

June 29, 2009

President Mark G. Yudof
1111 Franklin Street
Oakland, CA 94607-5200

Dear President Yudof:

Thank you for eliciting response from faculty and staff in regards to the current UC budget. Since your are new to UC I begin my response with a brief review of legislative history. Comments that follow flow from that history. First, the promise. The Organic Act of the University of California (1868), Sec. 31, 14

“Any resident of California of the age of fourteen years or upwards of approved moral character shall have the right to enter himself in the University as a student at large and receive tuition in any branch of branches of instruction...For the time being, an admission fee and rates of tuition such as the Board of Regents shall deem expedient may be required of each pupil; and as soon as the income of the University shall permit, admission and tuition shall be free to all residents of the state...”

The goal was never achieved. In fact, fees were raised, and a tax was instituted for residents of the state to help pay for the operation, and the original philosophy that the University, as a public institution, should be accessible and within the financial means of every resident regardless of economic class and status has withered. The third president of the University, Daniel Coit Gilman, best articulated the original philosophy:

“This is the University of California. It is not the University of Berlin, or of New Haven which we are to copy...It is the University of the State...It is not the foundation of an ecclesiastical body or of the private individuals. It is ‘of the people and for the people,’...It opens the door to superior education to all without regard to price.”

Other and much poorer countries than the US went on to achieve the goal of free higher education, leaving the US behind.

More recently the California legislature passed an amendment.

“Regents will be able persons broadly reflective of the economic, cultural, and social diversity of the state...” 1974 amendment to Art IX, Sec. 9

Politically selected Regents have not husbanded the University. Most have been negligent in their budgetary responsibilities, unaccountable on policy questions, deaf to students, staff, and faculty concerns, and disdainful of the very people who make a university great.

In a non-profit educational system there is no ethical place for comparisons with profit-making corporations and US CEO pay that astonishes even CEOs in other countries. Like any entrenched bureaucracy, the UC administration has a vested interest in expanding its domain (see attached), and the regents have refused to undertake an investigation of millions of dollars wasted annually in overblown administration. (I am told that in Quebec less than 10% by law is allowed for administration). The University administration has grown out of proportion to its purpose. Legitimacy is in question when the president’s salary exceeds non-profit status and the football coach’s salary far exceeds the president’s!

Intercollegiate sports? No word of cuts? A new sports center, fixing the stadium? If it is true that this is what most alums want then faculty have done a poor job in educating. Everybody should read Sperber’s book *Beer and Circus* on how inter-collegiate sports destroys undergraduate education.

In the context of the above and more, the options you present do not make sense. UC has a lot of loyal workers who are here because we are non-profit. The UC system in the past has been dubbed the worst university employer in the state. When you assumed office the morale was already at a very low level, and I say this from the vantage of a professor who has been at UC for nearly half a century. We need ethical judgment in the leadership, not *fait accompli*. We also need public debate. The Academic Senate has failed. Professor Schwartz’s findings have been dismissed but never debated. What crisis? An ethical crisis not a budgetary one. Continuing the same path will lead to further deterioration of UC, inspite of boasting. Take direction from President Gilman or more recently from Chancellor Tien who donated part of his excessive salary for student scholarships.

Sincerely yours,

Laura Nader
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University of California, Berkeley
Cc: Interested parties