staff meeting. Russ Ellis is part of that; Lynn Bailiff, my executive director; Austin Frank, Director of Office of Student Research; Francisco Hernandez, who is much involved with many of our outreach and recruiting programs; and I guess that's it. But within groups and then subgroups of other parts of Undergraduate Affairs, this has been a discussion.

Shearer: So your sources of information, then, would tend to come up through Student Activities and Services, Mary Jacobs, and rally registration?

Laetsch: Yes. This group is liaison with the police force as well, so they have weekly meetings. And of course the Police Department, through Joe Johnson, gets lots of information about the kinds of things that are happening, the stuff that various non-campus groups are concerned with and interested in, they get signals of various kinds.

Shearer: Officer Johnson's name seems to come up often. Is that because he is—?

Laetsch: He is the officially designated liaison with organizations and groups.

Shearer: And he's also on the front lines, as far as the day-to-day [things go]?

Laetsch: That's right. Part of what he does is spend his time talking to groups, negotiating with them in some cases. You know, he gets literature; he goes and meets with groups. For example, groups who want to protest in some way. Well, he'll inform them as to what they can expect and really try to help them to have a peaceful and regular protest. It's all like kabuki now, it's all choreography! So the police and the various groups work together from everything from mounting a protest to how they're going to get arrested.

Shearer: Is this something that *you* have worked out in concert with the police? Is this something that's been discussed as a policy?

Laetsch: Well, all of us have been involved with this over the years, and this is something that has sort of evolved. And the fact that Joe Johnson was put into this position again; we had had him at one time in the police force, and it became increasingly

apparent that we needed the other person. He [Johnson] worked for the fraternities, for example. There's another example. So that almost anything that the police force needs to have—sort of a negotiator, liaison, what have you—that was increasingly apparent that that's what was required. Then, there are so many degrees of overlap between Student Activities and Services and police, with respect to student conduct, for example, and the registering of student groups, and then the activities of students groups. Just one example that plays a large role in any demonstration is the use of the microphone, the “time, place, and manner” rules. Well, that is both police- and Student Activities and Services-monitored function.

Shearer: Before we go further I want to know from you how much time I can take. We got a little bit of a late start.

Laetsch: Yes, we got a late start. I would hope that we could finish in an hour. I'd very much like to have that happen.

Shearer: We'll try hard to have that happen.

Laetsch: Good.

Shearer: When you became involved, do you remember about what phase—?

Laetsch: Well, from the first minute. That is, the afternoon when we were informed that there was a group that was on the steps and they had demands they were going to sit in, [Special Assistant to the Chancellor] John Cummins and I went over to 127 Sproul Hall and met with about a half dozen of them as to what they wanted and what they were going to do and what their demands were. So day one, minute one.

Shearer: And what was the 10th? That was right after—

Laetsch: Was that the 10th?

Shearer: That was the first night of the sleep-in.

Laetsch: Okay, it was the afternoon, then, of the first sleep-in.

Shearer: And at that point you and John Cummins—

Laetsch: Cummins went and met with them initially, yes.

Shearer: At that point were you meeting with *designated* student representatives?

Laetsch: Well, this was all part of the problem; no one knew who was what. We met with—oh, I think there were about three women, two men, something like that, and

a reporter from the *Tribune* that had been alerted by them, and of course wanted to be there, and actually started in the meeting. I told her she couldn't be in the meeting, so she waited outside. It was not clear *who* they'd been designated by and, as we know, the negotiators and leadership changed throughout the course of the spring. If I recall, at least one of these individuals cropped up later on, but some of the others fell by the board. Oh, people like Ross Hammond and Andrea Pritchett and so forth were not part of that original group.

Shearer: Who was the person who cropped up later?

Laetsch: I can't remember his name. I'm sure John might be able to remember his name, but I don't remember it. He was one of the individuals who was arrested subsequently, but I can't recall his name. Basically, what we did at that meeting was to try to determine what they wanted. We took their demands, we said that we would contact the Regents, since they were all directed to the Regents and to the University, and we tried to give them a little understanding of how the University is put together. What day of the week was that? I forget. Was it a Thursday or Friday?

Shearer: Let's see, Friday was the 12th.

Laetsch: It was a Wednesday, then. If it was the 10th.

Laetsch: Anyway, one of the issues was how quickly we could get a response from people, and since many of the things were directed to the Regents, we told them we would take this to the President's Office, but that they weren't likely to get a very quick response. By the time the University got a response, the weekend would be on us, et cetera, et cetera. So that was one of the initial issues, how quickly we would get a response to their non-negotiable demands. So then we took those demands. I think John that evening called Vice President Brady, and things went on from there.

Shearer: So Vice President Brady, then, played a role?

Laetsch: Yes, all the way through. He was the main person from University Hall [UC Office of the President] that was involved in all the negotiations.

Shearer: Was he continuously a member of the initial group? Now, the initial group, I gather, was larger. It included yourself, Ron Wright, John Cummins, Rod Park, Chancellor Heyman—

Laetsch: Well, that group, yes, stayed together pretty much all the way through.

Shearer: I understand that at one point there was a shift— that is, following the arrests—and

I'd like to ask you about that a little bit later, but initially is it correct to say that it was a fairly large group which included those I've mentioned plus Michele Woods and Mary Jacobs and, I believe, Hal Reynolds?

Laetsch: Yes, they really came in more a little bit later on. Ron Brady was not involved with our discussions and our group initially. I mean, he was not involved on a day-to-day basis as a member of the group. In fact, he rarely met with us. In fact, I'm not sure, with the exception of one evening over at the Chancellor's house, that he met with the whole group. He came in and had a couple of meetings with the students, but it was mainly telephone calls of meetings with John Cummins.

Shearer: Was this meeting at the Chancellor's house in the afternoon of the 14th?

Laetsch: No, that was a long time later.

Shearer: Much later?

Laetsch: Yes, right.

Shearer: Backing up then, to that period of the 10th to the 16th, when was it apparent to you that there was a need for kind of a coordinated administrative response?

Laetsch: Oh, after about ten minutes! [laughs]

Shearer: What did you feel the goals of the administration should be at that point? What were they, as you understood them?

Laetsch: Well, as always on these things, to find out what the group's intentions were and then to try to figure out how we could resolve it without increasing the action. That basically was what we were trying to do from day one, which was to end the sit-in without providing the rationale and excuse for more activity.

Shearer: What were the guidelines that you were operating under?

Laetsch: Well, I'm not sure we had any guidelines. What was very apparent it that this group was going to try to develop a conflict of some kind that would spread, obviously. That was what they were interested in all the way along. So our concern was to protect free speech and protect the academic activities of the University; that is, to allow free speech, et cetera, to go on but not have anything else which was going to interfere with the running of the campus in terms of its normal activities. To enforce time, place, and manner rules. And to keep control of the situation so that we were not faced with external pressures that we couldn't handle. In other words, everybody looked back from the very beginning, whenever anything like this happens, particularly as it develops and gets bigger, to 1964.

Shearer: To the Free Speech Movement.

Laetsch: That's right. When it was perceived that the campus did not have control of things, and the pressure then for external control mounted until it of course couldn't be stopped, and external forces basically took over.

Shearer: So when you're talking about external pressures—

Laetsch: I'm talking about the President's Office, the Governor, the legislature, the citizens of California.

Shearer: Now, the President's Office is the same as, in your mind, the Regents?

Laetsch: No. No, they are different. You see, if you go back to 1964, [UC President Clark] Kerr did not have the backing of the Regents, but he himself was a force that created some of the lack of stability on the campus, because he moved in and started to take it over and to call the shots. So he basically usurped the Chancellor. Then, of course, the Regents came and didn't think he was doing it right either, and they came in and canned him! [laughs]

Shearer: I see, so this scenario was very present in your mind as this developed?

Laetsch: Oh sure. Not in the first day or two, but as it developed, as it went on past that, absolutely. That is, you have a group coming in and taking over the campus, basically. That's how it could be perceived publicly. Therefore, the immediate question is, does the administration have control? Is this group going to take over, and are you going to have basically mob rule in which teaching and other functions of the University are interfered with? That, of course, is what the faculty is also concerned about. So the concern is, how do you localize it, how do you provide opportunities for free expression, how do you keep from doing something which will permit a conflagration that you would not be able to stop?

For example, even though there were many, many violations of time, place, and manner rules on the plaza, we did localize it to the plaza. If you'll recall, in the sixties there were many times when they *couldn't* keep it localized, and so it ran around all through campus and with great destruction. For example, we saw this in several of the marches through campus where there were attempts to initiate activity with the police. Well, once you get groups running around on campus, with fifty-five people on our police force you can't contain it. Then you soon develop a situation where you have hit-and-run tactics, you pull in other people from all over the place, just as we had in the sixties. So they run around through campus and tear up things and trash stuff, and that's very, very difficult to stop. So from one standpoint our aim was just controlling the action in one place and then not doing

something which would give rise to charges of abridging freedom of expression or police brutality or what have you, which then brings in more people. Most of our students were not involved, really, but there were quite a number that were interested. That is, there was a great appeal, particularly in the first period, a great appeal to students' idealism.

Shearer: This was before the arrests? The first period you're speaking of.

Laetsch: Yes, and I would say even maybe a bit beyond that. I would say maybe up to the forum that we had. After that, the people on the steps were increasingly—well, in fact the ones that slept overnight were *always* predominantly nonstudents. But after the forum happened, the thing was really taken over by nonstudents, and the interest of the student body as a whole, in that particular thing, declined very, very drastically. But up till that period there was a great appeal in, let's say, something that happened which was perceived as police brutality or that we were abridging free speech. Then you would have had a lot of students on the fringe that—well, I say "on the fringe," but, you know, sort of sympathetic, et cetera, but still going about their business. Well, they would suddenly come over to it, you see. It's not a worry in anything like this that you're going to have increasing numbers of street people coming on and getting involved. You can handle that, in a way.

What you're concerned about is that if the students, any real sizable percentage of them, coalesce around something, then you have a real issue. So you're always very concerned about not doing something which is going to increase the conflagration, you might say. Then also part of it is to make certain that people understand that you are in control of the situation. Of course, you're balancing on that kind of thing all the time, but that's really what drove the whole thing from beginning to end and why in terms of the handling of the situation overall I think there really is only one point that in hindsight—not just in hindsight, because we realized it at the time—that could really be debated on maybe doing it differently if we had a similar situation.

Shearer: What is that?

Laetsch: That is whether we should have allowed the people to stay overnight the first night.

Sharer: Did you feel you had a choice?

Laetsch: Sure, we had a choice. It was just a question of what the risks were.

Shearer: What were the considerations at that point? Do you remember that discussion?

Laetsch: Sure. We discussed it on and on, sometimes in the middle of the night! In order to attempt to negotiate some kind of a settlement and to negotiate following the time, place, and manner rules and applying the time, place, and manner rules, at what

point do you say, “Okay, these are the time, place, and manner rules, we’re not going to go any further”? At what point do you say, “Well, let’s continue to negotiate and see if we can resolve it and also see how the thing is going to unwind a little bit; okay, people are having a vigil; okay, fine, let them have a vigil”? At what point does the vigil become a camp-in, the degree to which you prevent them from having a camp-in and how that then would be perceived by others in terms of producing martyrs or what have you? You know, those things are always things you have to debate. Well, the fact that we did go in and arrest, what, on the 16th? So that was basically a week after it started. It was apparent after a day or two that we would eventually have to do that; it was just a matter of deciding when.

Shearer: I want to take you back just a little bit. You were talking about the various publics, the Regents being one, the President’s Office being another—

Laetsch: Okay, the governor’s office.

Shearer: —the man on the street, the legislature, and so forth.

Laetsch; Right.

Shearer: Among this welter of questions and forces and considerations, whom did you feel *you* were representing in your particular position?

Laetsch: Well, I guess I think I try to represent the Berkeley campus and the University.

Shearer: Was there a thought that the administration of Chancellor Heyman would be in jeopardy if one thing or another was not done at that point?

Laetsch: Sure, that was I think a background concern. The reason for some concern there is that we did have the Kirkpatrick incident, and he took a lot of flak on that; the campus took a lot of flak on that.

Shearer: From whence came the flak?

Laetsch: It came from the Regents and the White House. That went all the way to the White House.

Shearer: It was also well known to the core administrators?

Laetsch: Oh sure, sure, sure. But again, one shouldn’t point out just the Heyman chancellorship; that kind of thing is always a factor. Whenever something happens on the campus that seems to interfere with the “normal operation” of the campus, then people begin to ask, “Are those people in control of the campus?” I should say there was another public here; it wasn’t just those, externally. You also have,

internally, the faculty. And of course you have the student body as a whole, although that's a very diverse and diffused group. In fact, one of the interesting aspects of this whole event is the degree to which the faculty *didn't* involve itself. I think that is reflected in the letter from the Senate Policy Committee to the Chancellor praising him for the way in which he handled the whole situation, particularly since there was never any interference with the academic functioning of the campus.

Shearer: According to the letter?

Laetsch: Yes. And just generally speaking. That is, I think you may have people that will find some fault with whether we were too lenient or too authoritarian, et cetera, but I don't think anyone can fault us for the fact that we did maintain the academic functioning of the campus. There was no interference. There were no classes disrupted, there was never any real significant interference with the academic activity of the campus, and of course that's the first thing that the faculty would be concerned about. Let's say, if you had people going out, as we did in the sixties, interfering with classes, then that's when you get the faculty roaring.

Shearer: So the faculty did not interpret the boycott as interference when some faculty people took their class outside the classroom but nonetheless conducted it? You're referring to that as well?

Laetsch: Oh sure. A faculty member can decide or not decide to teach their class at any particular time. They better teach *most* of them during the course of the semester, but at any particular time they can decide to do something different with their class; we don't keep roll on that. And there were really relatively few incidents of this kind; most of the faculty taught their classes. Some of them may have done it a little differently, and maybe some didn't do it at all. But overall the classes were held.

Shearer: So when you say disruption to the University—

Laetsch: I'm talking about going in as we had in the sixties, groups of people going in and disrupting specific faculty members' classes and basically threatening certain faculty members. That's happened here.

Shearer: So an interruption that is programmed and planned by the faculty person is not interpreted as a disruption of the teaching function as long as some educational process is carried out?

Laetsch: Well, yes, again it's faculty-instituted, you see, and this place is run by the faculty. That may not be appreciated and approved of overall by the faculty, but still they tend not to interfere with a particular faculty member's running of their course unless it's a prolonged kind of a thing. That is, if some faculty member doesn't

teach their course over any period of time then they're going to be talked to by their dean very quickly. But if a faculty member decides to take their class outside or for whatever reason decides not to teach his class that day, that may not be the best thing in the world, but it happens, and it's not something that the faculty as a whole is going to get very concerned about.

What they would be concerned about is, one, if the Chancellor stopped classes for a day. We do not dismiss classes for anything. Every month we have somebody that comes along and says, "We should dismiss classes today for some event because this is so important." Well, we don't do it for anything. On Charter Day for example we will encourage people to, if it's appropriate, to make other arrangements and so on and so forth, but classes are held; they're not dismissed because we *can't* dismiss classes for those very reasons because there's always something that somebody considers to be *the* most important reason, why we should set business aside as usual. So the Chancellor does not dismiss classes and does not interfere with the faculty really in the running of their classes.

So you have that, and then some outside group coming in. Let's say a group of students, in marching around campus, marched into a classroom and disrupted it. Of course in the old days we used to have accepted disruptions in the sense that the week before the big game you'd have the Straw Hat Band come into some of the larger classrooms and toot a little bit—they'd always ask you if they could come in—so that was a disruption. But those were simpler days, where that was considered to be part of school spirit! [laughs]

Shearer: And that doesn't happen anymore?

Laetsch: That does not happen much anymore; I don't think it happens at all.

Shearer: Looking back to April 11 and 12—that would be Thursday evening and Friday evening, after the second night of the sleep-in—on the morning of the 12th the police chief and some members of the Department of Facilities Management came and removed some mattresses, but, I believe, did *not* unblock the doors to Sproul Hall. This was following a meeting with the students and the administrators at which the rules were read and they were made clear on *both* those points. Can you comment on that? Why was this not done? Should it have been done, was it a wise decision to stop short of—?

Laetsch: I can't remember the specifics on that. There was a lot of discussion as to whether the doors were indeed blocked. If I recall on that, it was felt that, no, they weren't actually blocked. If somebody had really wanted to go through, they probably could have. Again, it was in that period of time where we were really trying to negotiate with them on the issue and get them to respond and so forth. And we bent over backward, I think, on the side of a loose interpretation of—

Shearer: Technical compliance?

Laetsch: Yes, right. And we had this at various times when they couldn't attach anything to the building, but it was almost attached or whether the—

[End tape 1, Side A]

[Begin Tape 1, Side B]

Shearer: You were describing the technical compliance with the sign regulations.

Laetsch: That's right. Some of it was kind of amusing, actually, where they would prop stuff up on the building and, you know, it would fall off, and all this sort of thing. There was a lot of edging around on all of that. So this was, again, all part of kind of seeing how far the rules could be stretched and still be singly within the boundaries of the time, place and manner rules.

Shearer: When you came to decide on arrest—this was over the weekend of the 13th and the 14th, Sunday being the 14th—at what point did you come to the decision? What was the operative consideration, the most important pro consideration?

Laetsch: I don't think any of us felt that it wouldn't come to that. That is, I think it was clear to a lot of us. It was clear to me after the first ten minutes of talking with them on the 10th that we would eventually have to have arrests.

Shearer: Because they wanted it?

Laetsch: Oh sure, sure. Well, for several things. They wanted to be arrested; the hardcore group wanted to be arrested and wanted to create incidents. If you want to create incidents, the best way is by getting arrested. It was also clear from very early on that they were going to be there and try to stay; that is, remember Columbia had happened and they were simulating Columbia. So it was obvious that they were going to be there and stay and camp out, and they were going to be in violation of time, place and manner rules. That became quite clear. Even though we continued to attempt to negotiate with them, et cetera, et cetera, you know, particularly after about a day, a day and a half, two days, it was clear what they were going to do. So we knew we would eventually have to clear them out; that is, have to show that we were enforcing time, place, and manner rules.

Shearer: For the sake of? Can you assign it to one of the several publics?

Laetsch: Well, I think, again, it's not only the publics per se, it's the basic fact that you had a group that came in and took over a piece of University property in clear violation of the fact that we don't *have* groups that come in and take over pieces of University

property. So once you set a precedent of that sort then there're all kinds of people that would be very happy to do that. So the fact of them doing that then secondarily relates to all the various publics. You know, why are you letting a mob come in and take over a piece of University property in clear violation of all your rules? To the public, it was apparent that, you know, the place was barricaded. A lot of people thought that you couldn't get into Sproul Hall, period. Now, Sproul Hall operated pretty normally during all this period. You went in the other doors.

Shearer: Only the front doors were blocked.

Laetsch: Yes, it was a symbolic thing in the front, although it did hamper access for a lot of people because it is easier for a lot of students coming from down there or up here to go through the front doors, but you can still get into this building. Well, a lot of people during the process thought, "Oh the building was barricaded, it was closed up, you couldn't get in." So it became very, very clear after a bit that this is something that we had to do to enforce the time, place, and manner rules and to basically make a statement.

Shearer: Was there unanimity on this point immediately?

Laetsch: Yes. The only argument was really on when, on time. But the fact that we would have to have a police action there was agreed upon, I think, very early. I think everybody agreed we would eventually have to do it; it was just a question of when. The decision of when was really when the Chancellor finally felt that, yes, it had to happen then. Let's see, he was gone during that period; I remember, he was gone for a couple of days, so it was basically waiting for him to come back and really decide when it had to be.

Shearer: So he was back over the weekend?

Laetsch: That must have been the case, yes. I forget exactly when, but he was gone for a couple of days in the east during that period. There was no disagreement that we had to do it.

Shearer: There was a note somewhere Gene Lee was consulted in London during the course of this deliberation, the last day or so when you were trying to decide what to do. Do you recall what his advice was?

Laetsch: No. I vaguely remember that I think John Cummins probably called him. John is a good friend of his. Other faculty came in. Neil Smelser came in. I think we had Troy Duster; we chatted with him. He was in one of our evening meetings. And of course Russ Ellis was involved. And there were discussions with some Academic Senate leaders during this period.

- Shearer: Who were the actual decision makers in this case?
- Laetsch: Of *when* we arrested?
- Shearer: Yes. You mentioned who was consulted, but who actually made the decision?
- Laetsch: It was the Chancellor who finally said when it should be. Again, when I say those of us discussing it, it was really myself and [Vice Chancellor] Rod Park and the police chief and so forth that knew we had to do this. But it was really the Chancellor's decision as to when we finally decided to do it. Also, during that period in our discussions the assistant district attorney was also involved. Is it Horner?
- Shearer: Jeff Horner?
- Laetsch: Jeff Horner, yes.
- Shearer: And what was his input?
- Laetsch: Well, see, if we were going to make arrests, we wanted to do them in the manner in which would lead the district attorney being able to prosecute the case.
- Shearer: Then he was a party to the decision to make the arrest?
- Laetsch: Oh yes, he knew when we were going to do it, and of course he was out with us at four o'clock in the morning.
- Shearer: When was President Gardner notified of this decision?
- Laetsch: I don't really remember. I imagine as soon as we made it. I'm sure that John probably called Brady and told him and he told Gardner, or the Chancellor might have called him himself. I just don't recall that specific time.
- Sharer: Your guess would be immediately, though?
- Laetsch: Oh yes.
- Shearer: What about the Regents? They did not learn until later, is that correct?
- Laetsch: I think that's correct, yes.
- Shearer: What was the reason for that?
- Laetsch: Because we don't deal with the Regents directly. The President deals with the Regents. So we tell the President, and it's up to him whether he tells the Regents or

not.

Shearer: But he didn't choose to tell them?

Laetsch: I just don't know. He might well have told some of them, and maybe not all of them.

Shearer: Did he have any input in this decision?

Laetsch: I don't think so directly. I know he and Mike [Heyman] talked at various times, and I don't think it came as any surprise to him, but I'm not aware that he had any direct involvement with it, no.

Shearer: There was an attempt to separate the infractions from the concern for apartheid. Who articulated this separation?

Laetsch: I think that was again something that was done very early, and it was sort of a joint process. I guess the first one was, what, my letter? Was it my letter that went out to the campus community?

Shearer: That was on the 15th? Two letters went out on the 15th, yours and the Chancellor's.

Laetsch: Okay, so those were a result of a number of general meetings which were held. [Public Affairs Officer] Dick Hafner was much involved, and we all kind of pitched in and wrote some things up.

Shearer: But everybody agreed that this would be the guiding principle, and it became so the same day?

Laetsch: Yes. This was all part of the original concern and discussion, that we had to preserve the opportunity for people to hold a forum and have a place where they could discuss and protest about their concerns about apartheid. But at the same time they couldn't do it in violation of long-established policies on time, place, and manner. So that was the issue. What we were constantly telling them, and of course what we told them when they were arrested, was that they were in violation of time, place and manner rules. We never argued about their concerns about apartheid.

Shearer: Going back to the two memos on April 15, the first from the Chancellor and the second from you later, the text was largely the same, with the exception of your including a reference to the forum, which would be scheduled for the first week in May. Neither one mentioned the possibility of arrest, although both alluded to the steps that might be taken, should compliance not be forthcoming. Why was this?

Laetsch: Well, we didn't want them to be threatening in a specific way. That is, what we

were still doing was saying, “Okay, guys, here is what you’ve got to do, and if you don’t do it,” I think my letter said, you know, “if this isn’t done,” blah, blah, blah. So the threat was there, but we didn’t want to say “If you don’t do this we’re going to arrest you.” We wanted to keep our options open and not tip them off. Well, there was no tip-off; they expected it of course, and the rumors over on the stairs for several days before we went over were that there was going to be an action. In fact, they were expecting it, I think, on Sunday morning. They were very concerned, I think it was one night—was it then Monday? Maybe the Monday night that Derry Bowles was on his way home, and a couple of them came over and asked him if there was going to be a police action tonight, and he said, “No, I’m going home. There isn’t going to be anything.” And he went home. But they were expecting it. So when it happened on the 16th, they knew about it very, very quickly, and of course they got the TV cameras over as soon as we were ready to go.

Shearer: It was designed as a surprise?

Laetsch: No. Well, we didn’t tell anybody.

Shearer: But being so early in the morning?

Laetsch: Well, because we wanted it at the time when they were sleeping. This was all part of it, several things. To be there while they were still sleeping or had their stuff to demonstrate that they were in violation, clear violation, you see.

Shearer: This was the point raised by Jeff Horner during the pre-arrest advice meeting? That was one of things he recommended?

Laetsch: Sure. We had television tapes of people sleeping there. So that was one of the reasons. The other was we wanted to have it done before classes started, because, again, we didn’t want to enlarge it.

Shearer: The usual practice in the last year at least, and for some years, has been to have observers at various occasions.

Laetsch: Right.

Shearer: The senior administrative staff was used as observers on this occasion. Why was this done?

Laetsch: I think more out of convenience more than anything else. We stopped doing that after that particular event because we thought that that was a mistake, so we didn’t have the top administrators as observers after that.

Shearer: Why was that?

- Laetsch: Well, because the observer is supposed to be somebody who is divorced a little bit from things, can be an unbiased observer, and you can't very well have the people that have initiated that action and so forth be necessarily—what it did was put together the observer function too closely to the people actually involved. But it was mainly a matter of convenience at that point. That is, things were moving rapidly, and, again, we didn't want to advertise it. So we more or less kept it in house. Plus the fact it started very early in the morning, observers are volunteers, and we just put a hell of a burden on the observers anyhow during the course of the next month and a half. And, again, it was sort of an imposition to have somebody volunteer to go out at four o'clock in the morning to do this, so we did it ourselves.
- Shearer: Your memo included the references to the forum date, the First Week of May.
- Laetsch: Yes.
- Shearer: Why was that reference included in yours and not in the Chancellor's?
- Laetsch: I'm not sure we had it set up by the time he did this. That schedule was changing and moving sort of daily and hourly almost.
- Shearer: Is that the reason there was a change then in the date from the first week of May, as your memo said on April 15, to the April 24 date actually chosen?
- Laetsch: Yes, in order to get things together it changed. It was just logistics more than anything else.
- Shearer: It wasn't an attempt to offer another inducement?
- Laetsch: I don't think so. If I recall it was just when they could arrange it.
- Shearer: Moving now to April 17 through 24, there was a shift in the senior staff from the front lines to a more removed position, I understand. You yourself did not then meet daily or consistently with the protesters.
- Laetsch: Oh, I never did.
- Shearer: Oh, you never did?
- Laetsch: No. We should back up on that. I met with the group that first afternoon. I did not subsequently meet with any of them directly. And, in fact, none of us did, except for John. John and Bud Travers and Michele and that group actually were the ones from day one almost to begin to meet with them directly. The rest of us did not.

- Shearer: All right, then, stepping away from that, but the senior administrative group did not meet in so large a group from the 17th on, isn't that correct?
- Laetsch: No, we still—
- Shearer: You were meeting with Mr. Park, Mr. Wright, Mr. Cummins—
- Laetsch: Well, there was the Chancellor, Park, Wright, myself, Cummins, even Derry Bowles. Dick Hafner was often involved, and Bud Travers was there a good deal of the time. Then there were quite a number of meetings where we'd have—well, I guess that's what we would have with the Chancellor, and then there would be other meetings in which some of the rest of us would be there. And then you'd often have Michele and Hal and Mary Jacobs and Pat Hayashi.
- Shearer: I see. More closely related to student activities?
- Laetsch: That's right. So it was really kind of separated into two groups. The Chancellor then would often come into those, but the group that would kind of meet with him would be—but it was all mixed up. It was very fluid.
- Shearer: Did you have direct access, then, to the Chancellor?
- Laetsch: Oh sure.
- Shearer: You didn't go through John Cummins or—?
- Laetsch: No. See, because John was really negotiator, but everything just about was checked out with us, and Rod and I were really kind of point on the whole thing. So it was a matter of meeting constantly with the Chancellor and with John and so forth.
- Shearer: And with Bud Travers?
- Laetsch: And with Bud, sure, sure.
- Shearer: What was the role of Vice President Brady at this point? We're talking about the period of the 17th through the forum.
- Laetsch: He was the one that was—he met with the student group himself personally, with John and Michele and the others. I don't know how many times he met with them. I think it was a couple of times. Then, he and John talked constantly. So his role was to get the Regents there and to try to influence the format of the forum in terms of just what it was that they would be willing to talk about.
- Shearer: There was a shift in the program on the forum from one of a pro and con to

eventually it came out as a pro, pro divestment. How did that shape up?

Laetsch: Well, it became apparent that the forum committee didn't want to have it confused by extraneous things, such as another viewpoint! So, in order to hold it really—and their argument was, well, this was a way of expressing their concerns to the Regents and of educating the Regents on a particular viewpoint.

Shearer: You're speaking of the committee. Do you mean the student committee or the contact group which included some administrators and students?

Laetsch: No, it was the student group. In other words we tried to get them to consider that, and it soon became apparent that we weren't going to get anywhere with that, that they wanted it as *their* meeting, and so we said. "Okay, we'll help you have your meeting."

Shearer: So did you feel there was some value in billing it as a student meeting and having it under their control?

Laetsch: Oh sure, sure, yes. I mean, if it had been ours, it would have not been considered to be really a valid expression of at least some students' interest. And since it was the ASUC that was very much involved with it, well, we aided them but let them take the credit and responsibility for it.

Shearer: Apparently around that time there was a decision to increase the police presence considerably.

Laetsch: You mean at the forum?

Shearer: At the forum and prior to the forum, too, just more police on campus. Where did they come from?

Laetsch: Well, it was mainly our own people that were just working overtime. Then, there were a couple of times when we had people from LBL [Lawrence Berkeley Laboratory], and then we had police that came in from UCLA, and I think we had some from San Francisco.

Shearer: But all from UC campuses?

Laetsch: Right.

Shearer: Where were they during the forum? They were not much in evidence.

Laetsch: The police were behind the scenes. There was a group. There's a hallway back there, so there were police back there. Then, there were police outside in places where

they could have been called in.

Shearer: Was this arrangement worked out with the students?

Laetsch: Oh yes.

Shearer: The students knew they were there and available?

Laetsch: Oh yes. Well, I should say the student leaders of the forum, the organizers. Oh sure, they wanted them. They didn't want any police that weren't uniformed, but they wanted uniformed police outside and in reserve. They took care of the security inside. But they wanted the police around. We were all very concerned—both some of the student organizers and we—were terribly concerned about security at this thing. We worked very closely with them on that, and they understood what our concerns were, which some of them had themselves, because anything could have happened at that thing. We were terrified for a while about what the possibilities were. We could have had bombs. We could have had any damn thing. People don't have any idea how much time we spent trying to cover all of those eventualities; but we went through scenarios of everything from what happens if somebody throws a bomb up on the platform to whether somebody has a gun to whether somebody tries to get up and attack a regent. We were delighted with what actually happened. Irrespective of the program. The fact that we got through it without any incident, because that's what we were primarily concerned about was that there'd be some incident.

Shearer: Did you feel a shift in your attitude or range of concerns following the forum? In the beginning you said it was apparent to you in the first minutes that a confrontation was what the students wanted.

Laetsch: Sure.

Shearer: Then the forum occurred without any particular incident. How did that fit into your expectations?

Laetsch: Well, the forum was fine. The forum was extremely useful. It let the steam off; it was a steam valve. So that was an extremely useful event, but it didn't have much of an impact on the actual situation on the steps. That is, there was an impact in the sense that many people become less interested. But still there were the people that were there on the steps, and what was going on there continued, and there was a desire on the part of people there to have incidents. I think I'm right in the time that our most serious incidents occurred, some of them, *after* the forum.

Shearer: Let's go to that then now. I think you're referring to the morning of the 26th, in which the Department of Facilities Management people came to, again, remove

mattresses and clean the steps.

Laetsch: Well, there were incidents that weekend, that Friday and that weekend. We had the person, for example, who disrobed and poured gasoline in Ludwig's fountain and was going to ignite himself. We had—and you may have the list of them—we had, was it Friday night, when they tried to get a generator that they found in the basement and get that over to the steps, and the police tried to prevent that, and a police revolver was wrestled away, and they finally got it back. That was a pretty bad incident. There were one or two others during that weekend that were bad. Then we had the—was it the Monday or Tuesday that we had the arrests when they went over to take away some of the stuff?

Shearer: I believe it was the 26th. I believe it was a Friday.

Laetsch: It was a Friday, okay. Well, I guess it was the previous weekend, then, the Friday, through the weekend and so forth, there were some incidents. There were incidents actually almost every day during that period. Then there was that particular series of events when the arrests took place, and the wonderful bit of theater where the guy had paint on himself, and his clothes were torn, and he was the one that lay down on a piece of cardboard. Then when they tried to move him off he began to yell that he was being beaten, and some people believed him, obviously. He did a good job. He had painted himself up very well.

Shearer: You were present then?

Laetsch: I was just after that. I wasn't right at that—I saw him, oh yes, and I saw pictures of him. Yes, he made himself up very well. And some other things came up about this that day, so I talked with the doctor who examined him, because he claimed that he had been beaten, and of course he had not been. But that was an ugly situation. And then there were things after that, some nasty incidents of harassing women. There were some robberies. There was dope activity of various kinds. There was public copulation, et cetera, et cetera. So the incidents continued.

So you have to separate the kind of political action and the public aspect of the forum from the actual dynamics on the steps. That was what I was referring to earlier on when one could see the increasing sense of frustration on the part of the group on the steps there that they weren't getting an incident. This was something that we talked about a lot, about the fact that, particularly the real hardcore group was really pretty frustrated because they weren't able to get something going. The morning of the 27th you're talking about was a good example.

Shearer: On that morning, the 26th, apparently there was an announcement that negotiations had broken off between students and administration.

- Laetsch: Yes. Who was it? Bud and John and a couple of others were having a meeting with, what, Hammond and a few others, and one of the individuals, whose name escapes me right now—
- Shearer: Martin Bucher?
- Laetsch: No, there was another one. He's really a very tough guy. Anyhow, they walked out of the meeting; they left the meeting.
- Shearer: The same morning?
- Laetsch: I think it was the same morning, yes. They walked out of the meeting, and then they claimed later on that the administration had broken off the negotiations. I was right there when Bud was telling these guys, when they were saying, "You broke off negotiations." And Bud was right there saying, "*You* walked out of that meeting, didn't you?" And the guys said, yeah, they walked out of the meeting. So there was another good example of—
- Shearer: So this was the morning of the cleaning and arrests?
- Laetsch: I believe it was that morning, yes. I wouldn't go to court on that. It was either that morning or the evening before, as a possibility. Bud or John would remember exactly what it was.
- Shearer: There had been a fairly specific, I gather, agreement worked out about how the steps were going to be cleaned, then how the time of cleaning would be communicated to the demonstrators, but on the morning of the 26th apparently no such announcement was made; the people just came to clean. How did that come about?
- Laetsch: I don't remember the specifics on that. It's amazing how quickly time dulls your—I've got a whole record of everything up there in that box. Someday I'll— [laughs]
- Shearer: Good. Well, don't throw it away.
- Laetsch: Oh no, I won't.
- Shearer: It's all very valuable. Now, on the 30th there was a march through campus, and I guess you remember that vividly because there were people who came into California Hall.
- Laetsch: That was after the Regents' meeting. Oh no, there was a march, right. Okay, that's the one where they went to the Chancellor's house, I believe, and frightened the staff over there. They were very, very nasty over there and really frightened the staff greatly. They came by here and attempted to come into California Hall, and they

didn't get in, but there was a tussle down here, yes, right.

Shearer: What was your reaction to that?

Laetsch: Standard operating procedure. [laughs] Well, my reaction was, yes, this is again a sign of mounting frustration on the part of the group wanting to get something going, and they tried pretty hard in that march to do it. That was when they marched down in through Berkeley and trashed the Bank of America lobby and then went to, I think, Berkeley High School. My reaction was, "They're trying to get something going, and by doing it they've also lost—" That's kind of important in terms of the general support. There were a lot of particularly students that after that happened were increasingly critical because it was a very flagrant attempt to get something started, and it wasn't very pretty. So that didn't work in their favor in terms of generating support. But we did talk about that a good deal at that time because of this being a sign of two things: of increasing frustration.

[End Tape 1, side B]

[Begin Tape 2, Side A]

Shearer: Okay, mounting frustration and then what's next?

Laetsch: Then, if they begin to leave the plaza and have hit-and-run tactics around the campus, then we would have real difficulty containing them because as long as they march in some kind of fashion the police can leap-frog them and be ahead of them and around. But if they broke up and started going around it would be very difficult.

By that time too the police were beginning to get tired. See, they had been working night and day, et cetera, long hours, increasingly frustrated professionally because—again, this is the other thing you have to put in this equation that was terribly important—the police had undergone days of being yelled at, sworn at, kicked, et cetera, obvious violation of the time, place, and manner rules, et cetera, and they have to put up with it. So they feel that they're not doing their job; it's terribly frustrating to them, not just physical tiredness and all the crap they have to put up with. So they were getting tired. This was always an issue. What do you do with fifty-five officers in trying to monitor and contain something like this? So part of our strategy generally was not to do anything that would result in the demonstrators leaving Sproul Plaza, which means to *let* them stay in Sproul Plaza. If we had done things which would have chased them off of there, then they would have gone someplace else, and that would have been extremely difficult.

Shearer: But what about the consideration of directing the student protest to the group that was actually going to make the decision, that is, to the Regents in University Hall? At one point the arresting action did shift to University Hall.

- Laetsch: Oh yes, the arresting action did, but they continued to live on the steps.
- Shearer: And that was your preference?
- Laetsch: If they're going to linger, if they're going to be around doing things on campus, yes, there's a preference to have them there, not just there but where they're contained. And of course they will be there because that's where the television cameras are. Again, it's important on this, when you say *student* protest, one has to remember from the very beginning that a good percentage of the people, and this is indicated in the arrest statistics, were not students. On April 16, the people arrested were actually students, and we have those figures. But that's important to remember. Increasingly, of course, during the course of this whole thing the number of students decreased relative to street people. That was always a factor in the whole issue.
- Shearer: Around May 1 there were about sixty protesters still on the steps. By most accounts most of them were non-students.
- Laetsch: That's right.
- Shearer: Were these known to the police?
- Laetsch: To our police? Oh, a lot of them, sure.
- Shearer: Were there any discussions with the city authorities about how to deal with these people still remaining on the steps?
- Laetsch: Oh sure. But, you see, the city did not become concerned at all. I shouldn't put it this way. We had asked for Berkeley Police help several times. What's the term?
- Shearer: Cooperative agreement?
- Laetsch: Yes, there's a cooperative agreement. They wouldn't honor it.
- Shearer: They would not?
- Laetsch: They would not.
- Shearer: Why?
- Laetsch: Because the city council and the mayor were part of the protest. We had Gus Newport coming on campus and telling the people to go around and trash our buildings, basically. You know, he was here fomenting the— you know, congratulating the people on the steps, so he's not going to have his police do it. The police *wanted* to do it, and in fact there was—I guess this will be confidential

for a while anyhow, won't it? There was one or two periods when the Berkeley Police came and were in the background in direct contravention of their chief's orders. We had basically a mutiny of the Berkeley Police during this period. You see, the police chief in Berkeley, that's another whole story, is on a fence. The city council and the mayor would like to get rid of him. It was also during the time, remember, when what's her name, [City Councilwoman Veronika] Fukson, her shoplifting thing, and he was under considerable pressure; So he was riding the fence between his men and the city council and the mayor, and so he wasn't going to order his guys—he wanted to. In fact, he was very much in sympathy with the police actions here, and I've talked with him since, just the other day as a matter of fact, and it's no secret where his sympathies were. But he was in a real box. But his force did, on one or two occasions, actually come around and was providing unobtrusive support.

Shearer: This was informally?

Laetsch: Oh yes.

Shearer: Were the people in uniform?

Laetsch: Yes. They weren't on campus or anything. See, when you pull the people off the street you've got somebody to take care of the south campus area.

Shearer: I understood from what I had read that the decision had been not to use city police for the most part—

Laetsch: That's right.

Shearer: —except during the Lawrence Hall Regents' meeting.

Laetsch: Well, there it was Oakland Police. I think it was Sheriff's Department and Oakland police up there. I'm sure you're interviewing Derry Bowles on this; if you aren't, you should. He can tell you the specifics on that. But I think the decision on the Berkeley Police was not to use them as much as it was the fact that we couldn't support initially, and if I recall then, subsequently, since we knew we couldn't get support we didn't try.

Shearer: So it was considered but then decided against doing it?

Laetsch: That's right. Now, Gus Newport's concern on this whole thing changed somewhat after two incidents. One, the guy trying to ignite himself over there, and two, when they went down to the Bank of America and to Berkeley, that march. He and the Chancellor talked about that, and he had a much more sober view of the thing after that had happened, and of course his support and others' gradually declined. So by

the end, as you know, there wasn't anybody supporting the people out there except themselves. The students had pulled out, the ASUC had pulled out, the Campus Committee on People of Color had pulled out, the Coalition. There was no more support from the city. And, of course, that was something that we were working for from very early on, particularly after the forum, was to try to get across to the students, "Come on, help us get this thing worked out. You recognize it's mainly non-students." That occurred gradually as the protesters on the steps basically proceeded to commit suicide by their actions. Then after that and after the students were gone we helped them to leave.

Shearer: How did you actually help them to leave?

Laetsch: We went over one afternoon, the police did. We brought the trucks in, and we brought the police out and told them that it was over. And they got up and left. We went in then, and there was a little bit of yelling from a few of them, but basically they split. We told them if they weren't out in a certain period of time we'd re-arrest them. They didn't want to be arrested, so they packed their bags and left. We loaded all the stuff into the trucks and told them they could get it at a certain time and then immediately cleaned up the steps, cordoned off the lawn, began to replant the lawns, poisoned the rats, I guess. The DOFM had to spray the lawns, they were so infested with lice and all kinds of stuff. It was a mess. It was incredible! [laughs]

Shearer: This leads into my next question, with a little bit of wrenching here. About this time you were planning for the Regents' meeting.

Laetsch: Right.

Shearer: What was your role?

Laetsch: My role is that my folks were the ones that carried really the burden on the negotiations and a lot of the detailed arrangements. In fact we just calculated the time the other day for, hopefully, repayment from the President's Office. Bud Travers and Michele Woods and Pat Hayashi and Mary Jacobs and Hal Reynolds spent a very considerable percentage of their time on this. And John Cummins. It was really that group, after that, that was on the operational side of things, and they spend just a good percentage of their time on this.

And of course we had another problem in that the Lawrence Hall of Science is one of my units, and so I got it from the other end. In fact one of the incidents there that was kind of amusing was the fact that they decided to close the Hall, and so that raised the whole issue of what do you do with the staff and whether that's vacation or forced leave. We initially had the fuss that we were going to have them take compensatory time in some fashion, and the unions got worked up. Finally then, the President's Office said, "No, we'll pay for it." So that was a little hitch there. So I

was involved quite directly in the planning in a secondary sense.

Shearer: Did you want the Regents meeting to be at Lawrence Hall? Did that seem like a convenient place?

Laetsch: No. Well, it did initially when it was decided they were going to have it up there early on because the last time the Regents met on campus they met at the Hall and things went along quite well. Initially it seemed like it was fine because we'd been after increased support for the Lawrence Hall of Science, and having the Regents up there and the President and all, it was an opportunity to showcase it. But it became apparent as soon as this thing started that that was a very bad place to hold the Regents meeting.

Shearer: Why is that?

Laetsch: Because the fact that it provided a continuing campus locus for the demonstrations and disruptions.

Shearer: Where would you have preferred?

Laetsch: Los Angeles. [laughs] Well, as they held their other meeting over in San Francisco, it's a reasonable place to hold it, but not on the campus. One reason of course is a very practical one: the amount of time and effort that went into planning that meeting was horrendous, and it just took an awful lot of people's time and effort away from an awful lot of other things that needed to be done.

Shearer: But the goals were, at this point, such that—

Laetsch: Well, the President said he was not going to change it. Therefore, we had to work it out.

Shearer: He wanted it there? Why?

Laetsch: I think that he's stubborn. He didn't want to show that he was being pressured.

Shearer: At this point amnesty was being discussed, proposed.

Laetsch: Yes.

Shearer: Why was it not done at this point?

Laetsch: Well, I think I expressed that quite well in a letter I wrote on that, which is that civil disobedience historically is something where you argue for the maximum sentence,

then persuade others by the grandeur of your misery that your position is acceptable. There's no basis in the history of civil disobedience, the way it's been propounded by its greatest exponents, for amnesty. It makes no sense if you have amnesty. It becomes, like so much of it, media morality, which is what we saw in many cases here. Morality is what you exhibit in front of a television camera. If it's not on you, then it's not an issue, and there should be no punishment for anything. It's like the dial-an-arrest. In fact, I proposed this at one time that we should have a dial-an-arrest. You could call up a number and they will send you a citation, you can put your picture in it and your thumbprint and say that you protested for such and such a thing and this is an indication of an arrest. That's basically how it was treated in many cases, it was a social event and there was no retribution, they weren't even citing people.

So you went up the sawdust trail and testified and that was it, with no responsibility. There were no consequences of your action, and that's not what civil disobedience is. Civil disobedience is that you are protesting something you feel very deeply about, against the law, and you take your punishment because that's the way in which you demonstrate the validity of your concern. Without that it's of no moral significance. It's ethically vacuous. And there wasn't even a question about amnesty amongst any of us on that. Now, there was a question on to what extent you use the student conduct issue and the severity of the citation, et cetera, depending upon how people conducted their disobedience. In other words, as many people did the non-violent thing—that's one thing—, but as we had with the 16th and a few other incidents where there was some very considerable amount of violence, then you want to separate, I think, those people from the ones that are doing it on a somewhat different basis.

Shearer: Then I assume you also distinguish those from the people who are arrested singly, on or around the steps, and charged with things like theft and that sort of thing?

Laetsch: Oh yes. Absolutely. Absolutely.

Shearer: Was there a consideration of the possible legal consequences? For example, around April 1, I believe Judge Conger announced that she would not hear the cases of the people who were arrested in December. Was that a consideration when you were deciding whether to arrest and what the consequences might be? Was that kind of a contrary straw in the wind?

Laetsch: Well, historically, as you know, the district attorney has been very concerned about arrests made in Berkeley because you can't get a conviction in Berkeley. This was obviously something that we were aware about and concerned about, but the DA said no, we could go ahead on this. "We'll [the DA] take it." There've been times in the past when the DA wouldn't even consider anything coming out of here because they're almost assured that they, the bench, wouldn't even hear it or the prospect of

conviction was very low. But we went ahead with it.

Shearer: Having entered into a cooperative arrangement after a long discussion with the District Attorney, did that make it more difficult to then grant amnesty or drop the charges?

Laetsch: The dropping of the charges with the community people arrested at University Hall, for example, and that was arranged ahead of time basically in California Hall that they went through the ritualistic arrest. You're not going to fool around with that because the number is such that even if you had a court that was willing to consider it, there're just too many. They can't process it. Particularly with some of those that are being tried in Oakland, you don't want to test that because Oakland is so stacked up anyway in terms of their court cases.

But for others arrested on the steps, our rejection of the notion of amnesty had nothing to do with the DA or the consideration of whether you would get a conviction. That was on, basically, good old-fashioned philosophical grounds! In fact, there was no discussion on the amnesty issue about those that had been, we felt, arrested for, that were not just purely symbolic arrests. There was never *any* discussion that I was aware of about this being a technical ploy or a political or a legal game of some kind. That didn't even come into it. It was basically on the basis that amnesty was contrary to any of our sense of what civil disobedience was all about.

Now, it's interesting that some of the folks on the steps didn't agree with that because, as one of them told me, "you're using our heroes against us, and we don't like that"—that is, Ghandi and Martin Luther King and so forth—"and this is not how we *currently* conceive of civil disobedience." Well, I guess that's all right, but they've changed the rules rather suddenly. [laughs] In fact, that's kind of an interesting aspect of it, that that wasn't considered in terms of the legal, the judicial consequences at all. It was basically a philosophical viewpoint. We're a bunch of old-fashioned moralists, you see! [laughs]

Shearer: So the student disciplinary process is now underway?

Laetsch: That's right, that's right.

Shearer: To a greater or a lesser extent than students asked, or do you know?

Laetsch: Oh, I would say that many of those who were most concerned—again, it would go back to the amnesty thing, that they would consider that this would be inappropriate to have a student judicial process for the people involved in this.

Shearer: You said "inappropriate"?

- Laetsch: They would say it would be inappropriate, yes. Right. Then again, when I say the students, those involved, I think there're quite a few other students that would say, "Yes, it's quite appropriate that we go through this, particularly for those students that were charged with violent behavior in their arrests," of which there were some.
- Shearer: You talked a little bit about your role in arranging for the Lawrence Hall of Science. What contingency plan did you have for unexpected events or an actual complete blockade? Can you comment on that?
- Laetsch: Oh yes, they were going to take them out by helicopters.
- Shearer: Take up the Regents?
- Laetsch: Yes. Just like the Governor left in a helicopter. But if there had been a real blockade where they could not have—that is, the first plan was of course to get them out, as they did successfully, by vehicle and get them down, with the Oakland Police's flying wedge! If that had not worked, then I'm sure they would have taken them out by helicopter.
- Shearer: Was there agreement about these contingency plans?
- Laetsch: Again, I think John could give you better information on that. I'm not so sure that we talked in detail about the specifics of the contingencies. By that time—it was interesting; increasingly John was talking with Systemwide, and we were involved, and we had lots of observers, and there were lots of detailed aspects of things. But we were a little bit removed from it. In fact, most of us didn't go up to the Regents' meeting.
- Shearer: It was handled mostly by Systemwide?
- Laetsch: Well, and also by—Bud and his group were up there and so forth, and we had lots of observers up there. But I didn't go up; Park didn't go up; I don't think Ron Wright went up. Then of course the staff were up there and came down and told us, the second day in particular, not much had happened, but that they were coming down on campus and were very frustrated and would probably try to get into California Hall, which they did. I had a guy swinging on that window right there, trying to get in the office. I was talking to somebody, I looked up, and there was a guy. I thought I'd locked the window and he had pried it open and was trying to get in. I had to push him out. A couple of them got in a window over at Budget and Planning. They were hustled out. Then they ran around and they pulled the flag down, and they were going to wash it or burn it. The police finally went over and got it back, and then they dispersed, and that was it.

- Shearer: This was the UC Police?
- Laetsch: Yes.
- Shearer: Not the Oakland Police?
- Laetsch: No, the Oakland Police didn't come down on this part of the campus.
- Shearer: Was that by arrangement they were not supposed to?
- Laetsch: They weren't asked. When you say "not supposed to," they have in the past, they've been invited in. But they were there to help with the Regents' business, and that's in Oakland up there. So they were not invited down on campus.
- Shearer: And they would not come without specific invitation?
- Laetsch: No.
- Shearer: Well, the demonstration subsided on May 18 through the 22nd. Actually I'm going to ask you to look back over the whole series of events. You've mentioned already some things that you thought went well, decisions that you felt were well taken. Are there things that, looking back now, you would do differently? Were there points in this process where if you had acted in a different way or not acted at all things might have gone better?
- Laetsch: Again, I referred to it earlier, and it's still the only one, and this is something that we've talked about all through the event, both while it was going on and since it's been over. That is whether we should have made arrests the first evening and enforced time, place, and manner rules in an appropriate way from time zero. I don't know if we should have. I haven't completely made up my mind on that. And that will be what is debated. Other than that, I don't think we could have handled it any better. Tactically, I think we did a fine job. I don't think it could have been done much better, and there's I think a lot of agreement on that.
- Shearer: Can you mention specific points, just for the record, things that you remember?
- Laetsch: Okay, one is that the arrest itself—that is, having an arrest—was essential. Things would have been very different if we had not had a police action. That permitted us, then, to have a long period of where it was ambiguous. It was the waiting period, to wait it out. But we had to have that in order to have the credit to let it die out, which it basically did. When we went in for the mopping-up operation, the protest on the steps had basically died by that time.
- Shearer: You said that there were so few students involved that—

Laetsch: And it had been completely so discredited, again, by a lot of the—it was obviously street people, unsavory bunch. The women, even those that had been very, very much concerned, had stopped going because they were being harassed. And just all kinds of other really sort of nasty things were going on, so people had just pulled away from it. There was no basis of support except that people that normally sleep in People's Park were sleeping up here, and people from the outside. We have all kinds of stories of people being heard to say, "Come on, you can go up there and there's this place that you can sleep and the police protect you, and you can take a shower in the ASUC or use their heads." And as one person on the bus was heard by some alums, "and sometimes you can even have a woman." So in the end there was no support except those people. So the initial arrest, at some point, was essential. I think the way in which we worked effectively on the forum, which was a revival meeting basically, and very necessary probably at that time for an awful lot of people. And by not doing anything that produced energy that would have led something to another phase.

Shearer: But by not doing something you mean by not making further large-scale arrests?

Laetsch: That's right, yes. Large-scale arrests or promoting something else. Let's say, by refusing to hold a forum, by refusing to carry out negotiations, by refusing to talk to people, et cetera. You know, there were all kinds of things like this. So I think that went very well. There was another aspect to this that made it very different from, let's say, the sixties. The support of people on the outside for the ambiguity which we were tolerating here was greatly increased.

Shearer: When did you realize that?

Laetsch: I think we began to realize that very quickly when we talked to alums and the Chancellor talked to some Regents, I talked to a number of Regents. Even those like Henning who was very pro-divestment, pro-student, who called up—this was about a week before the thing in Harmon Gym, in which he said, "Well, I think you're doing about as well as you could do it. You have a difficult thing but you're handling it very well." We got this from business leaders and the Regents and so forth, from people in Sacramento.

People have become more sophisticated in this whole business in the last twenty years. Almost everybody has had a demonstration, if you consider business. For example, Mike Heyman on an advisory board for the board of PG&E. He was over at a directors' meeting over there, and they were very supportive of him. You know, some of the pretty conservative kinds of people.

Well, PG&E has been protested against repeatedly. Some of the alums, their kids were out on the plaza. People have just been much more experienced about this

kind of a thing. It wasn't the knee-jerk reaction of twenty years ago of, "Hey, by God, we've got to go in and beat theirs heads." People have a much greater understanding of how you deal with the whole thing. Plus the fact it's become so much more professional now. That is, the Spartacus League and others that are in there are professionals at this. You might say, in a sense, we know much more about what to expect from them now. People in the sixties didn't know what to expect. It was all new. Now, as I said earlier, there's a choreography to the thing. If you do this, you know that something's going to happen, and you kind of lay out a scenario. So a lot more experience, a lot more tolerance generally, which I think was very important.

Even during commencement, you see. We had the protesters out there during the commencement period. We debated for a *long* time, do we get them out before commencement? We finally decided, No, let's not chance it," and it went without incident. We were afraid, for example, they were going to go off and try to trash some of the commencement or disrupt commencement exercises. That didn't happen. That was a risk we took.

Shearer: Do you think that the students, too, have become more sophisticated in the way they manage these things?

Laetsch: Well, there's another factor too. We have about half the number of students in the humanities and social sciences that we had in the sixties, and of course the sixties were the era of the social scientists around the world. Remember in Europe their disruptions were all blamed on the sociologists. Well, all those kids are now engineers and physicists and biologists and in economics. If they're in the social sciences they're not sociologists, and we have a lot of students in social sciences, but there has been a shift in the campus relative to its interests. You mentioned the so-called strike earlier, and the Dean of Engineering during that time said, "What strike?" Because for a lot of the parts of the campus there was no evidence of strike and relatively little interest in any of the stuff that was going on.

[End Tape 2, Side A]

[Begin Tape 2, Side B]

Laetsch: Again—this was the other thing—people couldn't say, "Oh, those people are protesting apartheid and I think apartheid's great." That is, no one says that, so that kind of basic moral issue isn't in question; it's all related to tactics and what you think the effects of divestment would be, et cetera. So I think you're absolutely right. There was much greater tolerance because of that. But we didn't know initially, you see, what the tolerance level would be, and as it evolved we began to get a sense that it was a much higher degree there, which gave us greater levels of freedom in terms of how we contained it. What we really did was sort of build a cocoon around the thing and let it play itself out.

- Shearer: What were the clues that you got that you had more latitude? For example, you heard from the Regents?
- Laetsch: Oh yes, sure, sure.
- Shearer: Anything from President Gardner?
- Laetsch: Oh yes. He became much more sophisticated during this thing too and he was very supportive, basically from the beginning.
- Shearer: Supportive of—?
- Laetsch: Of our actions, how we were handling it.
- Shearer: First to arrest and then not to arrest?
- Laetsch: That's right, yes.
- Shearer: Did he give you any sense of how the amnesty issue should be handled?
- Laetsch: I don't think we ever discussed that with him, really.
- Shearer: Is there anything else that you'd like to mention?
- Laetsch: One thing that's been interesting in light of the subsequent judicial decisions is that we were hung, you might say, on the basis that we did not initially enforce the time, place and manner rules. That's the basic principle the judges used in how they handled the whole thing. Because we didn't enforce the time, place and manner rules, we couldn't then come in later on and try and enforce them. Therefore, the people weren't guilty because they were protesting an unlawful arrest. But, again, you go back, if we had made arrests the first night, okay, we would have been in a better position subsequently, but maybe we would have produced a general blaze and, you know, given people a rationale for really having something much bigger. And that'll be forever debated. Of course, not forever because this will drift into the background as well. But that's really the basic unresolved issue. My inclination right from the beginning was to be fairly hard on the time, place, and manner rules. In fact, that's kind of an interesting aspect too; during much of this, particularly the early phase, I was considered sort of a hard guy on this.
- Shearer: Because you recommended that right at that early point?
- Laetsch: That's right, and tended to take a fairly tough attitude. During the course of events I think more and more people came around to my viewpoint, and we are currently

revising the time, place and manner regulations, making them more explicit, revising some of the student conduct issue.

I think there's general agreement that if we have a situation like this in the future, we will have to act very quickly and enforce time, place, and manner rules from day one, to the extent that we can. But I'm not convinced myself that if we had done something right away that maybe it would have blown up in our faces, so it was a tough one. And you get a lot of interesting debate on this. I've talked about this with other people, educational, administration, and presidents and so forth, and they're sort of split. Some say, "Oh, you did it exactly right. You shouldn't have done anything. It would have been a mess." And others say, "Well, yes, you probably should have." So, [laughs] that's a basic debate on the whole issue.

I think the other thing some faculty have complained about is our decision not to develop in some way a balanced debate and discussion on campus about the issue; that is, the forum we had was all one-sided. There was no opportunity, really, for opposing viewpoints to be generally expressed on campus in any sort of focused way. If we did it over again I think we would want to pull more faculty into the thing earlier on and encourage them to—

Shearer: Into the forum?

Laetsch: Or maybe not that forum but another forum. In other words, the Chancellor might have said, "Look, we have this issue, it's a complex one; the University is a place where you debate these kinds of things, have a multiplicity of opinions," and develop the forum where this could have been debated on an ongoing basis, aside from the particular, very emotional kind of thing we had in Harmon Gym. And to pull more faculty of divergent views into this arena. What happened on *this* one was that we had the Committee for Divestment of a hundred faculty or so that came out and offered themselves and did things. In fact, that was the only faculty group that met with the Chancellor as a group.

Shearer: No other faculty of an opposing viewpoint met with him?

Laetsch: No, and that's pretty common. You always have the people that feel most strongly about a particular course of action that are always going to come out and be out making their case heard. It's very, very difficult to marshal people in school debates about evolution, for example, who are in favor of it. It's always the people that are not in favor of it that are out making the noise. Whether it's animals or vegetarianism or what have you, or abortion or anti-abortion, it's really the anti-abortion folks on that that are always the most emotional and the most vigorous about it. You know, when you have people that are not concerned about a specific course of action, they're out front. People that are more ambiguous about it or they don't have their minds made up, it's always more difficult to marshal them. I think

that's another thing that we probably should have done, been more active at, is to actually have produced a forum where many, many more different kinds of viewpoints could have been expressed.

Shearer: But you mean over a longer period of time?

Laetsch: Yes, for a period of weeks. It might have been very useful, let's say the week before the forum or maybe the week after it, to have had a week where there were seminars or discussions and what have you on different viewpoints.

Shearer: There was, I recall, an Africa Awareness Week in the last week of March, the 25th through the 29th, at which I believe some representatives from the State Department and some from various other groups were speaking. I think there were at least two occasions where the issue was actually debated pro and con, but I guess there were just those two occasions. Is that the kind of thing that you mean?

Laetsch: Yes, right. Well, we've had them here. We had a forum about a year ago on nuclear disarmament, which was a real forum. One other thing I didn't put in is you asked about Tutu. I did not have much to do with Tutu's visit; I was gone during that period. I forget where I was now, but I was out of town for a period of time. In fact, I was not here when he was in town.

Shearer: Do you have any comment on the value of that visit?

Laetsch: I think it was generally felt, from the reactions I got, that it was probably a good thing. Again, one of the main concerns initially was whether there would be any incidents that would be unfortunate. We were very concerned initially about having it on this campus because, again, the way in which this campus is an attractant for almost everything, and the publicity that would have attended to anything that was unfortunate. But again, it went without incident, which was great.

I think I've probably talked too long, and I must leave.

Shearer: Thank you very much.

Laetsch: You're welcome.

[End Tape 2, Side B]

[End of Interview]