

2015

The Dismissal of Rupert C. Koeninger: Cold War Hysteria, Academic Freedom, and the Creation of the Texas Higher Education Coordinating Board, 1960-1966

Carolyn A. Carroll

Jeffrey L. Littlejohn

Follow this and additional works at: <https://scholarworks.sfasu.edu/ethj>



Part of the [United States History Commons](#)

[Tell us](#) how this article helped you.

Recommended Citation

Carroll, Carolyn A. and Littlejohn, Jeffrey L. (2015) "The Dismissal of Rupert C. Koeninger: Cold War Hysteria, Academic Freedom, and the Creation of the Texas Higher Education Coordinating Board, 1960-1966," *East Texas Historical Journal*: Vol. 53 : Iss. 2 , Article 8.

Available at: <https://scholarworks.sfasu.edu/ethj/vol53/iss2/8>

This Article is brought to you for free and open access by the History at SFA ScholarWorks. It has been accepted for inclusion in East Texas Historical Journal by an authorized editor of SFA ScholarWorks. For more information, please contact cdsscholarworks@sfasu.edu.

The Dismissal of Rupert C. Koeninger: Cold War Hysteria, Academic Freedom, and the Creation of the Texas Higher Education Coordinating Board, 1960-1966

BY CAROLYN A. CARROLL AND JEFFREY L. LITTLEJOHN

On May 6, 1961, after more than a decade of devoted service at Sam Houston State Teachers College (SHSTC), Professor Rupert C. Koeninger received word that he would soon be dismissed from his position as chair of the school's Sociology Department. Surprised by the news, the fifty-four-year-old academic naturally questioned the president of the Huntsville, Texas campus, Harmon Lowman, about his pending dismissal. Lowman could offer little in the way of clarification, however. The president had not initiated proceedings against Koeninger, nor had he received any complaints from students, faculty, or staff members about the sociologist or his work. In fact, as Lowman hesitantly revealed, he had been pressured by the Texas State Teachers College Board of Regents to decline Koeninger's contract because of allegations made against him by right-wing politicians and activists who opposed his stance on civil liberties and civil rights.¹

Although elements of the Koeninger dismissal story have been told before, no one has ever been able to uncover the real players behind the events until today. Using archival evidence that has only recently become available, this article pushes beyond the contemporary accounts of Koeninger's dismissal by journalist Ronnie Dugger, historian C. Vann Woodward, and faculty-activist William J. Kilgore. While these authors each offered their own elegantly-written interpretation of

Carolyn A. Carroll is an Adjunct Instructor of History at Sam Houston State University.

Jeffrey L. Littlejohn is an Associate Professor of History at Sam Houston State University.

events, their investigations and arguments were constrained by the secretive nature of the men responsible for Koeninger's dismissal. Although all three authors recognized the critical role that the Texas State Teachers College Board of Regents played in Koeninger's case, none of them knew where the charges against the professor originated or what the significance of his dismissal might be. Indeed, even the most recent scholarship on the Koeninger case -- by historians Amilcar Shabazz and Jo Ann Williamson-Lott -- fails to identify the parties who orchestrated Koeninger's dismissal or the ultimate significance of it.²

In order to enhance and correct the existing narrative, this essay links the behind-the-scenes machinations of four key individuals who were responsible for Koeninger's dismissal: James A. Franklin, Jr., the business manager of a little-known Bible College in Tehuacana, Texas; John V. Dowdy, Sr., the powerful Congressman from the Seventh Texas Congressional District; William H. "Bill" Kellogg, the chair of the John Birch Society in Walker County; and finally C. Smith Ramsey, the chairman of the Board of Regents of the Texas State University System. Archival evidence shows that these radical right-wing ideologues ran roughshod over Koeninger's academic and personal liberty in a vicious act meant to silence his support for civil liberties and civil rights. In the process, however, these radical forces overplayed their hand and prompted state and national organizations, including the Texas Association of College Teachers (TACT) and the American Association of University Professors (AAUP), to defend Koeninger and his academic freedom.

In the fall of 1962, TACT members censured the Texas State Teachers College Board of Regents and SHSTC's president, while the following spring AAUP members placed SHSTC on its list of censured administrations. As a result of these groups' vigorous activities and the misdeeds that they brought to light, state legislators including Charles "Charlie" Wilson and Franklin Spears pushed for the creation of the Texas Higher Education Coordinating Board. Although the board was created for many reasons, Koeninger's dismissal, and others like it, served as a key factor in the campaign to reform higher education in Texas. By exploring the new legislation that came about because of the censures, as well as the paper trail between SHSTC administrators and AAUP officials during the seven years that the college remained on the censure list, this essay presents a fresh examination of Rupert

Koeninger's dismissal and its broader significance for higher education in the Lone Star State.

Born on March 13, 1907, in a log cabin that sat on the boundary between Wise and Jack counties in northwest Texas, Rupert Koeninger was the grandson of German immigrants who had migrated to the state in the mid-nineteenth century. Although Koeninger's father, August, worked as a school teacher in Wise County, and his mother, Lina, was the daughter of a pioneering doctor, the family never had much money. Even so, Koeninger enjoyed a happy childhood with his close-knit family in Mineral Wells, a small settlement about eighty miles west of Dallas. Then, at 18, he moved with his parents and five siblings to Plainview, where he completed one year of high school education at Wayland Baptist Academy. Although Koeninger showed great promise as a student, his father informed him that the family simply could not afford to pay for college. So, the tenacious young man took out a promissory note of his own in June 1926 to pay for tuition, and enrolled at the local Wayland Baptist Junior College. After a year of "sleeping in a coal bin on a pallet of quilts, and earning [his] meals by waiting on tables and washing dishes," he graduated from Wayland in 1927, briefly toured the American West, before finishing off his undergraduate studies at Lubbock's Texas Technological College in 1929.³

Just as Koeninger graduated from college, however, the Great Depression and Dust Bowl came to Texas. Pushed by these events and drawn by his desire to return to the West, he packed up and hitchhiked to Montana, where he took a job at Glacier National Park. Following a summer of backbreaking construction work, he received a teaching position at a tiny public school in Fairview, Montana. He stayed at the post for four crucial years, during which he witnessed the deprivation caused by the Depression and determined to do something about it through a career in education.⁴

In 1933, while on a hitchhiking vacation from Montana to New York City, Koeninger stopped off at two spots that proved critical to his later life and career. The first was in Chicago, where he visited the World's Fair, known as the "Century of Progress," and became acquainted with his future graduate school, the University of Chicago. Then, at a second stop in Lawrence, Kansas, Koeninger visited a YMCA friend whom he had known at Texas Tech. The friend introduced him to fellow Texan, Ethel Browning Childers, a YMCA Secretary in Kansas City, Missouri,

and a year later Koeninger and Ethel were married. Following his wedding, Koeninger moved with his new bride to Chicago, where he pursued a Master's degree in the nation's preeminent graduate program in sociology and befriended the economics professor, social activist, and later U.S. Senator Paul Douglas. Following his graduation from the University of Chicago in 1935, Koeninger moved his family to Columbus Ohio, where he enrolled in the doctoral program at Ohio State University, which was chaired by Professor Frederick E. Lumley, a specialist in the field of propaganda and democracy. Koeninger received his PhD in Sociology in 1939 and embraced Lumley's warnings about the dangers that propaganda posed to democratic discourse.⁵

Although Koeninger rarely discussed his time in graduate school, the lessons that he learned there became apparent over the course of the subsequent decade, as he accepted teaching positions at Marietta College, Central Michigan University, and Sam Houston State Teachers College. Prior to his employment at SHSTC, Koeninger received 3 post-doctoral awards that helped to shape the contours of his future research and activism. The first, from the General Education Board, funded Koeninger's work on the problems of juvenile delinquency in Michigan high schools. The second, from the Alfred E. Sloan Foundation, enabled him to develop educational opportunities to help low-income groups to improve their economic status. And, the third, from the National Council of Christians and Jews, afforded him the time and funds to work with the Chippewa Indians in Central Michigan in an economic development program. All of these post-doctoral research projects resulted from Koeninger's commitment to helping the underprivileged empower themselves as they struggled to find a place in America's broader democracy.⁶

In 1947, after nearly a decade of working in Michigan, Koeninger moved with his wife and four children back to Texas to continue his career as head of the Sociology Department at SHSTC. Koeninger's daughter, Frieda, remembered that her father pursued work in Huntsville because the city had so many fascinating complexities. It was a small town with both rural and urban problems; it was a diverse town with both racial and economic tensions; and, it was a historic town with both the oldest teachers college and the oldest prison in the state. Together, the location and particular challenges associated with Huntsville made it the perfect place to continue his work.⁷ In fact, Koeninger proved to be one of the most successful and beloved

academics at SHSTC. During his tenure at the school, the Sociology Department grew from one to five faculty members and earned a national reputation for excellence. He oversaw the department's 174 undergraduate majors and helped them achieve both academic degrees and professional training that would serve them later in life. And, it soon became clear that these accomplishments were not lost on local leaders. Two years after moving to Huntsville, Koeninger also received an appointment as director of the Bureau of Classification at the Texas Prison System, which required that he oversee vital aspects of the state's criminal justice system and teach one class every year within the prison walls.⁸

As Koeninger established a leadership role for himself at SHSTC, he also emerged as an important, if controversial, figure in Huntsville. Since his earliest days in the teaching profession in Fairview, Montana, he had always been an engaged scholar, and he found plenty of social work that needed doing in Huntsville. To begin with, Koeninger set out to address the racial inequities that existed in the city in the early 1950s. At that time, most local retail stores and restaurants simply refused to serve African Americans, while the city's movie theaters, gas stations, and banks offered only second class, segregated services. Black residents could not swim at the public swimming pool, nor were they allowed in Huntsville State Park, which, ironically, was built by an all-black unit of the Civilian Conservation Corps. An example of the park administration's strict adherence in preventing blacks from enjoying the park's amenities took place in the late 1950s, when Koeninger invited African American Reverend William "Bill" Lawson of Wheeler Baptist Church in Houston to speak before his sociology class. During a lunch break, Koeninger, Lawson, and the students went to the park with lunches in tow. To his disgust, however, the park ranger refused entrance to Reverend Lawson and asked the group to leave the park.⁹

To counteract this system of racial discrimination, Koeninger engaged in a number of activities that aimed to improve relations between whites and blacks. After his arrival in Huntsville, for instance, he joined the Texas Commission on Interracial Cooperation (TCIC) at the suggestion of his friend and colleague, Joseph Lynn Clark. A former TCIC vice president and director of SHSTC's Division of Social Sciences, Clark encouraged Koeninger to become active in the TCIC's efforts to improve educational opportunities, health care facilities, and

social welfare programs for African Americans in Texas.¹⁰ The group proved too conservative for Koeninger, however, and he soon pressed beyond the TCIC's modest agenda of yearly meetings and letter-writing campaigns. In place of these activities, he pushed for direct action, encouraging the students in SHSTC's Young Democrats club to conduct voter registration efforts in local stores that were frequented by African Americans. Much to the chagrin of Mary Vick Arnold, the county tax collector, and local commissioner John Yelverton, Koeninger allowed students to set up tables at the stores and offer themselves as agents to receive poll taxes from voters. Although county attorney John Phillips acknowledged that such action did not violate the law, which allowed anyone to "go out and get voters to appoint them as their agents," County Judge Amos Gates said that the procedure "could lead to interference by unauthorized people" and suggested that it be stopped.¹¹

Although Koeninger's local civil rights activities rubbed many whites in Huntsville the wrong way, his real trouble with the Texas State Teachers College Board of Regents did not begin until 1960, when he agreed to teach an extension course on sociology at the Mexia State School near Waco. This position brought Koeninger into contact with new students and community members who knew little about him or his long-time service at SHSTC. Koeninger's outsider-status in Mexia would have likely gone unnoticed at another time in Texas history, but the winter of 1960-1961 proved to be a particularly tense period in the Lone Star State. As school desegregation cases filled the federal court system, and young people conducted sit-in demonstrations to integrate public businesses, white Texans recognized that the dawn of the 1960s had ushered in a fundamental challenge to their traditional way of life. No one understood this better than Mexia's newest local conservative, James A. Franklin Jr.

Franklin served as the business manager for the Westminster College and Bible Institute in the nearby town of Tehuacana and following one of Koeninger's local appearances, he called for an investigation of the professor's activities in December 1960. Franklin had begun his employment at Westminster College, which was supported by the Methodist Church, in 1958. Shortly after his arrival, Franklin, an ordained minister, began speaking before local organizations such as the Parent Teacher Association (PTA) and the Rotary Club. His speeches centered on the threat posed to America by

communism. He cautioned many groups against complacency toward communism and stressed that Americans stood on the "threshold of destruction" and could only be saved through the "preaching and teaching of God's word."¹² Franklin vigilantly pointed out those people whom he suspected of subversive acts, and he wrote to Donald L. Johnson, the legal assistant to Congressman John Dowdy, about Koeninger's work at Mexia that December.

Franklin informed Johnson that he had learned that Koeninger had launched a tirade of anti-Americanism by speaking ill of the anti-communist House Committee on Un-American Activities (HUAC) and its film "Operation Abolition." This film portrayed college student protests at a HUAC hearing at San Francisco's City Hall in May 1960 in a negative light. The film contended that the student protests had been Communist-inspired and led. The purpose of the film was to show how well-meaning and college-educated Americans could fall prey to Communist deception.¹³

Franklin wrote to Johnson and Dowdy because the pair had made frequent visits to Westminster over the past year. Dowdy had delivered an address at a special chapel service about "patriotism and the straight gospel" on December 9, 1960, and it was shortly after this visit that the supposed tirade by Koeninger occurred. Franklin wanted Koeninger removed from the public education system in Texas. He asked Johnson to provide any background material on Koeninger, his connection with subversive organizations, and other information that could be used against the professor. Franklin informed Johnson that the administrative staff at Westminster planned to appear before the president of SHSTC and the state educational officials to request Koeninger's dismissal.¹⁴ Johnson forwarded this information to Congressman Dowdy, who in turn wrote to the chairman of HUAC, Francis E. Walter. Dowdy asked Walter to provide him with any information on Koeninger that might possibly connect him with communist front organizations, but he mistakenly misspelled Koeninger's first name on his memorandum.¹⁵

Although Dowdy did not appear to recognize Koeninger's name -- despite a confrontation the two men had had during Dowdy's congressional campaign in the spring of 1960 -- he launched an investigation at Franklin's request.¹⁶ As an ardent fighter against the communist threat, Dowdy, like other ultra-conservatives, relied heavily on the religious community to support his anti-communist campaign. Although Franklin was not in Dowdy's voting district, the

Congressman worked on his behalf in order to ferret out any wrong doing.¹⁷ Dowdy believed that the communist conspiracy was an ever present danger to America, and he, along with other like-minded Southern congressmen, linked Moscow, Beijing, and the red threat to ongoing domestic disturbances, especially those of the civil rights movement. Dowdy promised to do all in his power to help throw suspected communists and traitors out of office and out of places of power within the nation.¹⁸ Koeninger, holding the Chair's position in the Sociology Department at SHSTC, had power over both faculty members and students. Dowdy feared that Koeninger's liberal views may have stemmed from Communist beliefs, and worried that Koeninger may have used his status within the college to indoctrinate his students in Communist ideology.

Indeed, Dowdy kept his word to James Franklin and contacted his long-time friend, William H. "Bill" Kellogg of Huntsville, to inquire about Koeninger's reputation. Kellogg, a forester for over 50 years and former president of the Walker County Farm Bureau, served as the chair of the local John Birch Society.¹⁹ With his wife, Ava Louise, Kellogg acted as Dowdy's informant on liberals and leftists in Walker County. Dowdy and the Kelloggs kept in frequent contact with each other, while coordinating events to promote anti-Communist propaganda, such as the film "Operation Abolition." Kellogg accompanied Dowdy to Westminster in March 1961 to show the films "Communism on the Map" and "Operation Abolition."²⁰ Mrs. Kellogg also corresponded with Congressman O. C. Fisher, a native of Junction, Texas. In response to one of her letters in regard to desegregation, Fisher wrote that "he wished we had more people like you who take an active interest in this nefarious movement that is always cropping up."²¹ Along with the Kelloggs, Dowdy also was quite involved with former Texas Representative Ed Gossett, who at the time of Koeninger's case was one of the newly elected members of the Texas State University System Board of Regents that oversaw Sam Houston State Teachers College. Apparently Gossett was involved in the making of the anti-Communist film "Communist Encirclement" in which he was a commentator. Dowdy was most interested in getting copies of the film and showing it his congressional district.²²

After receiving Dowdy's letter requesting information on Koeninger, Kellogg immediately responded to Dowdy, correcting the congressman's misspelling of Koeninger's first name. Kellogg

then suggested that Dowdy request that HUAC run a new search on Koeninger. (The Federal Bureau of Investigation did eventually create a case file on Rupert Koeninger).²³ Then, Kellogg proceeded to brief Dowdy on Koeninger's position at SHSTC, and he enclosed a copy of a 1955 *Houston Post* article, which covered a speech that Koeninger had given at a Southern Conference Education Fund (SCEF) event held at the YWCA in Houston. Expressing the conventional wisdom of the time, Kellogg wrote that the SCEF had been cited as a communist front organization and sarcastically wrote that the reason this organization had met at the YWCA was that no one in Washington was "so brash as to even breathe that these Christian Associations might somehow be involved in the subversive plot to destroy America and Christianity too."²⁴ Kellogg stated that Koeninger seemed to always find himself in some sort of controversy and was a liberal Democrat. Kellogg also referenced Koeninger's attempt at a "cozy little integrated picnic" at Huntsville State Park. He went on to write that the park ranger spoke of Texan's attitude toward this sort of "brother hooding" and had asked Koeninger and his group to leave. In Kellogg's closing statement to Dowdy, he wrote: "I can sympathize with James Franklin, of Westminster College, with his desire to have this man placed where he can do less harm. We have discussed the matter locally and there is some sentiment for keeping him here where he is so well known rather than having him go elsewhere spreading poison where he might be more respected as an educated man of stature."²⁵

William Kellogg was not the only person in Huntsville contacted by Dowdy. Attorney J. Philip Gibbs, Jr., whose ancestors founded Gibbs National Bank in 1890 (now known as First Bank of Huntsville), received an inquiry from Dowdy dated February 9, 1961. Gibbs promptly responded to Dowdy, saying that he considered Koeninger wildly liberal in his views. He also pointed out that Koeninger's wife, Ethel, was very nice and worked at the bank. The letter suggested that Koeninger had a tremendous influence on SHSTC students "for the bad." Gibbs believed that Koeninger indoctrinated the students with socialistic and near-communistic ideals, and he personally hoped that Koeninger would move on to another institution in a more liberal area, like California. Gibbs further wrote that "at least two of his friends on the Board of Regents" agreed with him, and they were "simply waiting for a good reason to clobber him." In his closing sentences to Dowdy, Gibbs asked that his name be kept out of the discussion since

he lived in the same town as Koeninger. Gibbs wanted to avoid any embarrassment.²⁶

The following month, Dowdy received a letter from Regent C. Smith Ramsey, a San Augustine County attorney and brother of Ben Ramsey, the state Railroad Commissioner and former lieutenant governor. The well-connected Regent requested that Dowdy share any information that he had "regarding some faculty members at SHSTC that the Board of Regents should have before they hire faculty at the annual May meeting." Ramsey continued with the letter by writing, "If you think the Board might need this information, I would appreciate that you pass it on to me, so I might bring it to the Board's attention." Two things are worthy of further attention, when reviewing this letter. First, Ramsey was quite cautious to avoid incriminating himself; he did not mention any faculty names (this seemed to be a pattern with Ramsey and other board members); and second, at the bottom of the letter he carbon copied J. Phillip Gibbs, a move that definitely got a reaction. Gibbs immediately wrote Dowdy and denied that he had brought the Koeninger investigation to C.S. Ramsey's attention and expressed his concern that he not end up in the middle of a college explosion. Gibbs also wrote to Ramsey and reiterated much of what he had written in his response to Dowdy's February inquiry letter. Gibbs asked Ramsey to keep his name out of any future discussions; he did not want to feel responsible for a man losing his job.

As this informant decided to remain silent, Ramsey reached to William Kellogg for information about a confrontation that he had recently had with Koeninger during the showing of "Operation Abolition" in Huntsville. Ramsey wanted to know the details of the night's events, which Kellogg happily provided. Apparently the story made an impression, because Ramsey then put additional pressure on SHSTC President Harmon Lowman to get rid of Koeninger. Liberal Koeninger had provoked some powerful enemies, and it was clear that he would no longer remain at SHSTC.²⁷

A week before graduation, on May 6, 1961, President Lowman finally acted on the pressure that he had received from Ramsey and the Board of Regents. That afternoon, he summoned Koeninger to his office and informed him that "the Board has let you out."²⁸ Koeninger, who felt that he had done nothing to warrant such action, felt dumbfounded at first and then questioned Lowman about the Board's decision. Lowman responded that the Board took the position

that Koeninger had once previously been warned, referencing a May 1960 politicking incident, in which Koeninger had signed a public petition showing his support for E.R. Wright, a candidate who was running against incumbent District Judge Max Rogers of Huntsville.²⁹ Moreover, Lowman reminded him of the more recent complaint that Koeninger had spoken in opposition to the film "Operation Abolition." Other possible contributors toward Koeninger's dismissal were allegations that he had engaged in an intense political discussion with a student in an extension class of SHSTC located at the Mexia State School, and that there was knowledge that Koeninger had spoken before an alleged Communist front group -- the SCEF -- a result of information gathered from a security check. Despite these vague and undocumented allegations, the names of Koeninger's accusers were never divulged to him. Nor did he have the opportunity to confront them in any way.³⁰

After meeting with SHSTC's President Harmon Lowman, Koeninger realized his job was truly in jeopardy. He stated in his diary notes, "At first I had the urge to tell the Board to hell with all of them and the job and quietly fade away."³¹ However, Koeninger truly believed that if he acted on this gut reaction that no faculty position would be safe. Someone could complain about a teacher resulting in the Board firing that teacher without due process and this was exactly what happened to him. Koeninger had been fired without any hearing and received no formal charges. With Koeninger's employment with SHSTC scheduled to end at the close of the Spring 1962 semester, he drafted a letter to the Board stating that he could not see "how a responsible Board of Regents, acting upon gossip and hearsay and without making any charges, can relieve me of my work and dedication to the service of my fellow man." He then went on to paraphrase the Declaration of Independence, stating that "a decent respect for the opinions of mankind require that the Board set forth the reasons for such a separation." Koeninger independently pursued information from various Board members, but as it became more apparent to him that his dismissal was politically based, he solicited help from members of TACT and the AAUP. Koeninger first drafted a letter to AAUP General Secretary William Fidler, requesting an investigation in regard to his dismissal. Within days of notifying the AAUP, Koeninger wrote TACT's Elton Abernathy asking for formal consideration of his case by the Professional Standards Committee. Koeninger apprised Abernathy

that he had contacted the AAUP in hopes that the two organizations could combine their resources.³²

According to the AAUP Statement of Principles on Academic Freedom and Tenure (1940), faculty members at colleges and universities had an obligation to "exercise appropriate restraint" when interacting with the public. They were to "show respect for the opinions of others, and [to] make every effort that [they were] not an institutional spokesman." At the same time, college and university administrators had a responsibility to treat faculty members with respect and to provide due process (including written notice and a hearing) when a faculty member was to be dismissed.³³ Since Koeninger was not afforded the opportunity for due process, TACT and the AAUP intervened on Koeninger's behalf to investigate and to censure the responsible parties. An agreement to take Koeninger's case marked the first time the Professional Standards Committee dealt with a violation of academic freedom and tenure. Elton Abernathy stated that since it was the first venture into this field, TACT should wade carefully, with dignity, and with complete respect for procedure. Koeninger replied, "We should not allow this opportunity to pass by default or inactivity." Upon TACT's acceptance of the case, Koeninger informed his colleagues at SHSTC as well as other professional colleagues. He stated that his dismissal had ceased to be purely a personal issue, but now was a college issue, and furthermore, all faculty members would be affected by the outcome of the case.³⁴

Despite the overwhelming support that Koeninger received, Robert Van Waes of the AAUP cautioned Koeninger against sharing and distributing to colleagues information pertinent to the case. Van Waes did not want to put the TACT investigation in jeopardy. Alice Calkins, executive secretary for TACT, concurred with Van Waes and sent a memo to the TACT policy committee urging them to keep the matter out of the press until the Board of Regents' May annual meeting. Van Waes and Calkins, both feared publicity might upset the efforts to negotiate a solution.³⁵ The TACT Professional Standards Committee appointed Dr. Corwin W. Johnson, a former member of the Federal Bureau of Investigation and then professor of law at the University of Texas, and Dr. Edmund Heinsohn, a retired minister of the Methodist Church and former practicing lawyer, to serve as the organization's investigative panel. Johnson and Heinsohn planned a visit to SHSTC's campus on March 21, 1962 to speak with Koeninger, President

Lowman, and other members of the faculty and administration. The panel also reached out to the members of the Board of Regents to schedule interviews. Upon their arrival at the college's campus, they discovered President Lowman was out of town until the third day of April. Johnson and Heinsohn requested a meeting for after that date, but Lowman declined. The panel attempted to meet with Regent Ramsey and he too declined.³⁶

After consideration of the information gathered, Johnson and Heinsohn soon concluded that the person responsible for Koeninger's dismissal was Regent C. S. Ramsey because of pressure from Huntsville's John Birch Society. Johnson and Heinsohn, by letter, asked Ramsey to advise them whether it was true that the Board had indeed decided to terminate Koeninger's employment and, if so, what grounds. Having received no reply, the panel recommended that TACT issue a statement to the Board of Regents about Koeninger's case and the nature of the principles involved. They also recommended that TACT include within this statement the panel's findings, stress the potential for adverse effects that Koeninger's dismissal would probably have on the College as a whole, and reiterate the Board's violation of academic freedom and tenure. The panel also suggested that Koeninger petition signatures of faculty members as SHSTC in a show of support. The Board of Regents received a petition signed by 170 of the roughly 190 faculty members at SHSTC. The petitions requested that the Board reconsider its decision concerning the employment of Koeninger and afford him the full protection of their announced policies, including those governing the termination of services of faculty members. Upon approval of the TACT Policy Committee, the executive committee implemented Johnson and Heinsohn's recommendations and advised Koeninger that he should ask for a hearing before the Board of Regents and seek legal counsel for representation at the hearing. In a letter to the Board of Regents dated April 16, 1962, Koeninger requested that he be given a written statement of charges and granted to be heard at the Board's May annual meeting. Koeninger obtained, Gibson R. Randle, an attorney from Austin, Texas, as his legal counsel. Randle would represent Koeninger at the May 1962 Board of Regents hearing and remain in contact with Koeninger until the AAUP censure that occurred in April 1963.³⁷

For some time, Koeninger waited anxiously for the Regents' invitation to speak at their May 1962 annual meeting. As Koeninger

awaited word, the AAUP created an ad hoc committee to start their investigation of the Board of Regents violation of academic freedom and tenure. This came about because of the failed attempts by attorney Gibson Randle, TACT, and Koeninger to get a bill of particulars or a promise of a hearing from the Board or President Lowman. William J. Kilgore, a Professor of Philosophy at Baylor University in Waco, Texas, chaired the AAUP investigating committee. Kilgore was very active in the AAUP and prior to that, was active in Texas communities as the Vice President of the Texas Commission of Racial Relations; he had succeeded Dr. J. L. Clark of Huntsville.³⁸

On the afternoon of May 21, 1962, Randle and Koeninger received word that the Board of Regents was willing to listen to what Koeninger had to say with provisions attached. Koeninger could meet with the Board the next day, May 22, provided that Randle and Koeninger waived their request for a bill of particulars. Regent Ramsey made the request verbally to Randle in the hallway outside of the Regents' meeting room. This action showed the continued pattern of the Board and Ramsey to keep documentation in the Koeninger case out of official records. Randle and Koeninger accepted Ramsey's conditions, although Randle made the remark, "This was like a blind man fighting man who can see." Randle attempted to get answers from the Board members, but Regent Ramsey interrupted Randle and stated that Board members were not going to answer any questions for him or anyone else. At the end of the Board meeting, Ramsey met with the reporters covering the hearing, as well as Koeninger and Randle. Ramsey reported that the Board had reaffirmed, by a majority vote, its decision not to re-employ Koeninger. Journalist Ronnie Dugger covered the hearing and noted in his resulting article that in the middle of the Board meeting William Kellogg walked in and delivered a written report to each of the Board members. Dugger interviewed Kellogg after the meeting questioned him about the documents. Kellogg replied that the Board members wanted his view about American society and clarification about his part in the Koeninger matter. In Kellogg's opinion, the report did not contain any "startling statements about the matter at hand." Kellogg denied that the John Birch Society caused Koeninger's dismissal, but said that he personally was in favor of it. With that said, the Board's action created not only a media firestorm, but also reinforced TACT and AAUP determination to move forward with censuring the college's regents and its president.³⁹

Within days of the May Board Meeting, TACT and AAUP members strategized on how to proceed with censure plans against SHSTC and how to obtain assurances that future members of the Board of Regents were persons of integrity who would adhere to the rules governing Academic Freedom and Tenure. TACT's Alice Calkins corresponded with attorney Gibson Randle and informed him that members were in the process of apprising Governor Daniel of the situation and their dissatisfaction with some of the current appointments to the Board of Regents. Calkins asked Randle for names of people who might be able to influence Governor Daniel's choices when it was time to appoint new members in the place of C. S. Ramsey and William V. Brown, whose terms were set to expire in 1963. In Ronnie Dugger's article and correspondence between TACT members, there was mention of Brown's anti-Koeninger views; Brown did not approve of Koeninger's position and activities in regard to racial matters and had seconded the motion made by Regent Ed Gossett at the May 1962 meeting to dismiss Koeninger.⁴⁰

Toward the later part of June 1962, TACT president Wade Hartrick sent Governor Daniel a copy of TACT's Statement of Recommended Censure. Hartrick explained the document was the action of the State Executive and Professional Standards Committee, which met in Austin on June 23. Hartrick further commented that TACT members deeply regretted that the action of the Board of Regents of the Texas State Teachers Colleges made this statement necessary. (The vote by TACT members to approve of the censure was scheduled to occur at the upcoming fall meeting. Alice Calkins stated that the term censure did not mean that TACT would blacklist SHSTC, but the word implied an expression of displeasure. She further stated that the violation of academic tenure "handicapped Texas in attracting and retaining superior teachers.") Also mentioned in Hartrick's letter was the reiteration of TACT members' desires that Daniel appoint persons of integrity when filling vacancies on the Board. Koeninger's attorney, Gibson Randle, also drafted a letter to the governor, hoping to see that the vacancies would be filled by persons of the same caliber as Regents Rassman and Gresham. In addition, Randle asked that the governor consider doing something on Koeninger's behalf. Randle suggested to Daniel that if this did occur, Daniel would have rendered a "very single public service in these closing months of his tenure." Governor Daniel gave TACT members the impression that he would carefully examine

the documents presented to him regarding Koeninger's dismissal and possibly intervene. Later, however, Daniel made it quite clear that his intentions in reviewing Koeninger's dismissal were "solely to the viewpoint of what should be done about such matters in the future." Daniel would not go against the Board's decision.⁴¹

In September 1962, TACT sent letters of inquiry to the two major-party nominees for the office of Governor in the coming November 1962 general election. TACT wanted to know where the candidates stood on various issues. Three of the five questions the organization asked, dealt with academic freedom and tenure. One question specifically asked for what guidelines the nominee would follow in the appointment of members to the Board of Regents to ensure adherence to the principles of academic freedom and tenure. After losing his bid for a fourth term as governor, Daniel left the task of filling the three vacancies to the Board of Regents to Governor-elect John Connally.⁴²

TACT executive committee members scheduled their state meeting for November 17, 1962. They realized that TACT would not receive any assistance from Governor Daniel, and that William Kilgore, the AAUP investigating committee chairman, had met with the governor to discuss Koeninger's dismissal. They also knew that, in all probability, an AAUP censure would be forthcoming. Therefore, TACT's vote to censure took place at this meeting. Alice Calkins sent out a memo to the state and local officers informing them of the date and shared with them a letter Texas Representative Charles N. Wilson of Trinity had sent to Regent Ramsey. Wilson, a former student of SHSTC and champion for individual's rights (especially those of women and minorities) was quite disturbed over Koeninger's dismissal. He wrote, "It is beyond imagination that a responsible body of Texas public officials in the United States of America in 1962 would arbitrarily use their authority to maliciously take revenge upon a respected citizen because he exercised his basic political freedom." Wilson further requested that the Board publicly make known the reason for Dr. Koeninger's discharge. In Wilson's closing statement he wrote that "I feel that such a revelation would be in the public interest as it would restore the prestige of the Board of Regents in the eyes of many citizens, and would disprove the accusation that your body is now prescribing adherence to your own political philosophy as a prerequisite for a professor to hold his job." Furthermore, he said, "It would be a disgrace to our State's great tradition of individualism and personal freedom

for such an accusation to go unanswered. I am confident that you, as Chairman of the Board of Regents, will make public your undoubtedly valid reason for the separation of Dr. Koeninger."⁴³ According to Alice Calkins, Ramsey refused to comment when asked for a statement by reporters who had received copies of Wilson's letter.

With Ramsey's refusal to answer questions from TACT members and political allies who defended the rules of academic freedom and tenure, the case for censure by TACT and the AAUP continued to build. TACT's censure statement drafted in June 1962 made it clear that the association's censure was directed toward both the Board of Regents of the Texas State Teachers Colleges and President Lowman, since all were responsible for the termination of Koeninger. Although the majority of SHSTC faculty supported the censure of the Board of Regents, many became unhappy with the censure of President Lowman. According to TACT, members of the Executive Committee and the Professional Standard Committees stated that the censure was warranted because of Lowman's refusal to answer Regent Gresham's question in regard to the reconsideration of Koeninger for the 1962-63 term, and his refusal to meet with the TACT investigating committee. The committee concluded that Lowman's refusal to cooperate constituted an abdication of his responsibility as chief administrative officer of SHSTC. According to Kenneth Russell of the Huntsville chapter of TACT, faculty members understood the action from an intellectual standpoint, but felt that there were too many exonerating circumstances that should prevent the censure of Lowman.⁴⁴

At TACT's state meeting, delegates voted 34-0 to censure the Board of Regents of the Texas State Teachers College. Several chapters abstained from voting and other chapters argued for the removal of President Lowman's name from the censure. Delegate E. M. Scott of the SHSTC chapter received instructions to support the censure of the Board, but to delete reference to Lowman. Scott stated, "We are loyal to Dr. Lowman." The censure resolution included a note of commendation for the regents who voted against dismissing Koeninger. Since the official Board minutes from the May 1961 and May 1962 meetings only documented the names of the person who moved to make a motion and the person who seconded the motion, how each regent voted is speculative. There are conflicting reports from TACT documents and newspaper articles as to which regents abstained or voted to dismiss Koeninger. The only remaining constant was that Regents Gresham

and Rassman voted against the dismissal.⁴⁵

During the whole process leading up to TACT's censure, the AAUP ad hoc investigating committee diligently worked on their case against the Board of Regents and the administration at SHSTC. William J. Kilgore, chair of the committee, submitted his group's findings to the national AAUP Committee on Academic Freedom. According to Kilgore, his ad hoc committee found sufficient evidence that showed a violation of the academic freedom and tenure of Koeninger. Koeninger, with fourteen plus years of service at SHSTC, had served more than twice the maximum probationary period for tenure as stated in the AAUP's 1940 Statement of Principles, and Koeninger had not received due process. In Kilgore's oral memoirs, he clearly explained the AAUP's relationship with TACT, in regard to the Koeninger case. He stated that TACT primarily concerned themselves with "bread and butter" issues, such as faculty appropriations and other conditions affecting faculty in the state run institutions, while the AAUP monitored violations of academic freedom and tenure. He further explained, the problem the AAUP experienced with TACT in jointly investigating the Koeninger case was that TACT leadership wanted the AAUP to act as both activist and judge. Kilgore explained that the AAUP Committee on Academic Freedom "held at that time, that in its official investigations involving possible national censure, it needed to have a judicial role." Kilgore contended that had the AAUP played an activist role by trying to resolve this case through political pressures, it would have lessened the effectiveness of the censure.⁴⁶

At the Forty-Ninth Annual Meeting of the AAUP held in San Francisco in April 1963, Committee A recommended the censure of the administration of SHSTC, which resulted in the AAUP delegates' censure vote, and SHSTC remained on the Association's list of censured Administrations until 1970. Nevertheless, Koeninger did not see the censuring of SHSTC by the AAUP as a personal triumph. He stated that the censure "fell equally on the administration, the teachers, the students, and my friends, instead of on those members of the board who were responsible for my dismissal."⁴⁷

While TACT and the AAUP moved to sanction SHSTC, Texas Representatives Robert "Bob" Eckhardt of Houston, Horace "Dick" Cherry of Waco, and Charles "Charlie" Wilson of Trinity introduced House Bill 77 (HB 77) to the Texas House State Affairs Subcommittee. HB 77 was intended to "protect the right of public employees to exercise

all rights and privileges of citizenship and to prohibit certain boards from affecting tenure of certain public employees.” Representative Eckhardt told the Associated Press that the bill was “an outgrowth of the firing in May of R.C. Koeninger.”⁴⁸ In fact, Koeninger appeared in support of the bill before the legislators to recount his dismissal. Several college professors attended the hearing, including Elton Abernathy of TACT. However, because HB 77 introduced at the 58th Legislative Session did not leave this committee, it did not come up for a vote.⁴⁹

The following month, Texas Senator Franklin Spears of the 26th District wrote Koeninger informing him of the hearing date of Senate Bill (SB 45). Spears authored the bill that related to the grounds and procedures for the termination of employment of a faculty member of any state institution of higher education. In his letter, Spears indicated that he wanted Koeninger to attend the hearing. Spears also informed Koeninger that he had contacted William Kilgore and other professors, requesting their appearance as well. Spears’ version of SB 45 submitted to the Committee on State Affairs was sent back to the Senate with the recommendation that it not pass, but that another version of SB 45 by the Committee Substitute “in lieu thereof do pass and be printed.” The substituted version excluded key elements that would ensure due process for faculty members. One key element removed from the original bill was the section that afforded a faculty member an impartial hearing before a committee of his peers, the right to counsel, and the right to confront and question witnesses against him.⁵⁰

Representative Charles Wilson and others did not let their defeated HB 77 keep them from pursuing legal alternatives. The following year at the 59th Texas Legislative Session, Wilson and others submitted an amended version of HB 1, first introduced and passed at the 54th Legislative Session, for passage. The amended version created The Higher Education Coordination Act of 1965. Under this act, the governor would appoint 18 members to serve on a board that represented all higher education institutions under state authority. After passage of the bill, this board became the state’s highest authority for issues of public higher education. Today known as The Texas College and University System Coordinating Board, members follow the guidelines provided in Section 14, Paragraph 2 of HB 1 designed to aid Texas colleges and universities in developing minimum standards to ensure academic freedom, academic responsibility, and tenure. Regent Newton Gresham, whose expired term on the Texas State Teachers

College Board of Regents coincided with the 1965 formation of the Coordinating Board, became one of the first members appointed by Governor Connally. In an oral interview, Gresham stated that he was certainly surprised at the appointment, one he did not look for or ask for. He attributed Connally's appointment to being a former member of the Texas State Teachers College Board of Regents; he would therefore have the experience and background to deal with issues in higher education. Gresham served 18 years on the Coordinating Board.⁵¹

Under the watchful eye of the AAUP, the Coordinating Board worked with colleges and universities in the implementation of new procedures. Frequent correspondence between the national officers of the AAUP, SHSTC's new president Arleigh Templeton and the college's local chapter of the AAUP demonstrated a strong desire for each agency to work together on having SHSTC removed from the censure list. Templeton, prior to his appointment at SHSTC, had served as Executive Director of the Governor's Committee on Education Beyond the High School. This committee was the stepping-stone to the establishment of the Coordinating Board in 1965. In a letter dated February 22, 1966, Templeton informed the AAUP that with close ties with Governor Connally and members of the Texas Legislature, he had worked to have appropriate standards for academic freedom adopted on a statewide basis. Templeton felt he had made great strides with SHSTC's new administration and governing board and strongly felt the censure should be lifted. It would take SHSTC's administration another four years, however, before the AAUP agreed to remove the college from the censure list.⁵²

This investigation into the dismissal of Rupert C. Koeninger illustrates how members of the Board of Regents of the Texas State University System, U. S. Congressman John V. Dowdy, Sr., and local political activists, including James V. Franklin, Jr. and William H. Kellogg used the anti-Communist rhetoric of the 1950s and 1960s to justify a violation of academic freedom and tenure. By exploring the cultural temperament of the time, this paper helps put into context the circumstances that led to the actions of those who opposed Rupert Koeninger. Koeninger's dismissal was the direct result of the cultural temperament of a time when political and ideological views clashed with far reaching results. The investigations pursued during the writing of this paper also provided additional findings and resources to add to the historiographies regarding Koeninger's dismissal, as well

as violations of academic freedom and tenure at Southern Universities and Colleges, circa 1950s and 1960s. For the past 50 years, scholars and journalists assertions, that the local John Birch Society and Regent Ramsey were the main contributors in Koeninger's dismissal, came by default. The first articles in 1962 reported that the Koeninger dismissal had been orchestrated by the JBS and Ramsey, while the most recent scholarly work largely reiterated past scholarship. By introducing new evidence, this paper has shown that James A. Franklin, Jr., along with the help of Congressman John V. Dowdy, Sr., gave the majority of the members of the Board of Regents cause for action against Koeninger.⁵³ Because of this unwarranted action, the Texas Legislature took action to protect the academic freedom and tenure of collegiate faculty members in a step that transformed higher education in the Lone Star State.

ENDNOTES

1 Rupert Koeninger, "Diary Notes," Rupert C. Koeninger Collection, 1927-1987, University Archives, Newton Gresham Library, Sam Houston State University, Huntsville, Texas (hereafter RCKC), Box 1 Folder 1, 1.

2 Ronnie Dugger, "Time for Reform: The Language of Houston, Hogg, and Allred," *Texas Observer*, June 1, 1962, 5; The Texas Association of College Teachers, "Dismissal of Dr. Rupert C. Koeninger," TACT Bulletin, 14 (Summer, 1962): 1-4; C. Vann Woodward, "The Unreported Crisis in the Southern Colleges," *Harper's Magazine* (October 1962): 82-84, 86-89; Ronnie Dugger, "Koeninger Case Study," *Texas Observer*, November 30, 1962, 1, 6-8; William J. Kilgore and Joseph A. Slechta, "Academic Freedom and Tenure: Sam Houston State Teachers College," *AAUP Bulletin* 49 (March 1963): 44-51; William J. Kilgore, "Academic Freedom in Texas," *Academe* 65 (April 1979): 177-185; Amilcar Shabazz, *Advancing Democracy: African Americans and the Struggle for Access and Equity in Higher Education in Texas* (Chapel Hill: University of North Carolina Press, 2004), 212-213; Joy Ann Williamson-Lott, "The Battle Over Power, Control and Academic Freedom at Southern Institutions of Higher Education, 1955-1965," *Journal of Southern History* 79 (November, 2013): 879-920.

3 Rupert Koeninger, unpublished autobiography, RCKC, Box 1, Folder 1, 1-2.

4 Ibid.

EAST TEXAS HISTORICAL JOURNAL

- 5 Ibid, 3.
- 6 Ibid; Rupert Koeninger, Vita, RCKC, Box 1, Folder 1.
- 7 Koeninger, unpublished autobiography, RCKC, Box 1, Folder 1, 3; Frieda Koeninger, interviewed by Carolyn A. Carroll, September, 2011.
- 8 Frieda Koeninger, interviewed by Carolyn A. Carroll, September, 2011.
- 9 Frieda Koeninger, interviewed by Carolyn A. Carroll, Huntsville, Texas, September 2011.
- 10 Gary Zeller, "The Integration of Huntsville Independent School District 1934-1968" (Master's Thesis, Sam Houston State University, 1994), 15, 26-27.
- 11 "Court Frowns as Students Act as Poll Tax Agents," *Houston Chronicle*, no date, in Lowman Presidential Papers.
- 12 "Dr. Franklin Is Guest Speaker At Tehuacana PTA," *Mexia Daily News*, October 10, 1958, 3; "Dr. Franklin Speaks At Rotary Club Meet," *Mexia Daily News*, September 9, 1959, 1.
- 13 Bradley S. Greenberg, "Operation Abolition vs. Operation Correction," *Audio Visual Communication Review*, Vo. 11. No. 3 (1963): 40-46.
- 14 James Franklin to Donald Johnson, January 13, 1961, and John Dowdy to Francis Walter, January 17, 1961, JDP, Box 229, File 8; *Westminster Minute*, January 15, 1961, JDP, Box 229, File 8.
- 15 Ibid.
- 16 John Dowdy to James Franklin, February 3, 1961, JDP, Box 229, File 8. In Dowdy's January 1961 letters to Donald Johnson and Francis Walter, the Congressman spelled Koeninger's first name incorrectly. In both cases, he wrote Robert Koeninger, which leads to the conclusion that Dowdy did not recall that he and Koeninger had crossed paths before. In addition, Dowdy's letter in February 1961 to Franklin further supports this position because Dowdy wrote that HUAC did not find anything on Robert Koeninger, but that he would conduct further inquiries *on this person*.
- 17 Of historical note—Franklin would not remain at Westminster for very long. He resigned in September 1961, ran unsuccessfully in 1962 for county judge of Limestone County, and in November 1963, moved to Bridge City, Texas in Orange County, a county historically known for racism.

Shortly after Franklin's exit from the college, he wrote a letter to the editor of the local paper and stated that he was bothered by the lack of concern that area citizens showed in regard to the government's foreign relations with communist countries. He further wrote, "A prayer meeting is needed to ask God to give us some real American Statesmen to help remove some elected politicians." "Franklin Resigned," *Mexia Daily News*, September 11, 1961; "Letters to the Editor," *Mexia Daily News*, November 19, 1961; Political Ad announcing Franklin's run for county judge, *Mexia Daily News*, April 12, 1962.

18 John Dowdy Campaign pamphlet, JDP, Box 138.

19 J. Allen Broyles, *The John Birch Society: Anatomy of a Protest* (Boston: Beacon Press, 1964), 40, 60, 114.

20 James Franklin to John Dowdy, March 24, 1961, JDP, Box 228, File 8.

21 O.C. "Clark" Fisher to Ava Louise Kellogg, July 20, 1956, JDP, Box 180, File 93.

22 Ed Gossett to John Dowdy, December 15, 1961, JDP, Box 228, File 8.

23 Under the Freedom of Information Act, Koeninger obtained a heavily redacted copy of his file in 1976. Perhaps this file came about as a result of Dowdy's inquiries. I have since requested another copy to further investigate this matter, but received a reply from the FBI that the file most likely has been destroyed; Clifford Koeninger email correspondence to Carolyn A. Carroll, October 1, 2013; Federal Bureau of Investigation, Washington D.C., FOIPA Request for Koeninger files by Carolyn A. Carroll response, October 24, 2013 and October 30, 2013; U. S. Department Justice Office of Information Policy, response for Koeninger files, December 16, 2013.

24 William Kellogg to John Dowdy, February 4, 1961, JDP, Box 228, File 8.

25 Ibid.

26 John Dowdy to J. Phillip Gibbs, Jr., February 9, 1961, and J. Phillip Gibbs, Jr. to John Dowdy, February 14, 1961, JDP, Box 229, File 8; J. Phillip Gibbs, Jr. to John Dowdy, February 14, 1961, JDP, Box 229, File 8.

27 C.S. Ramsey to John Dowdy, April 21, 1961, JDP, Box 229, File 8; J. Phillip Gibbs to John Dowdy, April 26, 1961, and J. Phillip Gibbs to C.S. Ramsey, April 24, 1961, JDP, Box 229, File 8; Ty Cashion, *Sam Houston State University, An Institutional Memory 1879-2004*, (Huntsville, Texas: Texas Review Press, 2004).

EAST TEXAS HISTORICAL JOURNAL

- 28 Rupert Koeninger, Diary Notes, RCKC, Box 1 Folder 1.
- 29 Rupert Koeninger, Diary Notes, RCKC, Box 1 Folder 2; William H. Gardner, "2 SHSTC Professors Scored for Politicking," *Houston Post*, May 14, 1960.
- 30 Ibid
- 31 Quoted material is drawn from Rupert Koeninger, Diary Notes, RCKC, Box 1 Folder 2.
- 32 Rupert Koeninger, Diary Notes, RCKC, Box 1 Folder 2
- 33 Walter P. Metzger, "The 1940 Statement of Principles on Academic Freedom and Tenure," *Law and Contemporary Problems* 52, (Summer, 1990): 3-77.
- 34 Rupert Koeninger to Elton Abernathy, February 17, 1962, and Elton Abernathy to Rupert Koeninger, February 20, 1962, RCKC, Box 1, Folder 4.
- 35 Robert Van Waes to Rupert Koeninger, March 22, 1962, and Alice Calkins memo to TACT Members of the Policy Committee, April 16, 1962, RCKC, Box 1, Folders 4-6.
- 36 Texas Association of College Teachers, Edmund Heinsohn, and Corwin Waggoner Johnson, *In The Matter Of The Termination of Tenure of Professor Rupert C. Koeninger At Sam Houston State Teachers College*, Austin, Texas May 12, 1962.
- 37 Texas Association of College Teachers, Edmund Heinsohn, and Corwin Waggoner Johnson, *In The Matter Of The Termination of Tenure of Professor Rupert C. Koeninger At Sam Houston State Teachers College*, Austin, Texas May 12, 1962, 13; Report of Edmund Heinsohn and Corwin Johnson, RCKC, Box 1, Folder 6,
- 38 Transcript, William J. Kilgore, interviewed by Daniel B. McGee, June 21, 1952 - August 14, 1972, 63-65, Baylor University Program for Oral History, Baylor University, Waco, Texas.
- 39 Ronnie Dugger, "Koeninger Case Study," *The Texas Observer*, November 30, 1962, 1, 6-8.
- 40 Alice Calkins to Gibson Randle, May 31, 1962, and Alice Calkins to Governor Price Daniel, June 6, 1962, RCKC, Box 1, Folder 8; Dugger, "Koeninger Case Study," 7.

41 "College 'Censured' Over Dismissal," *Big Spring (Texas) Herald*, June 24, 1962, 8A; Gibson Randle to Governor Price Daniel, June 5, 1962, RCKC, Box 1, Folder 8; Bo Byers, "Gov. Daniel 'Considering' Report On Dismissal of Dr. Koeninger," *Houston Chronicle*, July 20, 1962, 8.

42 Wade Hartrick to Governor Price Daniel, June 27, 1962, and Gibson Randle to Governor Price Daniel, June 26, 1962, RCKC, Box 1, Folder 8; "The TACT Bulletin" October 1962; Dugger, "Koeninger Case Study," 7.

43 Alice Calkins TACT memos to state and local officers, July 24, 1962 and July 31, 1962, RCKC, Box 1, Folder 8. In the July 31 memo, Calkins inserted Rep. Charles Wilson's letter.

44 Alice Calkins to Rupert Koeninger, August 1, 1962, RCKC, Box 1, Folder 8, including a "Statement of Recommended Censure by The Texas Association of College Teacher," 3, 4.

45 Bo Byers, "State Regents Censured for Firing Professor," *Houston Chronicle*, November 18, 1962, 1; "Teachers Ready Censure Move on Dismissal," *Galveston News*, November 20, 1962, 3.

46 Transcript, William J. Kilgore, interviewed by Daniel B. McGee, June 21, 1952 - August 14, 1972, 74, Baylor University Program for Oral History, Baylor University, Waco, Texas.

47 "College Draws Censure After Firing Professor," *Big Spring (Texas) Herald*, April 28, 1963, 10-A. Redress for Rupert Koeninger came in the form of monies collected from individual faculty donors at SHSU. The amount of \$10,000 was collected and put into an annuity for future payouts. Because of the University's compliance with AAUP standards and the settlement, Committee A recommended SHSU's removal from the Association's censure list. The concurrence of all attending members of the Association officially removed the censure during its Fifty-sixth Annual Meeting held in Los Angeles in April 1970. Letter from TIAA-CREF agreeing to accept money on Koeninger's behalf, April 16, 1970, and AAUP cover letter and copy of check, April 27, 1970, RCKC, Box 1, Folder 1; William J. Kilgore and Joseph A. Slechta, "Academic Freedom and Tenure: Sam Houston State Teachers College," *AAUP Bulletin* 49 (March 1963): 44-51; Correspondence between Arleigh Templeton and Robert Van Waes, January 22 and 28, 1966, AAUP/SHSTC Censure 1961-1973 vertical files, University Archives, Newton Gresham Library, Sam Houston State University, Huntsville, Texas; Sanford H. Kadish, "Report of Committee A," *AAUP Bulletin* 55 (June, 1969): 165-177; "Record of Council Meetings: Los Angeles California, April 23 and 26, 1970," *AAUP Bulletin* 56 (Sept., 1970): 315-318.

48 "Bill Would Give Right to Teachers," *San Antonio Light*, January 11, 1963, 16.

49 "House Panel Studies Political Freedom Bill" *Houston Post*, February 4, 1963; HB 77 of the 58th Texas Legislative Session, 1963, document acquired from the Texas Legislative Archives at <http://www.Irl.state.tx.us/legis/billsearch/index.cfm>, (accessed Oct 15, 2013).

50 Senator Spears to Rupert Koeninger, March 28, 1963, RCKC, Box 1, Folder 9; SB 45 and SB 45 Committee Substitute of the 58th Texas Legislative Session, 1963, document acquired from the Texas Legislative Archives at <http://www.Irl.state.tx.us/legis/billsearch/index.cfm>, (accessed Oct 15, 2013).

51 Ibid; Newton Gresham, interviewed by Humphries, February 9, 1984, located in the Newton Gresham vertical files, University Archives, Newton Gresham Library, Sam Houston State University.

52 Arleigh Templeton to Robert Van Waes, February 22, 1966, AAUP/SHSTC Censure 1961-1973 vertical files, University Archives, Newton Gresham Library, Sam Houston State University.

53 Joy Ann Williamson-Lott, "The Battle over Power, Control and Academic Freedom at Southern Institutions of Higher Education, 1955-1965," *The Journal of Southern History*, Volume 79 (November, 2013) 879-920.