

THE FREE SPEECH MOVEMENT  
COMING OF AGE IN THE 1960s  
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Berkeley  
Ten Speed Press, Berkeley, 1993

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Bolding below is mine--BTS

Chapter: JACK WEINBERG AND THE POLICE CAR, pp. 161-176

The next day, October 1, the whole campus was hot to trot. That was the day of Jack Weinberg and the police car; the most dramatic, wonderful thing I'd ever seen in my entire life. I cannot begin to describe how much fun it was. It was like being in Valhalla, in a war where nobody got killed. I was rid of the burden of going to school, and simultaneously an incredible, exciting, wonderful new world was opening up.

**Around ten o'clock that morning, Gretchen Kittredge and Tom Miller of the campus Congress of Racial Equality drove Jack Weinberg, balancing an old door on the car roof, to Telegraph and Bancroft. Jack carried the door onto campus and set it on trestles in the middle of a row of smaller tables at the foot of Sproul steps, facing Ludwig's Fountain.**

I helped set up tables and was quite elated at the whole works; especially so at the sight of core's huge table. **All involved had purposefully set out to violate the University's regulations against distributing information and collecting donations for non-University causes on the campus.**

*Mario Savio:* Not showing reg cards was a way of upping the ante. They could either arrest you, or do nothing. It also did not allow them to distinguish between students and nonstudents. It took the initiative out of their hands, and was another way of refusing to follow their rules.

*Tom Miller:* After the sit-in core had a meeting at Gretchen Kittredge's place. About twenty five people showed up, and we went through our whole strategy. I had this big table at my place—it was a huge door that had legs on it, and was the table Jack was arrested from. I still had the lists of names of people who said that they had also violated the rules; and we decided to put those lists on the tables. If they came up and asked us for identification, we'd say, "We won't give you any. Our name is on that list and if you want our name you take the whole list; everybody on there is responsible." So we got to bed around four o'clock that night, and up again at seven, getting that door to campus. I think I carried it in my car. All kinds of people trying to hold it on. We didn't think that they'd come and drag us off; we thought they'd suspend us like the other students. When they came up to the table, Jack told them his name was

on the list, and they arrested him. **We had scheduled a rally for noon, which was very convenient, because people were pouring in to the plaza just as Jack was being arrested.**

**Jack represented Campus core. He was not a UC student at that time, having graduated “with great distinction” in mathematics the year before. But instead of being an alumnus, or graduate, or former student, or former teaching assistant in mathematics, Jack was miraculously transmogrified into a “non-student,” and was called that from there on out by newspapers, magazines and campus officials.** Considering the difficulties they’d had the day before, I imagine that the authorities—in the person of the luckless Dean Towle, who had drawn the short straw and was carrying the can for the administration—figured they would have a better case if they moved against what they could call an outside agitator than against another one of the students. Jack was also being very loud in his debate on the subject, and as he saw the deans approaching, became louder yet, switching gears from debate to diatribe.

*Jack Weinberg:* I was the one non-student ringleader. They couldn’t have suspended me when they got Mario, Art and Sandor so they chose to go after me that day. When I refused to identify myself they called the cops.

The authorities, again in the persons of Deans Murphy and Van Houten, accompanied by University police lieutenant Merrill F. Chandler, told Jack that if he was not a student he was trespassing, and if he was a student, he was violating University regulations. Jack would not identify himself, saying that his name was on the list on the table. He was warned that he would be arrested.

“Oh, please Br’er Fox, don’ throw me in de briar patch!”

An excited crowd was milling about, mostly craning their necks and goggling at all the excitement, but seemingly willing to go along with whatever irritated the administration and made the most fuss. Chandler told Jack that he was under arrest, and asked him if he would come peacefully. If not, he would be taken by force. Echoing Wednesday’s statements of complicity, the cry went up, “Take all of us!” Lieutenant Chandler went off to get help. The dean stood by, and Jack took this golden opportunity to deliver a rousing speech to the intensely excited and rapidly growing crowd:

I want to tell you about this knowledge factory, while we’re all sitting here now. It seems that certain of the products are not coming out to standard specifications. And I feel the University is trying to purge these products so that they can once again produce for the industry exactly what they specify. This is a knowledge factory—if you read Clark Kerr’s book, these are his words. This is mass production; no deviations from the norm are tolerated. Occasionally a few students get together and they decide they are human beings, that they are not willing to be products, and they protest; and the university feels obliged to purge these nonstandard products. We want to see social change in the world in which we live. We want to see this social change, because we are human beings who have ideas. We think, we talk, we discuss, and when we’re through thinking and talking and discussing, well then, we feel that these things are vacuous unless we then act on the principle that we think, talk and discuss about. This is as much a part of a university education as anything else. (*Here Jack sees the cops coming for him through the*

*crowd and raises his voice.) We feel that we, as human beings first and students second, must take our stand on every vital issue which faces this nation, and in particular the vital issues of discrimination, of segregation, of poverty, of unemployment; the vital issue of people who aren't getting the decent breaks that they as individuals deserve . . . (The cops grab him and he goes limp.)*

The campus fuzz came up to Jack, warned him that he was under arrest for trespassing, and told him to come with them, please. Instead of standing up and walking off with them, he just went limp. At the stroke of noon, Jack Weinberg was then carried off in the classic, approved civil-rights method. It created quite a sensation; those in the crowd not previously involved with civil-rights actions had never seen anyone just flop down like that: when the cops said, "Come with us, please," you came with them, if you were half-smart. Each policeman took an arm or a leg, and began carrying Jack through the students. He had a bored look on his face, and I was delighted at this expression of James Dean cool-as-a-cucumber indifference and patted him on the stomach as he went past.

Someone—my memory is that it was my buddy Peter Paskin, though just about everyone remembers somebody different starting the ball rolling, and it's possible that more than one person spontaneously reacted in the same way—yelled, "Sit down!" and I repeated it, and everybody in the vicinity sat down, boom! just like that, so the cops had to walk over seated people. It couldn't have taken more than ten seconds for everybody to sit down, and there must have been two or three hundred people around. Then I noticed that a car had been brought on. I don't know when the car was brought on, but I know it was when my back was turned. Instead of toting Jack into police headquarters in Sproul Hall, University police had brought a car into the center of Sproul Plaza, intending to spare their backs and remove him by automobile. Five of them carried him about twenty feet, popped him into the back seat of the car, and made as though to drive off, though they were clearly unable to do so.

I turned around, saw the car, ran over to the car, and sat down behind it. The engine was still running, and exhaust fumes were coming into my face. There were people sitting down everyplace, and they happened to be sitting down right around the car. I'm sure it was an accident that they sat down around the car. Everybody repeated the cry, "Sit down!" and so everybody sat down and the car happened to be there. There were hundreds of people in front of it, and hundreds of people behind it, and people lined themselves up behind the car in rows, about twelve people to a row, stretching back about ten rows, and more coming every minute. For a short while, students around the car chanted "Release him! Release him!" I was sitting next to a girl whom I've never seen since, and we had a conversation about "wasn't it all grand." I still didn't quite know what was happening, but it was really great. "These bastards they're gonna throw me outa school I'll show them!"

The police kept the motor running quite a while, in hopes perhaps that we would all evaporate or something equally improbable. After ten minutes or so, it was turned off. The engine started up again for a short time, and then went off again. Somebody crammed an apple into the exhaust pipe, and someone else poured a generous glass of lemonade into the gas tank. I positioned myself and three friends around the car by the tires, with pocket knives, and I told them that if the engine started up again, to stab the tires. Which was kind of dumb, because they could have simply slit the valves. But I'm sure they figured that out for themselves. As I

recollect, I let the air out of my tire by pushing my thumbnail against the valve. That way I wouldn't have to watch it. That car was not going anywhere if we could help it.

A couple of hundred students are sitting around the car, Jack is in the car, the car now has at least one flat tire, a solid object up the exhaust and sugar-water in the gas. Then Mario Savio takes off his shoes—he was wearing white socks—jumps up on the car and begins addressing the crowd. One of the policeman pleaded, “Be careful of the antenna! Be careful of the antenna!” And Mario said, “Alright, I will,” and began to speak:

We were going to hold a rally. We didn't know how to get the people. But, we've got them now, thanks to the University. . . .

Strong must say no to the suspensions. He must agree to meet with the political organizations. And, there must be no disciplinary action against anyone before the meeting! And, I'm publicly serving notice that we're going to continue direct action until they accede.

*Jackie Goldberg:* At noon Jack Weinberg was arrested. It was the most completely spontaneous thing I'd ever seen; kids jumping in front of the car, and I did the same thing. At that point I went with two other people down to University Hall and tried to see Kerr. We got the runaround, and so I came right back.

I went up to the police car, and asked if we could use the car to speak from. And the policeman said, “Sure, if you take your shoes off.” Mario went up first, before I asked, and there was one guy trying to grab him; he kept moving around and speaking as the guy was trying to grab him. It would have been just as easy to ask. He stood on the hood at first, and they told him to get off, and later he got up on the roof real quick. But by the time he got up there, I'd already asked permission. Some guy told him to take his shoes off, and the other guy stopped chasing him.

*Mario Savio:* Why did I climb up onto the police car to speak? It seemed like the thing to do. With all these people sitting around, the physical layout of things presented certain possibilities: one of the possibilities was that sooner or later somebody would stand up on the police car and start talking, where you could be seen by as many people as possible, whose focus, after all, was the police car. It was just a question of who, in that situation, was so disposed as to be the first one to do it. And that was me. It's not that hard to understand.

I had neither met nor heard of Mario Savio until the previous night. He was a man of fiery eloquence when aroused, otherwise he had a terrible stutter.

There was an uninterrupted succession of speakers and gradually the roof and sides got dented in more and more. Somebody pasted a “No on 14” sticker on the car, and the car squatted lower and lower as the suspension gradually gave up the ghost. By early evening, people stopped taking off their shoes, and the antenna finally got busted off. If you look at the frontispiece, you'll see that we put newspaper under the microphone stand to protect the automobile's paint, though I imagine that the wear from shoes scuffling around took off quite a bit off the finish, anyway.

Those desiring to speak signed up on an orderly list, and awaited their turns, three minutes each (more or less). The orators argued every side of the question. A student speaker, Dusty Miller, took up the highly relevant issue of civil disobedience in a bantering tone:

We get back to civil disobedience. Civil disobedience doesn't mean throw a brick through the window; it doesn't mean punch a cop (*Laughter*); it doesn't mean tip over this police car, and don't do it! Don't do it! (*Voice from the crowd: "Not while Jack's in it!"*) Not while I'm on it! (*Laughter*) Civil disobedience comes when there's no higher authority who has anything to do with the whole scene—not the legislature, nobody else. The governor is an *ex officio* of the Board of Regents; and the Board of Regents, and Clark Kerr, and Chancellor Strong, those are the people you're talking to, and *there is no legal way to get at 'em!* The only way is to stand here, to sit here, to block the whole scene. (*Applause.*)

The best acts of civil disobedience are the mildest *effective* forms of civil disobedience. Not the wildest, the mildest! But not the mildest; the mildest effective! (*Applause.*) I say you've got one hell of an effective thing, I'm proud of you all. (*Applause.*) . . . I've got a pair of shoes over there . . .

Professors gave lectures on Law and Order (Seymour Martin Lipset compared the demonstrators to the Ku Klux Klan, sparking a lively debate between himself and the crowd) and Charles Powell, ASUC president, somewhat recanted his anti-demonstrator position of a few days before, saying, "I can see now that your cause is just." At Powell's suggestion, he and Mario went into Sproul Hall to meet with Dean Williams. Williams shuffled them off on Strong, and Strong told them to get lost.

*Mario Savio:* We saw the chancellor with three points: release Weinberg, drop the charges against the students, and set up negotiations concerning the Bancroft-Telegraph area. That meeting was completely fruitless. He said, "No. We can't do that. We're not going to discuss things while you have this demonstration going on. No negotiations while you have a gun to our head."

We were considering proposing a moratorium on demonstrations and a moratorium on use of the Bancroft-Telegraph area for one week. If, after a week we didn't have the right *de jure*, we would re-assert it *de facto*.

Savio and Powell returned from their meeting with Chancellor Strong about a quarter of two in the afternoon. Powell got back up on the car and suggested to the crowd that the ASUC Senate should be given authority to negotiate on the behalf of the protesters. The crowd turned him down flat, and he left. From this point onward, Powell was relatively hostile to the methods, though not the goals, of the Free Speech Movement. Throughout the life of the Movement, he tried repeatedly to gather the reins of power into the hands of the elected student government, but in this, as well as in attempting to be a mediator between the students and administration, he was entirely unsuccessful.

Even I favored the multitude with some garbled but sincere harangue. Next morning's paper ran a photograph of me bellowing from the roof of the stranded car. In the foreground, looking suspiciously like it was planted there, is a textbook labeled "Marxism" lying right next

to a coed who is sitting down listening to the speech. The San Francisco papers and the *Oakland Tribune* ran head-and-shoulders photos of the suspended students. Thus were my parents rudely made aware that their eldest son had abandoned his academic career for one more suited to his immediate temperament.

By about four o'clock that afternoon I had become clear enough on the issues from listening to the speeches to discourse on what I was doing, and why. I had all the issues down, absolutely pat, to about a one-and-a-half-hour spiel. I'd talk *continuously*, uninterruptedly, and rattle off every fact and figure I could think of. I got about ten more people convinced. Two of these people were in the December Sproul Hall sit-in; one of the people I talked to when I was haranguing from my chair was also at the sit-in. It took about an hour to convince him. But mostly it was just sitting around the car. People were singing, and I was wandering around, but always, always by the car. Sitting down sometimes, sometimes up.