from Phyllis Schlafly

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It’s Time to Defund Campus Radicalism

The California State Supreme Court stood tall for the First Amendment when it ruled last month that the University of California at Berkeley may no longer force students to pay student activity fees that are spent to fund political groups or to engage in legislative lobbying. The landmark ruling in the case of Smith v. Regents of the University of California held that it is unconstitutional when students are "forced to support causes they strongly oppose."

The central issue in the case was "the freedom of students not to be compelled and coerced to subsidize political and ideological causes." The Court held that "the government may not compel a person to contribute money to support political or ideological causes. "

The University of California (UC) at Berkeley has a 1ong record of spending mandatory student fees for radical leftwing political activities. This practice is quite common on university campuses throughout the country, and many observers believe that the leftwing movement is principally financed from these fees that nearly all college students are required to pay, and which turn over very large sums of money to the sma1l cliques of students who control the student government.

The Court's ruling listed 14 "frankly political or ideological" groups to which UC funds were given from mandatory student fees: "Amnesty International, Berkeley Students for Peace, Campus N.O.W. (National Organization for Women), Campus Abortion Rights Action League, Gay and Lesbian League, Progressive Student organization, REAP (Radical Education and Action Project), Spartacus Youth League, Students Against Intervention in El Sa1vador, Students for Economic Democracy, UC Berkeley Feminist Alliance and Women Organized Against Sexual Harassment, UC Sierra C1ub, Conservation and National Resources organization, and Greenpeace Berkeley."

This decision is expected to affect 27 universities and colleges in the California state system, all of which have mandatory student fees that are spent at the discretion of student government and are used to finance campus politics.

The losers in the case are the lobbyists and activists employed by the ASUC. They have reacted in anger that their automatic source of funding has been cut off. The Sacramento Bee editorialized that the ruling has “pulled the plug on activism" at the UC-Berkeley campus.

The Court's ruling should start a similar change nationa11y because of the importance of the supreme court of our nation's largest state and because the ruling is so broadly written. The Court's decision follows the principles enunciated in a 1990 U.S. Supreme Court decision, Keller

v. State Bar (1990), that prohibits the State Bar from using mandatory lawyers' dues for political causes.

The case was originally brought in 1979 by Arlo Hale Smith, a Berkeley graduate, and Brad Sparks. then a senior majoring in astrophysics. They were joined by 34 other Berkeley students who resented their mandatory fees being used to lobby for leftwing causes.

A 16-day trial took place in 1982, which amassed more than 10,000 pages of documents. After Alameda Superior Court Judge Zook Sutton ruled that, the mandatory student fees were not illegal, the students appealed and the case has been winding its way through the courts ever since.

The ASUC's executive vice-president claimed at the trial that the student government was not "political" because the ASUC did not give funding to the Young Republicans or the Young Democrats. But the Court ruled that "To fund the Young Spartacus League as nonpartisan,' while denying funding to the Young Republicans and Young Democrats as 'partisan,' borders on the absurd."

The Court stated that the Young Spartacus League "supported the former Soviet Union's invasion of Afghanistan, opposed the Solidarity movement in Poland, and, to quote its successful application for ASUC funding, 'seeks to build a revolutionary socialist movement which can intervene in all social struggles armed with a working class program based on the politics of Marx, Lenin and Trotsky, as part of a disciplined revolutionary movement.'"

The ASUC admitted at the trial that it gave funds to "a group that supports the nuclear freeze initiative," "organizations that hold demonstrations against the policies of the Reagan administration," "organizations that oppose U.S. aid to the government of Ed Salvador," "organizations that support gay rights legislation," "a group that advocates replacement of our current form of government with a revolutionary socialist regime, " and "a group that supports abolition of the death penalty. "

The opinion in Smith v. Regents shows exactly how the radical leftwing movement is financed. College students at every university in the country should use this decision to demand that the financing of political groups from mandatory student activities fees be stopped immediately.