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The Hunt Institute for Botanical Documentation, a research division of Carnegie Mellon University, specializes in the history of botany and all aspects of plant science and serves the international scientific community through research and documentation. To this end, the Institute acquires and maintains authoritative collections of books, plant images, manuscripts, portraits and data files, and provides publications and other modes of information service. The Institute meets the reference needs of botanists, biologists, historians, conservationists, librarians, bibliographers and the public at large, especially those concerned with any aspect of the North American flora.

Hunt Institute was dedicated in 1961 as the Rachel McMasters Miller Hunt Botanical Library, an international center for bibliographical research and service in the interests of botany and horticulture, as well as a center for the study of all aspects of the history of the plant sciences. By 1971 the Library's activities had so diversified that the name was changed to Hunt Institute for Botanical Documentation. Growth in collections and research projects led to the establishment of four programmatic departments: Archives, Art, Bibliography and the Library.

W. Weber
492-6171 (pin)
6336 (a.m.)
(Museum)

ASKELL LÖVE
CONFIDENTIAL MATERIALS
CONCERNING HIS "RESIGNATION"
in 1973
FROM THE UNIVERSITY OF COLORADO FACULTY

Digitized by Hunt Institute for Botanical Documentation

5780 Chandler Court
San Jose Ca 95123
(408) 225-8003

GILBERT
RESOURCE BOND
50% COTTON

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LOG OF ACTIONS SUBSEQUENT
TO WEBBER-WEBER VISIT TO LÖVE

Oct. 24, 25, 1978. Visit of Webber & Webber to Löve

Oct. 30. Arranged to meet with Russ Nelson. Nelson insisted on having his assistant, Holloway present because of legal implications

Oct. 31-(?) Visit to Personnel office to examine Löve personnel file. Found it was in Holloway's office. Inquired about protection of files when they go to Regent Hall. Told there are no precautions taken, no numbering of pages or items either.

Nov Oct. 14. Contacted Holloway at University ~~of~~ Club at noon. Said he had not yet examined file but would check and call back.

Oct. 16. Called Holloway's office. Not ready yet.

Oct. 17. Went to Holloway office. Not in yet, but was called at home (?) and promised to call me before noon.

Oct. 17. Went to Graduate School to examine file of Löve regarding 1973 nomination for Research lecture. Found that it was listed in the table of contents but the file had been taken and not returned.

Oct. 16. Hobert Smith briefed on the matter in Henderson 216.

Oct. 14. Howard Roark briefed on the matter in Henderson 216.

Oct. 15. Bill Briggs superficially briefed on the matter at University Club.

December 12, 1978

J. Russell Nelson
Chancellor
Regent 301

John P. Holloway
Specialist Assistant
Regent 203

Dear Chancellor Nelson and Mr. Holloway:

Consequent to our meeting of November 21 with both of you, we have drafted the following resumé of the Askeff Löve situation as we see it. First of all, we should say that we are concerned about Professor Löve as a member of our University family. He came here with an international reputation. Along with his wife, he had impeccable credentials of education and research from the best Swedish universities. There were no clouds over his previous performance. He performed here at the University with distinction and served a full term as chairman of the E.P.O. Biology Department. We do not know all of the circumstances of his resignation. We have only recently learned his side of the story, but we find it plausible and harmonious with what we know of him as a person and we consider that he never should have left the University.

You have asked us to present to you a condensation of the documents which Dr. Löve has entrusted to us and we shall try to do this as briefly as possible although there are many complicated aspects in the story. Our principal objective in doing this is to enable you to explore possible actions which might provide some remedy to what seems to have been a miscarriage of justice which paradoxically could not have been avoided either by Dr. Löve at the time nor by the officials of the University. It seems to us, though, that your job now is to compare this statement with the official University records, which we have not been privileged to see. We sincerely hope that out of this some restoration can be made of Dr. Löve's reputation and his chances of obtaining employment.

Very briefly, here is our assessment of the Löve case.

1. Áskell Löve is a scientist with an international reputation, a long and illustrious history of publication of papers and books. He was an asset to this University simply by his being here. He was very popular with students and saw several through to advanced degrees. He was chairman of the E.P.O. Biology Department and his service was very much appreciated by the dean although he did make enemies among some of the factions of the Department, and evidently among some members of Regent Hall administration. His botanical library was in many ways more extensive than that of the University and was greatly used by the faculty and students. His resignation represented a real and irreparable loss to the science of botany at the University of Colorado. Nevertheless, out of a job and living very frugally, he continues to publish actively and carry on some research.

2. Löve was a victim of a ruthless and relentless conspiracy, probably beginning when he came to America and was on a McCarthy blacklist because of his socialistic (not communistic) philosophy shared by a majority of Icelanders. For some time he was unable to receive a visa to visit the U.S. from Canada.
3. This conspiracy developed a highly active and final stage when Löve began to carry on a cooperative research program on PL 480 funds in Yugoslavia, concerning the chromosome numbers of Yugoslavian endemic plants. We believe that there is strong evidence that enemies in the Smithsonian Institution/State Department (these cannot really be separated under the circumstances) wanted to take him out of the Yugoslavian project and replace him with an American citizen. When they found that this was going to be difficult, they arranged, through delay of his funds, followed by secret agreements for temporary funding combined with extortion, later by providing falsified records to Washington and confiscating his original journals and receipts, to destroy his career in this University and ensure that he would never get another job. In this the University administration was the unwitting pawn, and personal enmities made the task easier.
4. We believe that this punishment was carried out without regard to due process and that restitution ought to be made. In the least, the University ought to acknowledge its error; at most, perhaps the conspiracy ought to be exposed publicly. Somewhere between these points might be a solution that would help to mend the terrible damage that has been done to Professor Löve and his family.

The situation may be very briefly and incompletely outlined by the following chronological account.

1962. A project on the cytology of Yugoslavian endemics was discussed with Professor E. Meyer, Ljubljana and a NATO funding was planned, but political problems made it necessary to shift the site of research to southern Spain and northern Italy. This research was conducted and the results were published.

1968. National Research Council asked Löve to accept an exchange scientist from Ljubljana, Dr. Franc Susnik. Susnik came to Boulder and the two discussed the possibility of a Yugoslav project. Susnik had learned of availability of PL 480 funds.

Spring 1969. Proposal submitted to Smithsonian for a five-year program in Yugoslavia.

February 11, 1970. Smithsonian reports that the project is unacceptable, but a new proposal would be entertained, but with geographical restrictions and on different substantive topics. Because of Susnik's objections, however, these requirements were dropped.

Spring, 1970. New proposal was submitted and was accepted with enthusiastic recommendations by peer reviewers. However, funding was not made in 1970.

Spring, 1971. Project was funded and research was conducted in summer of 1971.

September, 1971. Löve filed interim report to Smithsonian. This was subsequently reviewed and found to show "inadequate progress" (see our comments on page 4).

February 10, 1972. Kennedy Schmertz (Smithsonian) notifies Crowe that program will be terminated. (Löve did not get notified of this communication until late April or early May!) Smithsonian agrees to fund a terminal field season.

March 17, 1972. Embassy informs Susnik that program is to be terminated, that Smithsonian desires it to continue with a "better, American scientist" but warns that "Dr. Löve is known as a very persistent man, so they expect that his removal will not pass without any difficulty." Susnik answers Mladenovic (Scientific Attache) asking if there is implication of lack of confidence in the Yugoslav side of the work as well, and insists that the team must not be broken up.

April 6, 1972. OCG negotiates with Smithsonian for an adjustment upward of the 1972 budget, and this is approved.

Late May, 1972. Löve party arrives in Ljubljana to find that no authorization for funds has been sent to Belgrade from Washington. Löve borrows small amount from University of Ljubljana at no interest to tide them over.

June 9, 1972. Applied to Embassy for advance, told it was impossible. Repeatedly tried to obtain advance, to no avail.

June 14, 1972. Embassy, through a Mr. Strn, informed that funds would not be forthcoming until August and that Embassy would help Löve to get a loan from a local businessman, as a highly secret arrangement, and required interest in the form of the per diem line in the budget because of the "high risk" to the businessman. This was offered as the only remedy, and assurance was given that Washington would be informed all along the way. Löve reluctantly agreed, and transaction was done. No receipts were exchanged, the whole operation done in a secretive manner. This was the beginning of the extortion plot which ultimately resulted in the final denouement.

June 23, 1972. Notification from Embassy that U.S. funds had arrived; Löve obtained check on June 24 and cashed it following Monday, June 25. Repaid University loan.

June 25, 1972. Löve repaid the businessman, plus the additional interest. Again, no receipts but assurance that Smithsonian was aware of transaction. Löve paid additional month salary for assistants as instructed by Embassy. Forced to write blank receipts.

June 28, 1972. Embassy requires Löve to transfer funds for internal travel, office and lab costs, to University authorities. No receipts. University would provide gas coupons, etc. for field costs, which was done.

(All arrangements with Embassy were done under telephone instructions not to mention these with members of his party, Yugoslavs, or Mrs. Löve, under threat. Always assurance was made that Washington approved and would be kept informed.)

July 2, 1972. Löve writes Schmertz a letter setting out all of the events in exhaustive detail (9 pages hand-written legal size). Schmertz never acknowledged receipt of this letter.

July 27, 1972. Embassy gave further instructions as to how all final reckonings, receipts, etc. would be handled, under threat of difficulty in leaving country, or implied worse results. Assurance given that Smithsonian would make all records compatible with the granted budget. Embassy also required all physical evidence of transactions from Löve with promise that all would be returned. Details very complicated, and recorded in detail by Löve at the moment.

Late summer, 1972. Löve returns to U.S. He is given an envelope presumably containing his returned records, upon departure which must not be opened until arrival in Boulder. Much of the material was missing and never was returned. Smithsonian demanded financial report immediately. Löve delayed and tried to obtain necessary documents through Susnik, who never replied.

February, 1973. Smithsonian auditor visits Boulder to examine records, declines to allow Löve to be present to discuss. Audit report disallows \$7,575.00 of the expenditures.

May 24, 1973. Lawson Crowe confronts Löve with the disallowance and forces repayment and then requests resignation. Löve not given time or opportunity to have legal advice.

May 31, 1973. Formal signing of resignation in Crowe's office.

June 1, 1973. Hobart Smith gives Löve until June 8 to vacate the campus.

June 7, 1973. First of anonymous phone calls. "Your decision (or agreement?) not to fight was wise, but the friend who offered you help is in a bind and does not dare. We know that you know Thomas Riha. He renegated (?) so he and the woman he talked to had to go (leave?). If you do, we will deport you without warning, or... Don't forget the fate of Thomas Riha." Similar calls through 1976 in Boulder (to July 23). Further resumption of calls May 2, 1977, at San José, irregularly on through May 26, 1978.

1974. Publication: Cytotaxonomical Atlas of the Slovenian Flora, by Åskell Löve and Doris Löve. 1241 pages. J. Cramer Verlag, Lehre, West Germany. This work was accomplished in Boulder without the support of the PL 480 grant through enormous effort on the part of the authors and is the definitive result of the work they accomplished on the grant.

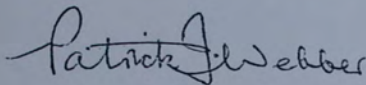
Postscript

It remains a puzzle to us why the events told to us by Löve should ever have happened. The following seem to be the unanswered questions in the puzzle.

1. Why should the Smithsonian Institution have questioned Löve's ability to do the research? First year reports are usually a formality. The Löve report by our standards was adequate and showed no evidence that the research program would not be a success. Löve's record of productivity is outstanding and he has since published the results of the Yugoslavian research as a major monograph. An active conspiracy to discredit Löve is suggested.

2. Why were the funds not available on Löve's arrival in Yugoslavia? Surely a quick cable between countries should have solved the problem within 24 or so hours. An active conspiracy to discredit Löve is suggested.
3. Why were the loan and the loan conditions made possible with the clandestine and extortive aura? Surely this is further evidence for conspiracy to set up Löve for ultimate betrayal and character assassination.
4. Why did Schmerz never acknowledge Löve's letter? If Löve sent the letter, and we do not doubt his honesty, there is only a one in a million chance or less that the letter was not delivered. Further evidence of conspiracy?
5. The circumstances leading to Löve's dismissal, that is, unusually short deadlines for financial reporting, refusal of the auditor to accept Löve's offer of clarification, and Dean Crowe's rush to prosecute without fair hearing, all suggest some sort of early decision and conspiracy to eliminate Löve from academia.
6. The continued harassing phone calls also seem designed to threaten Löve into submission and secrecy concerning the entire affair.

Our only conclusion can be that Löve is a victim of a deliberate conspiracy to dishonor, discredit and destroy him. Whoever is responsible was very successful.



Patrick J. Webber
Professor
Institute of Arctic and
Alpine Research

William A. Weber
Professor
University of Colorado
Museum



University of Colorado at Boulder
Office of the Chancellor
Boulder, Colorado 80309

January 2, 1978

Professor Patrick J Webber
Institute of Arctic and Alpine Research
RL-1 213
University of Colorado
Boulder Campus

Professor William A. Webe
Museum
HEND 216
University of Colorado
Boulder Campus

Dear Colleagues:

Thank you for your December 12 summary of the Askill/Löve situation. John Holloway and I will review the summary with care, in light of other information available to us, and will be in touch with you in the near future with our view of how to proceed.

Very sincerely,

A handwritten signature in cursive script that reads "Russ Nelson".

J. Russell Nelson
Chancellor

JRN/vbc

cc: Mr. John P. Holloway w/attachment

*Recd
Jan 27
-1978*

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University of Colorado at Boulder
Office of the Chancellor
Boulder, Colorado 80309

February 2, 1979

Professor Patrick J. Webber
Institute of Arctic and Alpine Research
RL-1 213
University of Colorado
Boulder Campus

Professor William A. Weber
Museum
HEND 216
University of Colorado
Boulder Campus

Dear Colleagues:

Dr. Holloway and I have completed review of all files in our possession pertinent to the unqualified resignation of Dr. Askeff Löve on May 31, 1973, and have decided to share with you copies of some of the relevant documentation which apparently led to his decision to resign, numbered as follows:

1. The demand letter of the Smithsonian Institution dated February 22, 1973 against the University of Colorado.
2. The audit report specifying items disallowed.
3. Dr. Crowe's letter of March 27, 1973, to Dr. Löve enclosing said audit report, and requesting a written response to the disallowance.
4. A letter dated April 3, 1973 from Dr. Löve in reply to Dr. Crowe, but hardly responsive to the disallowances in the audit report.
5. The sworn Affidavit dated May 21, 1973 of Dr. Gerald K. Arp, one of Dr. Löve's students on the project, which addresses the issue of the disallowances.
6. A check dated May 25, 1973 payable to the University of Colorado from Dr. Löve in the sum of \$7,575.00 -- the amount of the exact disallowance.

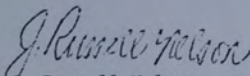
Professor Patrick J. Webber
Professor William A. Weber
February 2, 1979
Page 2

7. An Agreement and Release dated May 31, 1973 signed by Dr. Löve and Dr. Crowe, on behalf of the University.

I trust that after you have had an opportunity to read this material you will agree that, notwithstanding your carefully documented assessment of the Löve case, there is no evidence of any miscarriage of justice that would justify that we either "acknowledge its error" or publically expose the "conspiracy" which you suspect.

In my judgment, the documentation clearly discloses misrepresentation, falsification of documents and misappropriation of public funds. Dr. Löve was confronted with these facts and was afforded an opportunity to deny, rebut or explain the disallowed items. He declined this invitation, even when confronted personally and given the opportunity to examine it in Dr. Crowe's office. The record, incidentally, contains further substantiating documentation from Mary Kirk, his other student Research Assistant and from Michael Fischer, a friend of Mary Kirk's. He was informed by Dr. Ives of his right to seek counsel to challenge the matter in the courts, and by Dr. Crowe of his right to a hearing before a committee of his peers internally before termination proceedings would be initiated. He accepted the University's invitation to resign, a courtesy we did not have to extend, and made restitution, with the understanding that the entire matter be treated as a matter of mutual confidence without public notoriety. The University, and Dr. Löve have observed their commitments.

Very sincerely,



J. Russell Nelson
Chancellor

JRN:sc

Attachments

cc: Dr. John P. Holloway, w/attachments

February 22, 1973

Mr. Thurston E. Manning
Vice President for Academic Affairs
University of Colorado
Boulder, Colorado 80302

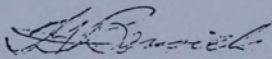
Dear Mr. Manning:

The Smithsonian Institution has received and audited the interim financial report on Grant No. SFC-2-7626, which was awarded by the United States Government, acting through the Smithsonian Institution, to the University of Colorado on May 17, 1972.

As shown on the attached report, the auditors have recommended, and I concur, that \$7,575 of reported expenditures be disallowed. Please forward a refund of \$7,575, or the equivalent in Yugoslav dinars, to the Treasurer, Smithsonian Institution, as soon as possible.

You may write me at the above address or call me at (202) 381-5924 should you have any questions regarding this matter.

Sincerely yours,


F. G. Barwick
Chief, Supply Division

Attachment

Audit Report on
Interim Report on SFCP Grant No. SFG-2-7626
For the Period May 16, 1972 to September 1, 1972

<u>Expense</u>	<u>As Reported on Interim Report</u>	<u>Amount Audited and Allowed</u>	<u>Amount Audited and Disallowed</u>
Salaries and Wages	\$14,170	\$12,750	\$1,420 (1)
Living Allowance	7,650	6,010	1,640 (2)
Rents, Comm., Utils.	<u>4,600</u>	<u>85</u>	<u>4,515 (3)</u>
Total	<u>\$26,420</u>	<u>\$18,845</u>	<u>\$7,575</u>

Notes: (1) Amounts reported are in excess of actual payments as follows:

Gerald Arp	\$ 355
Mary Kirk	355
Michael Fischer	<u>710</u>
Total	<u>\$1,420</u>

(2) Amounts reported are in excess of actual payments as follows:

Gerald Arp	\$ 565
Mary Kirk	565
Michael Fischer	<u>510</u>
Total	<u>\$1,640</u>

(3) Lab and office space were not rented. Rental payment of \$1,080 was for Dr. Love's living quarters, for which he received a living allowance. Cars were not rented from University of Ljubljana.

March 27, 1973

PERSONAL & CONFIDENTIAL

Professor Ashell Love
Ramaley 219
University of Colorado

Dear Professor Love:

I am attaching copies of material recently received from the Smithsonian Institution. As you can see, the auditors have recommended a disallowance in the amount of \$7,575 on Grant No. SFC-2-7626 for which you were responsible. I shall be grateful, if you will let me have your response in writing at your earliest convenience.

Yours sincerely,

Lawson Crowe
Provost

LC:ns

Enclosure

cc: President F. P. Thieme
Mr. John Holloway

Department of Environmental,
Population and Organismic Biology

Boulder, April 3, 1973.

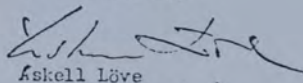
Provost Lawson Crowe,
Regents' Hall,
University of Colorado.

Dear Provost Crowe:

Although nothing ought to astonish us as to the methods and double standards of the lower non-scholarly echelons of the Smithsonian Institution after our experience through contacts with them since 1968, your letter of March 27 with a copy of their letter of February 22 took me with surprise. It is evident that in addition to their consistent unfairness in judging our scholarly work by aid of certainly unqualified so-called "peers" and their sending defamatory letters to our Yugoslavian colleagues through their Embassy, they now directly accuse me of some other wrongdoing to the price of \$7530, which is more than we could save from our salaries from inflation and black market exchange for two summers, during which we and our assistants worked at least 12 - 14 hours a day all the days of the week in order to accomplish what we had planned before the plants developed too far for our study of them. The present claim is apparently based on the preliminary financial report required from us (but not from our Yugoslavian colleagues) immediately after our return last fall. Although their evidence and reasoning are concealed, as previously, I can see that at least some of their claims must be caused by the fact that I have not been consulted for explanations; it is also significant that our fine Office of Research Services, which has handled these matters for us and the University, also has been ignored. I had expected an acknowledgment of receipt of our impressive scholarly report for the second summer and for the considerable printed and computer printout results which we have sent to the Smithsonian long ago, but it is apparent that they prefer to ignore these essentials from the project, for which European real specialists have expressed considerable admiration: nothing like it has been done previously even there.

Since all our contacts have been through our Office of Research Services, may I suggest that you refer the matter directly to Mr. Howard Roark of the ORS; we have all reason to trust that his judgement, fairness and abilities will guarantee that his handling of this will be in a manner typical of what that office is known for in connection with research at this University.

Yours sincerely,



Askeff Löve

copy to Howard Roark, ORS.

STATE OF COLORADO)
) ss:
COUNTY OF BOULDER)

A F F I D A V I T

DR. GERALD K. ARP, of lawful age, being first duly sworn upon oath, deposes and says:

1. That he was employed during the months of May, June, July and August, 1972, as a graduate research assistant to perform certain professional services under the direction of Prof. Askeff Löve on a botanical project in Yugoslavia supported by Grant No. SPC 2-7626 from the Smithsonian Institute. That the only other person known to him to be employed in like capacity was Mary Kirk. The duration of the project was to be approximately three (3) months, but affiant was never informed as to any specific salary or other stipend he would receive before leaving the U.S.A.

2. That after two or three weeks in Ljubljana, Yugoslavia, affiant and Mary Kirk took a five day trip to the Island of Rab to botanize the flora. Immediately upon return to Ljubljana, affiant and said Mary Kirk were confronted by Prof. Löve with the information that he had obtained salary money for them whereupon he requested and directed that they sign two (2) receipts each, or a total of four (4) receipts. Upon executing said receipts, which were completely blank as far as amount or name, they were each given \$1,420.00 in Yugoslavian dinars, without any receipts, invoices or copies thereof. Affiant and the said Mary Kirk were advised by Prof. Löve that this amount represented

their total compensation for the entire period of the project.

3. That the following day affiant and said Mary Kirk went to the office of the principal Yugoslavian investigator, Franc Sušnick to inquire about the financial arrangements and met Prof. Löve who advised them that they were entitled to more money, whereupon he gave them each \$710.00 in Yugoslavian dinars, without any receipts, invoices or copies thereof.

4. That one Michael Fischer was not employed on the project in any capacity; that he has no botanical credentials or experience and that he came to Ljubljana, Yugoslavia solely to be with Mary Kirk as her friend.

5. That to the best of his knowledge and information, the project did not rent any vehicles - Prof. Löve had his own private vehicle - a late model blue Volvo.

6. That neither the affiant, nor to the best of his knowledge and information, Mary Kirk, received any supplemental "living allowance" - all expenses for such items were paid as personal expenses by affiant and Mary Kirk.

7. That affiant is unaware of any laboratory or office space rented for this project - limited utilization was made of the facilities of the University of Ljubljana and that Prof. Love worked out of his apartment.

Further affiant sayeth not.

Gerald K. ARP
GERALD K. ARP

Subscribed and sworn to before me, a Notary Public, in and for said County and State, this 21st day of May, 1973, by GERALD K. ARP.

My Commission expires November 30, 1974

Samuel O. Lincoln
Notary Public

DR. ASKELL LÖVE
DR. DORIS LÖVE
473 HARVARD LANE
BOULDER, COLORADO 80302

2594

May 25 1973

82-22
1070

PAY TO THE ORDER OF University of Colorado \$ 7575⁰⁰/₁₀₀
seven thousand five hundred seventy five DOLLARS



United Bank of Boulder
Boulder, Colorado 80302

For _____

Askell Love

⑆ 1070 ⑈ 00 22⑆ 144 16 2⑈

AGREEMENT AND RELEASE

THIS AGREEMENT AND RELEASE entered into this 31st day of May, 1973, by and between Ascell Löve, hereinafter referred to as "Löve" and the University of Colorado, hereinafter referred to as "the University."

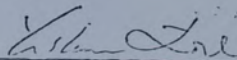
Löve herewith tenders his unqualified resignation as Professor of Biology and Associate Curator Phanerogams, University of Colorado Museum, effective upon the signing of this Agreement. It is mutually agreed that this resignation has been agreed upon by the parties at the request of Löve, which request was necessitated by personal reasons.

The University agrees to provide Löve with all employment benefits now due and owing as a result of his employment service and tendered resignation.

Upon satisfaction and execution of this Agreement and Release the parties hereto each agree to release and forever discharge the other from all and all manner of, action and actions, cause and causes of action, suit, debts, dues, sums of money, contracts, damages, judgments, claims and demands of whatsoever kind and nature arising from Löve's resignation and financial grant obligations.

The parties to this Agreement and Release mutually covenant and agree that no public notoriety shall be given by either party to this Agreement and that the contents hereof are a matter of mutual confidence and are not to be made public by either of said parties.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 31st day of May, 1973.



Ascell Löve

UNIVERSITY OF COLORADO



University of Colorado at Boulder
Office of the Chancellor
Boulder, Colorado 80309

January 2, 1978

Professor Patrick J. Webber
Institute of Arctic and Alpine Research
RL-1 213
University of Colorado
Boulder Campus

Professor William A. Weber ✓
Museum
HEND 216
University of Colorado
Boulder Campus

Dear Colleagues:

Thank you for your December 12 summary of the Askeff/Löve situation. John Holloway and I will review the summary with care, in light of other information available to us, and will be in touch with you in the near future with our view of how to proceed.

Very sincerely,

A handwritten signature in cursive script that reads "Russ Nelson".

J. Russell Nelson
Chancellor

JRN/vbc

cc: Mr. John P. Holloway w/attachment

A small, circular handwritten scribble or mark in the bottom left corner of the page.

16 Feb 1979

Dear Bill:

I'll certainly call you as soon as I return to the office sometime the first half of March, hopefully. I am at home recuperating from an operation to remove some excess prostate tissue that was blocking the bladder. (The tissue was benign!). Everything went well and I feel better than I have for many years -- and that wasn't bad either.

The subject of your concern, I can probably guess but I won't. I will be candid with you when I call but you know I'm sure that I am in no position to help the person very much now. I'm just one of the boys again. Incidentally, I have a private line on my desk that goes through no one. I'll use that unless you think even greater security is demanded.

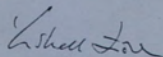
Very best regards to you and the missus!

Sincerely,

Dick

To Whom It May Concern:

I, Áskell Löve, formally request that either Jack D. Ives or William A. Weber act on my behalf concerning my present and past relationship with the University of Colorado. In particular I authorize either or both of them to request access to my personal file from the appropriate members of the University of Colorado administration.



Áskell Löve

Digitized by Hunt Institute for Botanical Documentation

San José, March 9, 1984.

International Mountain Society

March 5, 1984

Askell Löve
5780 Chandler Court
San Jose, CA 95123

Dear Askell:

Many thanks for your letter of 28 February which arrived Saturday morning. I certainly understand the delay.

I suppose we should have expected the ambiguity in the TIAA/CREF reply. As you say, the short critical paragraph on page two is so worded that one would think you are receiving the university's share, but it does not actually say so. It is also interesting that you had to contact TIAA/CREF because the CU Benefits Office told me that they didn't have the information, and then TIAA/CREF explain in writing that their delay was because they had to obtain the information from the university. At best this appears to me as obfuscation.

It seems to me that there are several things we must now do-- provided you agree.

1. Bill Weber and I go to Phil Becker's successor (he obviously does not seem inclined to carry out his promise to Bill to contact me and explain) and request access to your file. Please now write a letter authorizing us to make such a request--draft attached.
2. I should contact the new chairman of the Committee on Privilege and Tenure - Skurnik. I had some dealings with him during my own period of difficulty and I sense he is a good man. If you agree, I would like to fill him in on the entire case. Would you agree to my showing him the file of your's that I obtained from Pat Webber, or merely outlining the case at this stage?
3. Have lunch with Lawson Crowe to see if he has anything enlightening to say.
4. After 1-3, request a meeting with Chancellor Shull--i.e., to do a repeat of what Pat and Bill tried with Russell Nelson. Again, are you in agreement?



P.O. Box 3128
Boulder, Colorado 80307, USA
Telephone (303) 442-5280
494-9228

2360

Dennison Lane
Boulder CO 80303

President
Jack Ives
Boulder, CO, USA

Vice President
Cornelle Jest
Paris, FRANCE

Vice President
Heinz Löffler
Vienna, AUSTRIA

Secretary
Roger Barry
Boulder, CO, USA

Treasurer
Richard Meckley
Boulder, CO, USA

5. Contact a local investigative reporter with a view to publicity. Now this is very delicate and may result in a lot of trouble. We should first try P and T and the Chancellor; only a newspaper reporter if we feel other channels are blocked. Also, before doing this I would seek the advice of my attorney, for which I will pay the consultation. My personal belief is that this approach would only serve to give you the opportunity to publicly challenge the university and to declare your innocence. I do not think you have the remotest chance of any legal action because of the statute of limitations. I also think, even if there was a chance, some years and some tens of thousands of dollars would be required with no solid chance of a successful conclusion.

— I may be wrong!

On this point though I have a strong and parallel feeling about my own situation. To be accused of many wrong doings and not to make a public protest is often taken as admission of guilt. I feel this acutely at times, particularly when a fair enquiry would have shown that my accusers were "bearing false witness". However, before deciding to "go public" you should think of the possible consequences--you will likely be reaccused, this time also publicly. In this case you must be prepared to put all the details on the line and not defend anyone by withholding information. But we can discuss this later in the event that the proposed earlier steps fail. I mention it now because you should consider all aspects carefully and at leisure.

Finally, I think you should write back to Mr. Bill Diana of TIAA/CREF and ask specifically (1) if you are receiving the full benefits of the CU matching contributions to your annuities as well as your own; (2) if these can be broken down into two separately itemized dollar amounts; (3) why you only began to receive any benefits on 1 May, 1978.

Finally, I have misplaced my copy of the incomplete statement draft I wrote for you concerning the occasion of your resignation. Could you send me a copy and I will complete it and have it notarized. If this causes a problem I can write a new one.

I will do all I can. It is odd to be saying this 10 years after your resignation. But as you know, I did my best to persuade you not to resign. From there on the main case could not be dealt with until you were ready to stop protecting others. However, I still hope that we can find a way to show that something is wrong with the annuities. If we can do that, the more outrageous and main part of the case gains a great deal of credibility.

Nadine is 25 tomorrow. It is hard to believe that this night 25 years ago Pauline and I were in the miners' laundry at Schefferville with an incompetent nurse such that in the end I had to wake up the Doctor and begin preparing Pauline for delivery. The Doctor arrived in his pajamas and parka (temperature -35°F) just in time to throw out the nurse and prepare me to assist with Nadine, delivered about 10 minutes later.

Love to Doris from both of us.

Yours sincerely,

Jack

Jack D. Ives

JDI/ldk
84/58

Enclosure

*And finally a letter to Ragnar for your
kind attention! J*

DRAFT

Digitized by Hunt Institute for Botanical Documentation

To Whom It May Concern,

I, Askill Löve, formally request that either Jack D. Ives or William A. Weber act on my behalf concerning my present and past relationship with the University of Colorado. In particular I authorize either one or both of them to request access to my personal file from the appropriate members of the University of Colorado administration.

(signature)

Askill Löve

(date)

San José, March 9, 1984.

Dear Jack:

Thanks for the good letter of March 5 and for all your efforts and thoughts on our behalf. It feels good to have at least a couple of reliable friends.

Since it seems evident that the TIAA/CREF man Bill Diana has been instructed not to give us the information asked for, most likely by officers of the University, I wonder if we are not looking for wool in a goat's house instead of trying to find the information where it is actually kept? I am reluctant to even indirectly accuse him for evading our question by telling an unrelated story, since I feel certain that he is only a clerk acting on higher order, probably from Boulder, where there are people who have something to hide. And why spend time on irritating him rather than find some stronger men to seek the latter? I recall having a somewhat similar discussion in July 1978 with Phil Becker's successor, though I cannot locate the correspondence just now, at least not at once. But when I was looking for it in my mess, I found a copy of a letter, addressed to Phil as a benefit officer and dated July 21, 1978, in which I asked for information as to "a statement of investment in the contract" for tax purposes that TIAA/CREF had asked for. At the same time I asked him for help because of the fact that whereas he had in late May of 1976 told me that my annuity then would be \$250 per month, and advised me to wait for two years so it could increase substantially, it was only \$184 when it at last started in 1978, at my request. I received a letter from Bryan Yamauchi, dated July 25, 1978 referring me to Dick Asmus of Central Payroll, who after a long delay answered the former question but ignored mentioning the discrepancy- and I cannot recall that Phil mentioned that either in a letter still later and did not feel I should bother him more with that since he told me that he no longer was with the University. On the printed sheet from TIAA/CREF that I kept when its special part was returned with the information asked for, however, I scribbled the sum \$9,849.20 both under TIAA and CREF, but do not see now from where I got this, probably it was on the sheet that they got back?...But, as I said, the to me important question about the discrepancy was ignored and I was too tired of their constant dishonesty and their blind-man's buff to continue. I doubt this tells you much more than it tells me, though a lawyer- or a skilled accountant may read it differently?

Perhaps we can delay our efforts as to the benefits until we find a way to force the administration of this crooked place to turn honest, and instead go ahead with your points 1 and 2 in the plan mentioned in your letter of which I of course approve. The letter authorizing you and Bill to act on my behalf is enclosed - perhaps we ought to have included also the file at the Smithsonian, which is important also...though that may come later? Yes, you may give Shurnik (and also the Chancellor if you so feel) a copy of the documents you got from Pat Webber, but then only in their entirety and not abbreviated as the letter given by Pat and Bill to Nelson, because such an outline is as confusing as when reporters tell us after a TV talk by the president what he actually wanted to say! It might be wise, however, to add to this not only a copy of the documents that Nelson gave to Bill and Pat but also a copy of the letter of my reaction, because that was the first time I saw any of these papers close up and could verify that Lawson was lying when he indicated, in 1973, that he had had much difficulty in getting them from the State Department that he said was already in process

of completing our deportation documents...Lawson knew how to intimidate immigrants. These papers were, however, clearly processed and signed in Boulder, and had nothing to do with the letters from the Smithsonian "correcting" our financial statements. Shurnik (and the Chancellor?) should also be given copies of my brief vitae from either the Who's Who in America or Who's Who in the World, and at least the Boulder part of my bibliography, from 1964 to 1973 (or 1975 since the papers involved had all been submitted earlier) and the books from 1975-76 which had already been written when we left the Department.

** I have a copy of it until 1992 at least.*

If Shurnik is the man you believe he is, and the person from Sociology I think I remember, then he may decide about a further action that could solve the problems without a further action. Therefore, I am hesitant to regard your step 3 as a wise one, especially since it would be a warning to the conspirators at various levels in Boulder and elsewhere(?). But if Shurnik recommends it after closer evaluation and thinking, I will agree. Then steps 4 and 5 may become unnecessary. As to the latter, I am hesitant to let any reporter without good background in scientific reporting and a knowledge of the common conspiracies in science look at the papers, whereas I feel that advice could be sought from, e.g., Jeremy J. Stone, the director of the strong Federation of American Scientists in Washington, who is a levelheaded and experienced man in such matters, at home and abroad and who also has colleagues who are able to act as my peer judges... instead of the second-class so-called molecular and cellular biologists in Boulder. That point, however, could, as you indicate, wait until later if other steps fail.

I realize that I may be confusing you with all these additions, so feel free to ignore them and select just what is necessary at each stage of your action. You and Bill should know that I trust you...and none of my other so-called friends in Boulder, who remind me of what Luther said five centuries ago about certain catholics who invited him to be judged by them on matters he was right in, they wrong.



University of Colorado at Boulder
Office of the Chancellor
Boulder, Colorado 80309

January 2, 1978

Professor Patrick J Webber
Institute of Arctic and Alpine Research
RL-1 213
University of Colorado
Boulder Campus

Professor William A. Webe
Museum
HEND 216
University of Colorado
Boulder Campus

Dear Colleagues:

Thank you for your December 12 summary of the Askill/Löve situation. John Holloway and I will review the summary with care, in light of other information available to us, and will be in touch with you in the near future with our view of how to proceed.

Very sincerely,

A handwritten signature in cursive script that reads "Russ Nelson".

J. Russell Nelson
Chancellor

JRN/vbc

cc: Mr. John P. Holloway w/attachment

Keat
Jan 8, 1978
-1960

Digitized by the Institute for Societal Documentation



University of Colorado at Boulder
Office of the Chancellor
Boulder, Colorado 80309

February 2, 1979

Professor Patrick J. Webber
Institute of Arctic and Alpine Research
RL-1 213
University of Colorado
Boulder Campus

Professor William A. Weber
Museum
HEND 216
University of Colorado
Boulder Campus

Dear Colleagues:

Dr. Holloway and I have completed review of all files in our possession pertinent to the unqualified resignation of Dr. Askeff Löve on May 31, 1973, and have decided to share with you copies of some of the relevant documentation which apparently led to his decision to resign, numbered as follows:

1. The demand letter of the Smithsonian Institution dated February 22, 1973 against the University of Colorado.
2. The audit report specifying items disallowed.
3. Dr. Crowe's letter of March 27, 1973, to Dr. Löve enclosing said audit report, and requesting a written response to the disallowance.
4. A letter dated April 3, 1973 from Dr. Löve in reply to Dr. Crowe, but hardly responsive to the disallowances in the audit report.
5. The sworn Affidavit dated May 21, 1973 of Dr. Gerald K. Arp, one of Dr. Löve's students on the project, which addresses the issue of the disallowances.
6. A check dated May 25, 1973 payable to the University of Colorado from Dr. Löve in the sum of \$7,575.00 -- the amount of the exact disallowance.

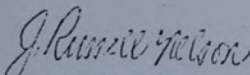
Professor Patrick J. Webber
Professor William A. Weber
February 2, 1979
Page 2

7. An Agreement and Release dated May 31, 1973 signed by Dr. Löve and Dr. Crowe, on behalf of the University.

I trust that after you have had an opportunity to read this material you will agree that, notwithstanding your carefully documented assessment of the Löve case, there is no evidence of any miscarriage of justice that would justify that we either "acknowledge its error" or publically expose the "conspiracy" which you suspect.

In my judgment, the documentation clearly discloses misrepresentation, falsification of documents and misappropriation of public funds. Dr. Löve was confronted with these facts and was afforded an opportunity to deny, rebut or explain the disallowed items. He declined this invitation, even when confronted personally and given the opportunity to examine it in Dr. Crowe's office. The record, incidentally, contains further substantiating documentation from Mary Kirk, his other student Research Assistant and from Michael Fischer, a friend of Mary Kirk's. He was informed by Dr. Ives of his right to seek counsel to challenge the matter in the courts, and by Dr. Crowe of his right to a hearing before a committee of his peers internally before termination proceedings would be initiated. He accepted the University's invitation to resign, a courtesy we did not have to extend, and made restitution, with the understanding that the entire matter be treated as a matter of mutual confidence without public notoriety. The University, and Dr. Löve have observed their commitments.

Very sincerely,



J. Russell Nelson
Chancellor

JRN:sc

Attachments

cc: Dr. John P. Holloway, w/attachments

February 22, 1973

Mr. Thurston E. Manning
Vice President for Academic Affairs
University of Colorado
Boulder, Colorado 80302

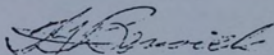
Dear Mr. Manning:

The Smithsonian Institution has received and audited the interim financial report on Grant No. SFC-2-7626, which was awarded by the United States Government, acting through the Smithsonian Institution, to the University of Colorado on May 17, 1972.

As shown on the attached report, the auditors have recommended, and I concur, that \$7,575 of reported expenditures be disallowed. Please forward a refund of \$7,575, or the equivalent in Yugoslav dinars, to the Treasurer, Smithsonian Institution, as soon as possible.

You may write me at the above address or call me at (202) 381-5924 should you have any questions regarding this matter.

Sincerely yours,



F. G. Barwick
Chief, Supply Division

Attachment

Audit Report on
 Interim Report on SFCP Grant No. SFG-2-7626
For the Period May 16, 1972 to September 1, 1972

<u>Expense</u>	<u>As Reported on Interim Report</u>	<u>Amount Audited and Allowed</u>	<u>Amount Audited and Disallowed</u>
Salaries and Wages	\$14,170	\$12,750	\$1,420 (1)
Living Allowance	7,650	6,010	1,640 (2)
Rents, Comm., Utils.	<u>4,600</u>	<u>85</u>	<u>4,515 (3)</u>
Total	<u>\$26,420</u>	<u>\$18,845</u>	<u>\$7,575</u>

Notes: (1) Amounts reported are in excess of actual payments as follows:

Gerald Arp	\$ 355
Mary Kirk	355
Michael Fischer	<u>710</u>
Total	<u>\$1,420</u>

(2) Amounts reported are in excess of actual payments as follows:

Gerald Arp	\$ 565
Mary Kirk	565
Michael Fischer	<u>510</u>
Total	<u>\$1,640</u>

(3) Lab and office space were not rented. Rental payment of \$1,080 was for Dr. Love's living quarters, for which he received a living allowance. Cars were not rented from University of Ljubljana.

March 27, 1973

PERSONAL & CONFIDENTIAL

Professor Ansell Love
Ranley 219
University of Colorado

Dear Professor Love:

I am attaching copies of material recently received from the Smithsonian Institution. As you can see, the auditors have recommended a disallowance in the amount of \$7,575 on Grant No. SFC-2-7626 for which you were responsible. I shall be grateful, if you will let me have your response in writing at your earliest convenience.

Yours sincerely,

Lawson Crowe
Provost

LC:ns

Enclosure

cc: President F. P. Thieme
Mr. John Holloway

Boulder, April 3, 1975.

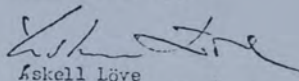
Provost Lawson Crowe,
Regents' Hall,
University of Colorado.

Dear Provost Crowe:

Although nothing ought to astonish us as to the methods and double standards of the lower non-scholarly echelons of the Smithsonian Institution after our experience through contacts with them since 1968, your letter of March 27 with a copy of their letter of February 22 took me with surprise. It is evident that in addition to their consistent unfairness in judging our scholarly work by aid of certainly unqualified so-called "peers" and their sending defamatory letters to our Yugoslavian colleagues through their Embassy, they now directly accuse me of some other wrongdoing to the price of \$7550, which is more than we could save from our galleries from inflation and black market exchange for two summers, during which we and our assistants worked at least 12 - 14 hours a day all the days of the week in order to accomplish what we had planned before the plants developed too far for our study of them. The present claim is apparently based on the preliminary financial report required from us (but not from our Yugoslavian colleagues) immediately after our return last fall. Although their evidence and reasoning are concealed, as previously, I can see that at least some of their claims must be caused by the fact that I have not been consulted for explanations; it is also significant that our fine Office of Research Services, which has handled these matters for us and the University, also has been ignored. I had expected an acknowledgement of receipt of our impressive scholarly report for the second summer and for the considerable printed and computer printout results which we have sent to the Smithsonian long ago, but it is apparent that they prefer to ignore these essentials from the project, for which European real specialists have expressed considerable admiration: nothing like it has been done previously even there.

Since all our contacts have been through our Office of Research Services, may I suggest that you refer the matter directly to Mr. Howard Roark of the ORS; we have all reason to trust that his judgement, fairness and abilities will guarantee that his handling of this will be in a manner typical of what that office is known for in connection with research at this University.

Yours sincerely,



Askeff Löve

copy to Howard Roark, ORS.

STATE OF COLORADO)
) ss:
COUNTY OF BOULDER)

A F F I D A V I T

DR. GERALD K. ARP, of lawful age, being first duly sworn upon oath, deposes and says:

1. That he was employed during the months of May, June, July and August, 1972, as a graduate research assistant to perform certain professional services under the direction of Prof. Askeff Löve on a botanical project in Yugoslavia supported by Grant No. SFC 2-7626 from the Smithsonian Institute. That the only other person known to him to be employed in like capacity was Mary Kirk. The duration of the project was to be approximately three (3) months, but affiant was never informed as to any specific salary or other stipend he would receive before leaving the U.S.A.

2. That after two or three weeks in Ljubljana, Yugoslavia, affiant and Mary Kirk took a five day trip to the Island of Rab to botanize the flora. Immediately upon return to Ljubljana, affiant and said Mary Kirk were confronted by Prof. Löve with the information that he had obtained salary money for them whereupon he requested and directed that they sign two (2) receipts each, or a total of four (4) receipts. Upon executing said receipts, which were completely blank as far as amount or name, they were each given \$1,420.00 in Yugoslavian dinars, without any receipts, invoices or copies thereof. Affiant and the said Mary Kirk were advised by Prof. Löve that this amount represented

their total compensation for the entire period of the project.

3. That the following day affiant and said Mary Kirk went to the office of the principal Yugoslavian investigator, Franc Sušnick to inquire about the financial arrangements and met Prof. Löve who advised them that they were entitled to more money, whereupon he gave them each \$710.00 in Yugoslavian dinars, without any receipts, invoices or copies thereof.

4. That one Michael Fischer was not employed on the project in any capacity; that he has no botanical credentials or experience and that he came to Ljubljana, Yugoslavia solely to be with Mary Kirk as her friend.

5. That to the best of his knowledge and information, the project did not rent any vehicles - Prof. Löve had his own private vehicle - a late model blue Volvo.

6. That neither the affiant, nor to the best of his knowledge and information, Mary Kirk, received any supplemental "living allowance" - all expenses for such items were paid as personal expenses by affiant and Mary Kirk.

7. That affiant is unaware of any laboratory or office space rented for this project - limited utilization was made of the facilities of the University of Ljubljana and that Prof. Love worked out of his apartment.

Further affiant sayeth not.

Gerald K. ARP
GERALD K. ARP

Subscribed and sworn to before me, a Notary Public, in and for said County and State, this 21st day of May, 1973, by GERALD K. ARP.

My Commission expires November 30, 1974

Sanford O. Lincoln
Notary Public

7

AGREEMENT AND RELEASE

THIS AGREEMENT AND RELEASE entered into this 31st day of May, 1973, by and between Askeff Löve, hereinafter referred to as "Löve" and the University of Colorado, hereinafter referred to as "the University."

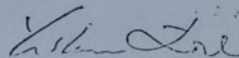
Löve herewith tenders his unqualified resignation as Professor of Biology and Associate Curator Phanerogams, University of Colorado Museum, effective upon the signing of this Agreement. It is mutually agreed that this resignation has been agreed upon by the parties at the request of Löve, which request was necessitated by personal reasons.

The University agrees to provide Löve with all employment benefits now due and owing as a result of his employment service and tendered resignation.

Upon satisfaction and execution of this Agreement and Release the parties hereto each agree to release and forever discharge the other from all and all manner of, action and actions, cause and causes of action, suit, debts, dues, sums of money, contracts, damages, judgments, claims and demands of whatsoever kind and nature arising from Löve's resignation and financial grant obligations.

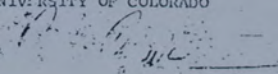
The parties to this Agreement and Release mutually covenant and agree that no public notoriety shall be given by either party to this Agreement and that the contents hereof are a matter of mutual confidence and are not to be made public by either of said parties.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 31st day of May, 1973.



Askeff Löve

UNIVERSITY OF COLORADO



San José, February 15, 1979.

Dear Bill:

Many thanks for the papers from the chancellor; they arrived on Tuesday, without a letter from you or Pat, but I understand. I would also like to meet them with silence despite my shock, though the circumstances require that I at least acknowledge this fine gesture by you and add some of my reaction.

I was astonished that nothing in the papers is actually new from what I had included in the report I gave you in the fall, and also that Dr. Nelson apparently choose to ignore your brief and other informations. I was even more astonished to read Dr. Nelson's outburst against me as a criminal, since I do not know him personally, and if he has looked only at the old "evidence" from another point of view than that of the cold neutrality of an impartial judge, to cite Burke, then he goes a step too far in being unfair. However, I became very much more astonished to see that he included a copy of the affidavit by Gerry Arp that even Crowe refused to show me except from a distance of 3-4 meters in 1973. I had been told, by Crowe on May 24, 1973 in his office which I am convinced was wired for taping our conversation without my direct knowledge, that he had with much difficulty succeeded in getting copies of affidavits from my reseach assistants and several Yugoslavs, as I understood not from the Smithsonian but from some secret contact at the Justice Department to where the Smithsonian had sent these for prosecution of this great criminal. He waved a bunch of papers at me from a distance of 3 - 4 meters and said that these were the affidavits, but neither "confronted" me with them nor was willing to let me read them and never offered me copies of them, as I told Jack Ives later the same day and have always maintained. When I thus see this single affidavit for the first time, the only one of the "several" affidavits that Crowe claimed to have in his hands that Dr. Nelson wants us to see, I have observed that it was taken from Gerry Arp by Holloway on May 21 and notarized by his legal secretary! With other words, this has nothing to do with the Smithsonian conspiracy but is instead a University administration conspiracy which followed it because certain Boulderites wanted us hung since long. I wonder why the other affidavits, by Mary Kirk, born Frost, and Michael Fischer and by the Yugoslavs remain secret, even so that the latter are not even mentioned in the letter by Dr. Nelson? Are the Yugoslav ones non-existent and do the two others include intemperate utterances and perjuries so the University feels it must protect the signers? That I would find to be fair, even their destruction would be correct in that case, provided that they are never again used as a kind of slander against me as I understand the mentioning of them in the letter from Dr. Nelson.

Although I still want to believe that Dr. Nelson is the fair and logical man you told me he is, I found peculiar his outburst about me as a criminal, because for that he has no reason in the disallowance letter or other reports from Washington known to me nor in the affidavit from Arp. However, now I understand why Arp has avoided me since, because he must feel as the creep as this makes him in my eyes, after all I helped him to get his degree and also his position in Texas and never have done anything to him that anybody would regret. Actually, in his affidavit he could and should have told only the two things about his salary and lack of per-diem, the report on which is in conformity with what I reported in the papers that I gave you. What he says about this is essentially true, except for small deviations in dates and places and people present during these transactions, which also conformed to what I was instructed to do as mentioned in the papers you got.

But other parts of his testimony I like to look upon as results of his ignorance and misunderstanding of matters of which he knew nothing first-hand and of lapse of memory rather than as intended misrepresentation of facts that he could not know except if I had told him, which I never did and never would have been required to do, he was only my assistant, not cooperater or coinvestigator. Though I am sorry to see that some of these statements may border on what I believe others might call perjury or illusions meant to damage; this was just what I was afraid of when Crowe claimed that he had these affidavits and the reason for that I told him that I would rather pay the unfair claim than protest in any such way that could hurt the students or the Yugoslavs, although then I did not imagine that Crowe and Holloway had planned to play further and stop at nothing but a hanging Colorado style. The essential point is, however, that what Arp tells truthfully about the finances (with some minor deviations as to time and place and others present) is distinctly contrary to the report of the Smithsonian auditor, not in support of it as intended when the University took his testimony, so the logic behind the action and brutality against us and behind the last outburst by Dr. Nelson, are all clearly inconsistent with either his, Arps, affidavit or with the disallowance report of the auditor, so one of these is not in conformity with the truth. I know that Arp told the truth in this matter, though his knowledge of other details was limited and therefore of little value as proof of my criminality that caused the outburst and false conclusion, or, as you preferred to call it, a clear case of a miscarriage of justice, unfortunately not the first or only one since we originally experienced American peculiarities already when asking for our Canadian visa in 1950. I could add more, but want only to add that Dr. Nelson apparently is aware of that Crowe violated my civil and human rights and the constitutional privileges that are even those of detestable immigrants by not only neglecting to advise me about my right to a legal counsel upon the presence of whom he ought to have insisted after all the persecution and unfairness he had shown us for years but no less or perhaps more seriously by telling me, when I asked about the desirability of such an advice, that it was not necessary because he had discussed this with the president and the University legal counsel both of whom had agreed that the procedure he was following was correct. I cannot see how that neglect or should I say prevention can have changed by the fact that later the same day, when I told Jack Ives about the matter he insisted that I give him a permission to look for some lawyer - though he did not succeed for reasons that it is his privilege to describe if it might be of some interest to the matter.

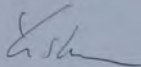
I refrain from adding more remarks. Since Dr. Nelson did not bother to listen to you or to read your well written brief or ask for more details, somebody else may want to explain to him that he now also owes me more than an apology though I am not interested in asking for that. I was grateful for your suggestion that you could send reports of this all to my colleagues at home and abroad; some of them might be more than willing to help you to help us, though others might become so infuriated that it could hurt not only American science but also the good efforts of the president in his fight against violations of human rights abroad, so I hesitate to permit you this action. But you may send material to those you feel ought to know what you have learnt, for instance Jack Fogg, whose friendly letter got me to compose the letter that you then received in his stead, and some few of my scalled friends among our colleagues in America, who seemed to turn away from us rather than to show us the sympathy that you both have always shown, perhaps Cronqvist, Harlan Lewis, Billie Turner, and then also Frans Stafleu who always has been fair to us. And you might like to contact some Boulderites for help, I know Rosemarie Oster is our friend and at the same time fair to the University, and probably Wes Britten, Bill Mayer and Winston would support you in your support for us...you judge what is wise, so all such matters are up to you and your wisdom and experience of persecution in your country.

It is possible that some common boulderites would want to help you, although my experience from this nice little city may not support such a view, but you know it better than we do and for a longer time, and you also know many more people there than we ever got into contact with, because you have always been much more social than we are though you always have worked as much in your science as we have tried to do from the beginning. Bill Carter, the president of the United Bank whom I got appointed as an Icelandic consul, once showed an interest in helping us but he backed out after consulting with somebody else, it sometimes can hurt business to be fair to the minority even here. And George and Sigga Maja Williams let us believe that they were our friends, though we felt as if they had turned the back on us the last few years...that may have been wrong. Again, that is up to you, if you feel others could help you to help us, though there is nobody in the whole world whom we trust better than you and Pat and Mukta. If you, after further thought, should feel that your proposal to contact Congressman Pat Schroeder to find out if she might be interested and willing to help you look into the matter still is a good one, then this is acceptable to me, provided that it means no extra cost to us in our present situation; I have observed that she is an enemy of all kinds of miscarriage of justice, and what I have read about her actions and heard about her indicates that she, a lawyer herself, is used to investigate her cases with the cold neutrality of an impartial judge...opposite to what we experienced from the three men at the University and many others. If she should be interested in giving me a hearing here when you and Pat and Mukta have discussed your opinions with her and shown her the voluminous documents that you now have, including this and other letters, that again is up to you, though I would hope that such a fair and fortuitous person might get into the case as soon as possible for recommendations and actions that would cut short our much too long persecution and prevention of our contributions to an American field of great need for just our approach, we hope. And whatever you decide I accept, hopefully with complete consent.

If I continue, you might have to wait for a month or more for no less pages than were in the first report in November, so here I stop. But I cannot let be to remember the words of Schiller that I long ago learnt and enjoyed: "Mit der Dummheit kämpfen Götter selbst vergebens", although I hope it will not be true this time thanks to your friendship for which I try to be grateful in the midst of all the bigotry and prejudice we have seen for too many years in a country to which we came because we believed it was progressive and thankful for our learning and skills so that we would get opportunities to contribute as much to our science as our energy allowed, we believed it was the land of the free and progressive and fair. We never expected that our great dream would turn into an eternal nightmare because we did not believe that prejudice and intolerance could prevail in America.... we still had not read or seen "Centennial" with its heavy accusation and thought everyone of our so-called friends would be as real and strong as you all remain.

All the best yo all of you from us all here,

as ever,



Copy to Pat Webber

W.A. Weber.

San José, March 17, 1979.

Dear Pat:

Many thanks for your letter and for the nice book on High Altitude Geocology. It is well edited and filled with information that we cherish, and the only remark I could allow my nastiness to make is the use of the unnecessary and perhaps deceiving term geocology, because it may seem to give some geological implication to a field that is strictly biological and ecological. But I know your boss supports it for personal reasons - so why not allow others to smile?

Many thanks for your remarks on our problems, and for your good help and understanding and encouragements. I understand that the serious situation into which incompetent and dishonest and fraudulently "selected" administrators have gotten the University into makes even you nervous for the future, because there is no doubt that a profound reorganization, replanning of all courses and reduction in unnecessary and indeed incompetent faculty and staff is needed there, and that this Damocles sword must affect your actions also for us, though I hope your carefulness will only cause minor delays in a matter long overdue. But I must admit that I am somewhat concerned about that you both may be thinking too much locally and spending time and efforts of minor importance without even letting me hear about them beforehand or after, as indicated by Bill's recent phonecall mentioning the Icelandic Embassy as a helper to get some documents, which I believe are not needed, at least not at present and only if the actions are those of revenge, which I would favor with great hesitation. After all, this is an American story of the usual and ugly kind, not Icelandic, and it embraces two conspiracies, one local, the other national or even international and of a scope that even could overshadow the propaganda for the so-called Soviet dissidents. I believe that the facts about the local conspiracy that were shown to me at last through the Nelson outburst and the revealing of the Arp perjury should be enough to convince logical men and also a sufficient basis for you to open up more local information by asking certain persons, who tried to help us but were apparently silenced in 1973, to give you letters of information as to what "information" caused them to shut up: Bill Carter, Wes Britten, George Williams, even Bill Briggs, Jack Ives and Hobart Smith, if they dare, and Gerry Arp, who may have been either threatened by the crooks or bribed, or both; none of this needs to be notarized since there is no reason to suggest that these men are crooked, and it would not be used in camera except if absolutely needed and then only with their written consent. But it might lighten the mind of Nelson, who is protecting two crooks that ought to be dismissed and one disbarred, to show him that even that part of the infamous "agreement" has been thoroughly broken at once by the "university", which I have a reason to believe.

Naturally, I value your suggestions about "going public" or getting the help of lawyers, but believe other methods ought to be tried first so that others be not hurt. Not any lawyer could handle a case as complex and as thoroughly American in its crookedness, and only skilled and logical and strong men with experience of civil and human rights could be trusted, men of the rare calibre and moral strenght of Ramsay Clark, Mel Belli, Leon Javorski and their likes, not anybody "educated" in the apparently worthless so-called law school at Boulder or others coming from similar places elsewhere to make money on the frontier morality of Colorado. And I believe you need other colleagues of world standing and immaculate independence to advise you and to help you to help us against the crooks, preferably American botanists and real geneticists, before foreigners are asked for their help and advice - and then not in the way the Soviet Jews are utilizing American journalists and others with limited information. With one exception: I believe the European botanist who probably knows me best, Frans Stafleu of Utrecht and Taxon, could lend an immense wisdom to the case if confronted with all the details...he may even be regarded as part American

employed since since he is an associate curator of the Smithsonian since years back and has used it as his second research home. And if a geneticist of world reputation should be involved at this stage, I can think of either my now 76 years old former teacher, Arne Muntzing of Lund, former editor of Hereditas, or his successor in both fields, Arne Lundqvist. Perhaps the American Federation of Scientists would be the right organization to be approached, rather than the Academy or the ACLU - but think this over before making any such move. I would not dislike a contact with congressman Pat Schroeder, if you feel she ought to be asked for help, though I would understand her hesitating because of the situation at the University; or with senator Hayakawa, who is both an immigrant and an academic man and a careful politician despite of all propaganda against him, in addition to being as conservative as I believe I am liberal. But that, again, is up to your judgement. Perhaps the most fair approach would be to get some strong and good friend of Dillon Ripley to present him with the case and allow him, in the old Icelandic democratic style unknown here, to make a fair judgement against his own institution, since if anything of this leaks out and gets into certain channels near the senate or newspapers in Washington, he is apt to be the greatest loser though completely innocent? For that contact, Stafleu is likely to be the wisest and most careful contact since he is a sincere friend of both me and Ripley.

The case can hardly be discussed without remembering that the discrimination against Doris is no less serious than the miscarriage of justice against me - but not more about that now, as a matter of fact, if Jack Ives had a conscience and were a real friend, he is the one who long since ought to have brought that case into the open rather than to hide it so not to risk his own benefits from the mutual bribes at the so-called graduate school. Or perhaps others ought to bring that up strongly! Doris, who certainly is the single internationally known scientist who has ever been at Boulder does not complain, and she refused to contact any of the many so-called committees to study discrimination against women that were appointed during our time there in order to throw sand into the eyes of Washington bureaucrats and others and whitewash the outside of the horror cabinet. She feels it is below her dignity to fight fools and bigots of the kind we both met at Boulder and elsewhere on this continent...and I agree.

Just one more sentence in this vein: I am pleased by your and Bill's remarks about our "many friends", the names of whom I would like to know, since none has had the courage or will to even let us hear about their sympathy, not even on a card, for all these years - except you and Bill, Bonde and Winston. But perhaps I am being unfair? Though I would have liked to know more - for instance when Bill told me on the phone that Howard Roark had been "shaken" when he left him - I always knew that Howard is a friend and a good man, although Jack damned him as "incompetent" in my ears, probably because Howard did not approve of some of his schemes. And what about Bill Carter, whom I gave the consular title and never has even sent me a note since we left Boulder? I still believe his honesty is as good as any American's, though not Icelandic in its scope, and understand that he thinks about his money before irritating his conservative superiors who may sympathize with the University for economic reasons...I remember that President Smiley was a "president" at his bank!

I am sorry that you could not make the detour to taste our citrus fruit or enjoy the flowering fruit trees, since we have so much to discuss. Naturally, I understand that a discussion with you and Bill would be beneficial though I wonder if it would not be a right time now to widen it with strong outsiders with no connection or sympathy to Boulder or the Smithsonian administration? I could suggest some names, but you are free to present all the papers to those you trust and to ask for their reaction and possible help. And I would appreciate it if you now could

send a copy, with a short wovoring letter if you so feel, of the original letter and consecutive information, even my reaction to the Nelson outburst and his letter, to Jack Fogg of the Barnes Arboretum in Merion, Pa. 19066, whose letter last summer got me to react at long last, asking him to handle the matter with care and to give you his reaction and advice based on his 80 years' experience. He is a great man, one of Fernald's greatest students and an international botanist of considerable stature and an old friend of long standing; if it had not for certain crookedness by physiologists, I would have replaced him at the Morris Arboretum in 1965.

We are pleased to know that Mukta won her case - though I continue to hope that you both soon will move to a better place that also might give Michelle with her great intelligence a brighter future - she is too good to end up in Colorado and so are you both...and Bill ought also to have been at a greater place. Hope you had a fine time in South America, which we have never even seen. But we have had to deny ourselves visits to many other places during the years in Boulder and especially afterwards because the witchhunt, including several visits to various parts of the Soviet Union...the continuation of the witchhunt prevents us still more to accept persistent invitations by letters and telegrams to the Pacific Science Congress this coming summer in Khabarovsk, to mention the last case. But although the long witchhunt, which I believe is connected directly to our not conservative European opinion and belief in the cytogenetical rather than the neodarwinian explanation of evolution and, therefore speciation and definitions of categories, has prevented us from doing much of what we alone could have done to improve the hopelessly antiquated American taxonomy and certain geobotanical explanations, it does not prevent me from working on a demonstration of the superiority of the genetical concepts for the revision of certain critical groups: just now I am working hard on a revision of the wheatgrasses based on experiments that we and our students started in 1951 or even earlier and others have added to considerably. It is a worldwide revision, of course, and will make a revolution in the American 19th century type approach to these grasses, although we do not expect any honorable (?) American botanist to honor it or to change his opinions on basis of what we and the other geneticists demonstrate...it is well known that you have to wait until the generation of your grandchildren to get a new opinion accepted, or at least until the old generation and perhaps its students have gone into their graves. But our results will not greatly upset the basis for the classification of these grasses presented in 1976 in the new Grass Flora of the SSSR by Tzevelev...although his approach is phenetical, of course, because he was educated during the Lysenko era which prevented Russian botanists to study genetics...so he is in the same boat as most American taxonomists! I plan to name one very well-defined pivotal genus of perennial wheatgrasses of America and Asia after Bill, a plant common on the prairies. I know he is going to Greece for a few weeks very soon, and wonder if he might perhaps be able to find an opportunity to arrange a detour over Utrecht to see Stafleu either on the way to there or back - it might be beneficial in several ways?

I am sorry that you are not here to sample our citrus fruits which are more numerous and sweeter than last spring...there are still opportunities though. Or perhaps we will see you all when our other fruit is ready in late June or early July, when Ingela is likely to be in Boulder with her father? Whenever you so feel, you ought to know that you are as welcome as if you had been one of my little brothers!

All the best to you all from us all here,

as ever,

