

TO: Stanford Faculty

FROM: The April 3 Coalition

RE: Controlling War Research at SRI and Stanford: Severance or sale of SRI?
Research moratorium?
Postponement of decision?

I. Controlling SRI: Oppose severance or Sale

The first response of many people in the University community to the problem posed by SRI's war research (forgetting Stanford's military work) has been, "Sell it. Not only do we feel uneasy about the moral implications of SRI's work, but the Institute's work is second-rate. The University should have nothing to do with SRI."

Sale of SRI would leave Stanford without legal responsibility for the work performed at the Institute, yet would not remove the University's moral responsibility for creating SRI, for accepting SRI's war-related research over the years, and for allowing SRI to continue this research in the future. The University might net \$20-\$30 million by selling SRI to a firm such as Litton Industries, but it would be a grotesque calculus to weigh the University's financial position alongside SRI's considerable contribution to human suffering in Southeast Asia and Latin America.

It has been suggested that Stanford sell SRI under a restrictive covenant which might bar CBW and counterinsurgency work from the Institute (no mention has been made of covenants to restrict classified research). One plan would be to sell SRI to its employees for around \$20 million, which the University would receive in mortgage payments over a 20-year period. During its 20 years as creditor, the University could bring suit against the Institute if the research guidelines established by the covenant were broken. The trustees or even a student-faculty committee might be entrusted with enforcing the covenant and going to court if necessary.

This plan is very attractive on the surface, since it allows us to take a moral stand at the same time that we wash our hands of the "SRI problem." Passing over moral and political arguments for the time being, the sale-restrictive covenant plan has major legal difficulties. There appear to be no clear legal precedents for enforcing this type of morally-grounded restrictive covenant in the courts. The courts generally only enforce covenants protecting a creditor's investment or profit margin in a corporate enterprise. SRI could well argue in court that CBW, counterinsurgency, and classified government contracts enhance its profit margin--an argument that might prove to be acceptable to the generally conservative California judiciary.

We might also be skeptical of the Stanford trustees actively prosecuting SRI. But even if the trustees were to distribute their responsibility for bringing suit against SRI for breach of covenant to a student-faculty board (which has dubious legal basis itself), the fact would remain that litigation in the courts would be a very drawn-out process. SRI's war-related research might go on for years while suits, appeals, and more appeals were handled in the courts. SRI would meanwhile be quietly transferring its war-related work to other research institutes and corporations in the Midpeninsula. The time lag and court litigation would also make it extremely difficult to maintain any effective community pressure on SRI.

A further consideration would be the great expense of fighting SRI in court. Monies spent on long court cases might be better placed--for example, in scholarship funds for blacks, chicanos, and working-class whites. Closer University-community control over SRI would save Stanford legal expenditures of scarce funds. It would also guarantee that the guidelines would be enforced, which must be our primary goal.

Yet there is a final important reason for bringing SRI under closer University-community control. Severance would reduce the "mental visibility" of SRI and the

whole Midpeninsula defense complex to the Stanford community. SRI, the Stanford Electronics Labs (where classified research into electronic warfare techniques now being used in Vietnam goes on), and the Industrial Park will remain in their present locations for some time to come. The important question is whether the members of the Stanford-Midpeninsula community treat their opposition to Stanford and SRI's war research as a strictly one-shot affair or as a first step toward reorienting the Midpeninsula's finely coordinated research and industrial apparatus toward socially constructive work.

If SRI is brought under closer control by the University-Midpeninsula community we might propose University-community review boards composed of people affected by research as well as experts and concerned members of the community. Closer, more certain surveillance of SRI and Stanford war research would result from this process, in contrast to complex legal procedures. The possibility of modifying or adding to guidelines (eg. work on the ABM system done at Stanford and SRI) will be left open. Stanford students and faculty will have to confront much more directly their moral and social responsibility to stop war research at its local roots. SRI and the Stanford Electronics Labs would remain research institutions, but they might slowly turn into centers for applied and basic research into crucial social and environmental problems.

II. Oppose Research Moratorium and Trustee Stalling

The Stanford trustees are holding a closed meeting this Tuesday (April 8) in San Francisco at which they will consider the statements of principle and demands supported by 800 members of the Stanford-Midpeninsula community at an open meeting on April 3. Briefly, the April 3 Community Meeting called for the immediate cessation and future non-acceptance of research at both Stanford and SRI in the areas of (1) chemical-biological warfare, (2) counterinsurgency at home and abroad, (3) other research in support of the wars against the peoples of Viet Nam, Thailand, and Laos, (4) classified research, especially classified military research.

Faced with a morally-aroused University community, the trustees may well try to beat a tactical retreat by instituting a moratorium on new CBW (and possibly counterinsurgency) research at their Tuesday meeting. A moratorium on acceptance of new contracts in these areas could pacify an unaware University community. Yet the war research would go on. In addition, a moratorium might allow the trustees to put off a final decision until mid-May or June, at which time they would be able to operate in the normal Stanford political vacuum.

We feel simply that if the Stanford trustees wish to join us in taking a first step toward directing Stanford's research to socially constructive work, they must make a statement of moral and political principle by stopping war research immediately in the four areas listed above. A moratorium does not involve a moral stand of any sort.

Furthermore, it is very likely that the trustees will attempt to ignore the April 3 Community Coalition's demand that a special meeting of the Stanford trustees be held during the week of April 21, at which time a final decision on Stanford and SRI's war-related research and the University's relationship to SRI would be made. This meeting might include community hearings and a decision-making process open to public view.

The issue of war-related research is not new. A nearly two-week discussion period for studying the Coalition pamphlet and the SRI Committee report would afford the University-Midpeninsula community enough time to make their decisions. As long as they refuse to take stands on war-related research (as five of their number did at the March 11 forum), the trustees have everything to gain by attempting to put off their decision until their regularly scheduled May 13 meeting, or even their June meeting. The Vietnamese people have much to lose with each day that the war continues.