



Varner informs Regents of Davis' background

by GARY SEACREST
Nebraskan Staff Writer

The Board of Regents did not know of the controversial background of Michael Davis until informed by Chancellor D. B. Varner in July, a month before the Regents blocked Davis' appointment as a philosophy instructor in an Aug. 18 meeting.

Varner said Sunday night that after he pointed out Davis' name the Regents began their investigation of Davis' background.

However, the NU Chancellor said, "I did not recommend any course of action to the Regents concerning Davis, though I concurred in the decision."

"The Regents did not ask my judgment concerning Davis," Varner remarked.

Varner said he pointed out

Davis to the Regents because "I thought they ought to know the nature of Davis' background." "Michael Davis' name was not unfamiliar to me," Varner remarked. Varner was Chancellor of Oakland University in Michigan at the same time that Davis was attending the University of Michigan as a graduate student. Varner became NU Chancellor in Feb., 1970.

He said he learned in early July from former colleagues at Oakland that Davis was being considered for a teaching position at Nebraska.

The Regents' letter to Davis, outlining the reasons why he was rejected, stated that "information came to the attention of the Chancellor which raised some questions in his mind concerning the wisdom" of Davis' appointment.

The letter also noted that one of the reasons why the Regents questioned Davis' background was a statement allegedly made by Davis at the reception following the inauguration of University of Michigan President Robert Fleming in March, 1968.

Varner said he attended Fleming's inauguration where Davis spoke as a student representative. However, the NU Chancellor said he did not attend the reception and did not know where the Regents received their information concerning Davis' alleged speech.

All the facts about Davis were known to the Regents when they made their decision to block his appointment," noted Varner. "The Regents checked further to be absolutely certain of their information."

Regents' letter to Davis

Dear Mr. Davis,

As you requested in conversation with me on Monday the Board of Regents is providing for you the statement prepared for release. If you choose to release any portion of the statement the Board of Regents has directed that the full text of this letter be released.

The Board of Regents of the University of Nebraska makes the following statements: When the suggested appointment of Michael Davis was being processed subsequent to Dr. Dewey's telegram offering him a position, "subject to approval by the Board of Regents" information came to the attention of the Chancellor which raised some questions in his mind concerning the wisdom of this appointment.

The matter was then brought to the attention of the Board of Regents. The Board considered the application of Mr. Davis and the related material which had been submitted to the Department of Philosophy and determined that some further inquiry should be made before the matter was acted upon. Further inquiry was then made at Ann Arbor, Mich.

From the information thus developed the Regents concluded that there was apparent evidence that Mr. Davis was intellectually arrogant and lacking in tact, objectivity and judgment. The board considered these apparent qualities of Mr. Davis to be something less than was desired for an instructor in the Department of Philosophy.

Specific examples of material made available to the Regents include:

1. It was responsibly reported to the Regents that at a reception held at the University of Michigan, after the inauguration of President Fleming, Mr. Davis spoke for five or six minutes to the group at the reception stating words to the effect that the word from "Wisconsin people" was that Fleming could not always be trusted and that if President Fleming would act as the students guided or democratically directed him his presidency would be acceptable and indicating otherwise that it would not be.

2. In the spring of 1970 Mr. Davis held a one-man, four-day fast and sit-in in the University of Michigan Administration Building at Ann Arbor to publicize what he called "regental inaction" on a student proposed revision of Regents' bylaws. Prior to the sit-in Michael Davis issued a statement declaring that he would conduct a sit-in protest in the Administration Building at Ann Arbor for the expressed purpose of persuading the Michigan Regents to adopt the revised bylaws that he favored. In announcing his sit-in Mr. Davis stated "I won't be guilty of trespass unless some ad-

ministrators orders me to leave. If I am asked or ordered to leave the building at any time I'll respectfully refuse. If I'm carried from the building I won't resist and won't go farther than I'm carried. As soon as I can, I'll return to my place inside the building.

"If I'm arrested, I won't resist, won't cooperate, and will continue the fast in jail. I ask that, if I'm arrested, no one, student or faculty, bail me out. If I'm sent to jail by order of an administrator, then I'll stay in jail either till the jailers get tired of me or till the administrator who ordered my arrest regrets it."

This statement by Mr. Davis indicates his willingness to violate the law in support of student-proposed bylaw changes. The judgment shown by Mr. Davis in this incident does not meet the standard expected by the Board of Regents.

3. Mr. Davis was found guilty of violating trespass law following an arrest in November, 1968 at Ann Arbor, Mich.

4. It was reliably reported that on another occasion Mr. Davis testified before a legislative committee that the University administration had a repressive, non-communicative attitude toward students. When challenged by the committee to provide a specific example, Davis said that one example that came immediately to his mind was that Pres. Fleming had refused to permit a midwest Conference on homosexuality by the Gay Liberation Front. The Board of Regents, University of Nebraska, considered that there may well have been legitimate reasons supporting President Fleming's judgment in this matter. For Mr. Davis to accuse President Fleming of a repressive and noncommunicative attitude because of his judgment in this matter indicated to the Regents a lack of objectivity.

The Board recognizes that Mr. Davis has very strong opinions in the area of University administration and respects his rights to express such opinions. The Board welcomes divergence of opinion but expects those on the University staff to respect the contrary opinions of others, to be objective in their discussions and promotion of their ideas, to be fair to others, to obey the law, and to exercise sound judgment. The Board of Regents of the University of Nebraska was not satisfied that Mr. Davis would meet these standards and in response to the obligation placed on the Board by the people of Nebraska and the Legislature determined that the contract should not be entered into with Mr. Davis at this time.

Sincerely,
G. Robert Ross
Corporation Secretary

Davis refutes Regents reasons for denying him NU position

by JOHN DVORAK
Nebraskan Staff Writer

Michael Davis charged Sunday night that the Board of Regents confused his actions, made false accusations and presented inaccuracies of fact in their letter outlining the reasons for their refusal to appoint him to a teaching position at NU.

In an 1,800 word statement released to The Nebraskan, Davis asserted that the real issue in the Regents' rejection was "one of politics."

The Board's letter mentioned four specific reasons for the Aug. 18 rejection. Davis dealt with each individually and presented what he said was the truth.

The statement was worded in a moderate, polite language. In his conclusion, he left it up "to the University community" to make the final judgment.

The first of the Regents' reasons was that Davis had made brief, uncomplimentary remarks at a reception following the inauguration of Robert Fleming as president of the University of Michigan.

Davis said, however, that the report "is false." He said he did not attend the reception, but only spoke as an official representative of the students at the inauguration. He said the text of that speech was printed in the student newspaper, the Michigan Daily, and it did not contain the sentence cited by the Regents.

Secondly, the Regents mentioned the one-man fast Davis

staged in the Michigan administration building in favor of more student voice in University government.

Davis said he had a "reasoned defense for the fast," which was published in its entirety in the student newspaper there. The NU Board of Regents, however, took their information and statements out of context of that published statement, Davis said.

Third, the Regents mentioned Davis' arrest, subsequent conviction and 10-day jail sentence for trespassing. But Davis said the Regents make no

Davis' statement to the University community. See page 5.

mention of the reason for that arrest, nor the fact that 200 other people were arrested at the same time.

"The trespass occurred in September, 1968, not November, as indicated in the Regents' letter," he said. "It occurred as part of a sit-in of about 400 people in the County Building in protest of inadequate payments to mothers on welfare."

The group was protesting the County Board's refusal to release part of a \$100,000 tax surplus to aid welfare recipients. Later, the Board did release the money.

"I had not before and I have not since been convicted of any

offense in any court of law," Davis said.

The NU Regents' final reason for not hiring the Michigan teaching fellow was his testimony before the appropriations committee of the Michigan Legislature in which Davis allegedly made remarks which showed poor judgment and a "lack of objectivity."

"The report is inaccurate," Davis said flatly. He said he did not use the words mentioned in the Regents' letter. He also said the letter "fails to give enough detail for a fair evaluation of what I did say."

Davis said he had represented student government before the committee, and that he had spoken out against a proposed law against student demonstrations. He said he pointed out Fleming had permitted a homosexual dance, but not a statewide conference on homosexuality. That, Davis said, was a "good example" of the arbitrariness of the University of Michigan administration.

In addition, the Regents said Davis is "intellectually arrogant and lacking in tact, objectivity and judgment."

Davis, at some length, said the Regents lacked sufficient information to make such a statement and made little effort to obtain it.

"I am willing to admit that I am not perfect," he said. "But does it follow that I would not be a good teacher? Does it

Turn to page 3