

May 19, 1954

Dear Sol:

I hasten to reply to yours of the 18th. The Markert situation is one that I know very little about, and if you can inform me of the facts, I would be eager to have them. I do not know Markert or his history personally, and so have very little on which to judge, and would not favor simply abjuring my own decisions automatically to another group as you propose. If you can give me facts that will help me to make up my own mind, it would be another story.

All I have gotten is the brief newspaper account that Markert and others had invoked the 5th Amendment and refused to testify before a House Committee. I have a little sympathy, but neither confidence in nor support of such refusal. If Markert had testified and were then dismissed for past and repented activities or suspicion of them, I would probably go along with you. But to my mind, refusal to testify is legally, not morally, justifiable for anyone who claims the privileges of academic freedom.

A just procedure for hearing the case is perhaps another matter, but I doubt the wisdom of the kind of prior pressure you propose. If the faculty recommendations are disregarded, then they certainly will be calling for the support of colleagues elsewhere, but if we are to avoid the confusion of issues that developed at California, we have to focus on this one, academic responsibility. A prejudgment such as you suggest would be more likely to drag in the Communist issue per se. Since the academic community has acquiesced already in the dismissal of overt communists, this measure of our academic freedom is already irretrievably lost. I suggest then that we not threaten reprisals, but that we perhaps consider contributing our honoraria in support of any further action that the Michigan faculty may propose.

Personally, what disturbs me most is Markert's refusal to testify. Legally, we cannot call him to account on it, but I think he does violate the conditions of academic freedom-- candor and courage-- by doing so. He invoked not the 1st Amendment, as he might have tried if he were merely defying an intrusion into his political rights, but the 5th. The former would have been at some risk, to be sure, though it is hard to see how he could be worse off than now. The 5th does imply self-incrimination, and I do not know how he will justify it. If I did know, conceivably I would have a different decision, but now I can only use my imagination.

Yours sincerely,

Joshua Lederberg

P.S. Did you see a petition that Nanney sent out-- I thought this really befuddled the issue, bringing in lisenkism!