

Stanford's 'Community of Consent'

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Palo Alto

President Nixon's decision to invade Cambodia, which marked the start of widespread campus unrest across the nation, produced at Stanford the climax to a month-long struggle over ROTC. In April, there were two sit-ins, unprecedented attacks on property, resulting in \$100,000 damage, mostly to windows, and two nights of virtual warfare with local police. Arson destroyed offices and research materials at the Center for Advanced Studies in the Behavioral Sciences. By the end of June, ROTC had been voted out as an academic program, and President Kenneth S. Pitzer, an internationally known chemist and academic administrator who came here in December 1968, had resigned.

To explain these events, it is necessary to show how the scale of acceptable action changed over the past two years, and how Stanford's crisis managers, the best in the nation until this spring, lost control of the situation. One must also view Stanford in the context of extremism in both the mid-Peninsula and the nation at large, for this campus of 11,000 students and 1,000 faculty is an island in a sea of comfortable bourgeois communities, shocked by campus unrest, which their members oppose either by supporting the police or by acting under cover to strike at leftist organizations by threat and force. Counterviolence may have been behind the fire that damaged the Center.

Spring unrest is not new at the "Harvard of the West." The days when Stanford was noted for its fraternity life and Rose Bowl football teams are past—not because the Big Red is a pushover on the gridiron, as two seasons of near-championship play have shown but because a significant segment of the student body, raised in the decade of Vietnam, Watts, the Kerner Report and Martin Luther King, feels committed to changing America.

The first major sit-in at Stanford occurred in May 1968, as several hundred students occupied the Old Union, a student services building, to protest lack of student power in the campus judicial system. In response, the administration calmly ordered campus policemen to take up posts inside the open building, but no force was used to oust the occupiers. Students created mini-seminars inside the building, and cleaned up when they left after a new judicial code was proposed. The Old Union sit-in, led by the SDS, had been effective because it attracted a mass following, and that became the formula for successful protest actions: the vanguard would politicize an issue, convince a large following, and act. Such procedures kept the demonstrations generally peaceful.

In late 1968, the SDS focused campus attention on Stanford's involvement in Southeast Asia. Both the electrical engineering department, which held six contracts

for more than \$1 million in electrical warfare projects, and the Stanford Research Institute, owned by the university but autonomously managed, which had contracts for \$400,000 in chemical-biological warfare and \$6 million in war-related research in Southeast Asia, became subjects of SDS attacks. SRI had developed the "strategic hamlets" plan for Vietnam and had studied guerrilla infiltration for Thailand. The demands of SDS included a halt to all Department of Defense research, all economic and military projects in Southeast Asia, and the resignations of three Stanford trustees, Roger Lewis of General Dynamics, Tom Jones of Northrup Aircraft and William Hewlett of Hewlett-Packard, all symbols of university complicity with the military-industrial complex.

On March 11, 1969, the SDS protest spread to the community, as students heard members of Stanford's board defend the manufacture by their companies of military aircraft and the establishment of a poison-gas facility. One trustee denied that the university's cooperation with the military effort in Vietnam represented a political choice. Many people were shocked into political action by the March 11 forum. On April 3, 800 moderates and radicals representing a dozen campus and community organizations met to demand that the trustees drop whatever plans they had to sell SRI, "and that instead SRI be brought under tighter control by the university and that guidelines be established for socially acceptable research." On April 8, the board failed to meet the demands. The next day, the "April 3rd Movement" considered action. [See "Sidestepping the Militants" by Larry Schwartz, *The Nation*, March 9.]

The mood was one of militance, urgency and frustration. As one leader said: "This research is going on every day in SRI and the Stanford Industrial Park. The end result is that bombs are coming down on the heads . . . of Vietnamese every day. . . . This will not stop while we wait for the next three, four, five, six months, while we wait for rational consideration." Another commented, "I don't think that the trustees are ever going to come out and oppose counterinsurgency. I think that if we act now we can educate." This the group did, as it poured into the Applied Electronics Laboratory, site of the electronic warfare research, for a nonviolent, open and educative sit-in.

Once in the building, the movement "liberated" an offset press, started a daily newspaper and issued a troubling document entitled "The Goods on AEL," disclosing that the university's watchdog committee on research had allowed war contracts to be described in innocuous terms. In the next nine days, 1,500 persons signed complicity statements with the sit-in group, and entire classes were moved to AEL, so that both education and the sit-in could continue. All research there was stopped. Except for a few petty thefts, and the more disturbing disappearance of two manuscripts, the sit-in was peaceful.

As in 1968, the university sent campus policemen into the building, to guard classified documents. Willard Wy-

man, associate dean of students, summed up the administration's attitude: "We're used to the fact that there may be a sit-in and we have sort of a general preparation, which is to stay cool." Nine days later, under increasing outside pressure, Pitzer employed "emergency powers" to close the building for a week and to suspend any student who remained inside. The demonstrators left; and the administration showed its good will by keeping the building closed to researchers as well as demonstrators for the next week. The faculty voted six days later to cease all classified research, and results of a poll released later in April showed that two-thirds of the students and one-third of the faculty favored the movement's demand to redirect the research at SRI.

Another student-trustee confrontation on April 30 led to a second sit-in, at Encina Hall, the administrative nerve center. After failing to dislodge the occupiers, who were busy going through the files, the administration called in outside police for the first time in Stanford's history. The students voted to leave the building as 125 sheriff's deputies stood in the lobby. There were no arrests.

Reason had triumphed over brute force, even though it had been necessary to call the police. The administrators and the police officers stopped the police charge and allowed the students to leave. All the students, not just the ones who had voted to leave, abided by the majority vote. Lyman eloquently described his response to the police action, as he addressed the faculty: "Any time it becomes necessary for a university to summon the police, a defeat has taken place. . . . The victory we seek at Stanford is not like a military victory; it is a victory of reason and the examined life over unreason and the tyranny of coercion. To be forced into coercive acts in order to meet coercive acts is in itself a setback on the path that leads to our kind of victory."

Supported by the community, the administration then obtained an injunction against further disturbances by the sit-in members, but showed its good will and flexibility by going back to court to modify the original terms of the order, judged too severe by campus moderates. Forced off campus by this tactic, the movement assaulted a nearby SRI facility and ran out of steam as final exams approached.

The spring of 1969 produced abundant examples of how outraged the campus could become about the war, but events of the period also showed that this outrage would usually be expressed in nonviolent ways. Except for the massive window breaking at SRI in mid-May, there was little of what is today called "trashing." Credit for this restraint goes to the leadership of the movement, to the mass support of the students, and to the cool handling of the situation by Pitzer and Lyman.

Stanford has been spared the tragic excesses of Berkeley, Santa Barbara and Kent State, because there has been a tacit understanding, a "community of consent" between the protest movement and the administration. While each side privately reviles the other, they have consented to certain ground rules.

During the summer of 1969, some doubt arose as to the good will of the administration when the ROTC issue,

supposedly settled in the spring, found a second wind. In February 1969, the faculty senate, later upheld by the entire faculty, accepted recommendations of a special ROTC committee to end credit for ROTC courses. However, a students' referendum voted by a 3-to-2 margin to keep ROTC with credit, and the trustees went on record, in March, that ROTC was "vital to the supply of civilian leadership for the military services, and it is of critical importance that first-ranking institutions, such as Stanford, lend their strength to that task."

President Pitzer proceeded under the assumption that the credit question had been settled by appointing a presidential, rather than an academic council, committee to handle the transitional details of ROTC. To negotiate with the Army, Pitzer chose E. Howard Brooks, vice-provost, who had sat on the ROTC committee and had opposed the committee's report. While he negotiated for Stanford, Brooks also sat on a Defense Department committee which recommended, in September 1969, that credit be given for ROTC courses. Brooks had personally advocated reform of ROTC long before the radicals took up the cause, but the circumstances of summer and autumn, 1969, did lead many to suspect that Pitzer's choice of Brooks would undermine the faculty vote.

It came as no surprise when the Army presented a new contract which called for the possibility of credit for ROTC courses. The new ROTC committee approved the plan, overstepping its mandate as it did so, and by March 30, 1970, both the faculty senate and the academic council had reversed their previous votes and had accepted the principle of credit for some ROTC courses. On March 31, the day after the faculty poll was made public, about 200 persons marched to the ROTC building and attempted to nail shut the doors. They were driven off by forty sheriff's deputies who had been on campus "just in case." The students broke 200 windows valued at \$4,000 as they fled, a distinct departure from the tactics of the previous years.

One reason that trashing occurred on March 31 was that the movement lacked leadership and unity. Many of the 1969 leaders were no longer at Stanford; their places had been taken by less experienced radicals. Furthermore, there was no coherent mass behind the protest. The rocks which flew on March 31 were thrown spontaneously. The rationalizations came later.

There had been an interesting precedent for trashing, which by the end of the first week of April had caused nearly \$10,000 damage. Last year, members of the April 3rd Movement tried to insert an ad in *The Wall Street Journal* which read, in part: "A recent cost-benefit analysis has found that due to the unstable investment climate created by the insurgent activities on the Stanford campus, and in view of the extreme likelihood that such activities will continue, purchase of the Stanford Research Institute would entail serious risk and would prove to be highly unprofitable." Leaders of the Revolutionary Union faction of SDS took up the cost-benefit analysis this year to justify their activities; they would make it too expensive for the university to keep ROTC. By breaking windows, the trashers were showing their frustration at the lack of a mass following and were bringing home the war.



Dempster

Campus reaction was near unanimous in opposition to the rock throwing. Faculty leaders decried the criminal acts. Administration leaders, who never did explain why the police were on campus on March 31, promised swift and restrained police action. President Pitzer explained his interpretation of the radical tactic on April 7: "One purpose of the radical acts of violence . . . has been to provoke police retaliation which the demonstrators may then use to seek new adherents. So far these efforts have failed." The Pitzer-Lyman strategy worked well for the next two weeks. Police came on campus several times to pursue rock throwers and to break up assemblies of protesters. There were even a few arrests. Conservative and moderate forces voiced their backing for the administration.

Changes were also occurring within the movement. By April 19, when the movement voted to present an ultimatum, and to act on April 23 if the university did not "off" ROTC, the militant nonviolent forces had gained the upper hand. The administration, either unable or unwilling to see the new political temper of the movement, hit the panic button, and blamed the consequences on the protesters. The militant nonviolent forces sensed the hardening of the administration's position, and believed that they could win their demands by reverting to the old sit-in tactic. In response, the administration announced that no overnight sit-in would be tolerated, whether disruptive or not. Concerned faculty and staff members spoke with provost Lyman on April 22, pointing out that the nonviolent faction was now in control, and he conceded that the police would not automatically be summoned. In fact, the administration, in consultation with a faculty advisory group, had already decided to call the police if students refused to leave an occupied building by 5 P.M. This inflexible approach ruptured what was left of the community of consent.

A sit-in at the Old Union began on April 23. By 2 P.M., three hours before the sit-in was declared disruptive, the university administration was already preparing action with the police. If Pitzer and Lyman wanted to preserve the community of consent, they could have taken two intermediate steps. First, they could have dispensed with outside intervention by protecting sensitive records with campus policemen. This tactic had worked each time it had been used in the past. Second,

they could have gone to court for an injunction, instituting civil trespass proceedings against the sit-in participants. Instead, they declared the building closed at 5 P.M., and brought in the Santa Clara County sheriff's office at 6. An officer told the demonstrators that they were guilty of criminal trespass, and intimated that they would be arrested if they did not leave. No one was quite sure whether the police would give further warning before they struck in force or not.

As the evening progressed, the sit-in continued, peaceful, educative, and fun. A rock band played for three hours. At 1 A.M., a veritable colloquium was in progress in the lobby of the open building. University employees took part in the discussion. Passers-by stopped to listen, unaware that they were risking sudden arrest. There were no guards at the door nor warnings that the building had been declared closed.

At 1:10 in the morning, fifty sheriff's deputies came charging through the rear and side doors of the building, taking by surprise the demonstrators who were settling into their sleeping bags for the night. I was standing outside the building, gathering information for this article, when I was swept inside by the first deputy who rounded the corner, and was booked and jailed with twenty-two others. Students who escaped, or those already in the courtyard, exploded into a paroxysm of rock throwing which caused, in one night, \$40,000 damage—three times the total for the entire month to that point.

It was learned the next day that the administration's inflexible position had thrust the university into the hands of the police. The sheriff's office had demanded, under pressure from the county administrator, that there be arrests. This being an election year, a body count was imperative. One administrator admitted on Friday that the police had presented an ultimatum: if word of their 1 A.M. bust was leaked to the demonstrators, they would not come on campus again, except for undefined "serious crimes." Provost Lyman defended his actions, and scornfully rejected the complaint that there had been no warning. He had the support of many concerned faculty members and students who wanted coercive protest stopped at any cost. But he had shattered the community of consent, and had not even followed accepted university policy in doing so, for the administration had failed to station guards at the doors of the building, as its own regulations stipulate it must.

Many students became radicalized at the sight of what in their minds was unnecessary and unprovoked police action. It was not brutality in the ordinary sense of the word, but brutalization of a certain idea of the university. The provost's words about "the victory of reason and the examined life over unreason and the tyranny of coercion" had lost their eloquence. And President Pitzer's admonition not to play into the hands of the radicals by bringing on a confrontation was shown to be prophetic. As for the judicial process, the courts threw out all charges brought for criminal trespass against the arrestees, in spite of the best efforts of the local deputy district attorneys to amend and reamend their complaints. With a little bit of reflection and consultation with competent legal counsel before April 23, the university could have avoided all this.

While the campus was still shuddering from the arrests, arsonists as yet unidentified set four gasoline fires at the Center for Advanced Studies in the Behavioral Sciences, in the hills behind the Stanford campus. The Center affords scholars an opportunity to write undistracted by teaching duties. Two of the fires destroyed scholars' studies, badly damaging their research materials. Many persons assumed that the Stanford Left must be responsible. A university news release disclosed that the radicals had criticized the Ford Foundation for its support of "bourgeois" social science. Some persons connected this fire with the arson at the Naval ROTC building and the president's office in 1968, although in fact no one has been charged with any of these crimes.

There is no evidence to implicate anyone in the Center fire, but so much attention has been drawn to the brief passage in the SDS pamphlet, "Maggie's Farm," a radical guide to the campus which appeared in 1969, and which criticizes the Center, that it is proper to consider the possibility that the fire was set by elements of the extreme Right. The Palo Alto area has been the target of numerous bomb attacks and arsons directed against institutions which study aspects of human behavior, and it has been proved that these attacks have come from the Right, specifically from a neo-Nazi group, arrested in February 1969, whose members identify ideologically with the anti-Communist, anti-sex education, anti-permissive, and anti-Black currents of what is best described as the colorfully kooky California right wing.

The neo-Nazi group bombed a number of leftist organizations and harassed individuals known for their participation in controversial activities. Such attacks have resumed in recent months, although the principal group has been arrested. The neo-Nazis also harassed and attacked persons who supported the Palo Alto Unified School District's multi-cultural education program, which was run in 1968 by a Black militant. This program has been the subject of some controversy since its creation. A group of local families, called Citizens for Excellence in Education, has shown bitter opposition to the program, which it regards as political indoctrination, and has attacked the school board for softness on sex education, sensitivity training, "humanism" and other experimental education programs.

This year there was an election for the seat of incumbent Preston Cutler on the school board. Cutler, who is associate director of the Center for Advanced Studies in the Behavioral Sciences, has supported the multi-cultural program. His principal rival, backed by the Citizens for Excellence in Education, attacked the board's alleged surrender to high school radicals and criticized the multi-cultural program. On at least three occasions during open-forum campaign meetings, Cutler was asked from the floor what the relationship between the Center and the school district would be if he were re-elected. He was re-elected, on April 21. Three days later, at 5 A.M., arsonists struck the Center.

Whether or not there is any substance to the hypothesis that the attack on the Center came from the extreme Right, there is substance to the observation that violence has become a more acceptable form of protest, both off

and on campus. There is also considerable evidence that the local police have stepped out of bounds to harass and to repress campus protesters by undertaking "night-rider" vigilante missions in unmarked cars, spraying persons with Mace, or holding students in custody on the Stanford campus just for the fun of it.

In the week following the first sit-in, the tenor of violence at Stanford increased radically. On April 29, a second sit-in took place at the Old Union. The police allowed those who so wished to leave the building before making arrests, but in spite of these more lenient tactics, hundreds of students massed around the building in an ugly mood. A network reporter commented that a riot was in the making. Even the fraternity types joined in the shouts of "Pigs off campus." Soon the standoff turned into pitched battle. Demonstrators felled more than twenty officers with rocks and chunks of concrete. The deputies responded with their clubs. To the credit of the training of the county sheriff's deputies, no one fired a shot. After several hours of combat, there had been only two cases of what appeared to be malicious beatings, one of a Black, the other of an Indian dressed in motorcycle attire.

On the following night, a mass meeting to protest the Cambodian invasion turned into a staging forum for another confrontation with the police. Once again, police and demonstrators charged each other, while a group of nonviolent students, shouting "No rocks!" tried to interpose their bodies between the police and the protesters. Had it not been for Cambodia, the events of the week-end might have turned into tragedy. Someone fired shotgun blasts into the home of an ROTC instructor; there was talk of bombing buildings. But the revulsion against the invasion was so widespread that the militant nonviolent faction was again able to gain control of the movements. A mass meeting on May 3 endorsed the Yale demands—withdrawal of American forces from Southeast Asia, a halt to political repression at home, an end to ROTC—and called for a shutdown of the university until the demands were met. The German department voted to strike for these demands, and other departments followed suit, in spite of administrative pressure.

By Monday, May 4, the day of the Kent State murders, the campus was paralyzed and remained so for two weeks. Unconfirmed rumors were that the trustees wanted to bring on the police to reopen buildings, but no such action was taken. Minor incidents of assault on the part both of strikers and irate employees marred what was otherwise a peaceful, though coercive, show of conscience.

The educative process continued through new channels. Students were mobilized for canvassing and for precinct work. Departmental convocations brought together for the first time undergraduates, graduate students, faculty and staff members to discuss restructuring of the decision-making process. Stanford went through an awakening of political consciousness that must have been like France's experience in the spring of 1789. The militant nonviolent radicals, and the trashing radicals who had rejected nonviolence because America had for years been using violence, were joined by thousands of students and

faculty members who were too appalled by the extension of the war to continue "business as usual."

This awakening produced two victims, and a number of lessons. The first victim was ROTC. On May 7, a week after the invasion began, the senate voted to end credit for the program by August 1970. Less than a month later, Pitzer endorsed a proposal forwarded by the ROTC committee to suspend altogether the regular ROTC program. The senate voted to accept this on June 4.

The second victim was Pitzer himself. Kenneth S. Pitzer has been outspoken against the Vietnamese War, but the radicals condemned him as a hypocrite because he did not "see" the connection between the war and ROTC. It was in the long run the Cambodian invasion which led him to recommend a reconsideration of the question, and to recognize that the continuation of the war made impossible what he considered to be the necessary changes in university structure and power redistribution. In this year of the confrontation, his soft-spoken liberalism had by the end of April lost him the support of all his constituencies. He had appeared to vacillate; and although his public speeches reflected a refreshing honesty and willingness to deal with the difficulties that will beset any president of a large university today, he appeared to many to lack the personality and firmness needed at Stanford. It was rumored in mid-May that the trustees had removed from his jurisdiction the power to call the police, making his resignation inevitable. Provost Richard W. Lyman, a historian of the British Labour Party, will become acting president this fall, and may get the job permanently. As one moderate facul-

ty member put it, "Lyman has come out of all this smelling like roses." He has appeared to be forceful and eloquent, but to many this appearance was obtained at the price of inflexibility.

President Pitzer's permanent successor must learn from the 1970 experience that effective crisis management at Stanford must be flexible enough to deal with changing political situations. There was probably nothing the administration could have done at the beginning of April to stop the rock throwing. Had the mass movement swelled earlier, the trashing faction would not have had the upper hand. In the week of April 24-30, when most of the damage took place, the protest was a response to the questionable police tactics used on April 24. By April 29, when it was known that American forces were in Cambodia, the police were seen as counterinsurgents, venturing on campus where they had no business.

Underlying these causes for violence is a more serious one which affects the entire nation: the use of official violence by the government to insure its foreign and domestic goals. As long as the Stanford board of trustees can be linked with American imperialism and the manufacture of arms, and as long as the students feel that the board holds the real power on campus, there will be violence. These students come from the top 10 per cent of students in the country. They don't need faculty agitators to open their eyes. When they feel that the university and the nation are working for a positive, not a repressive, society, then there will be no more violence.

THE NETWORKS

FIRST ROUND TO AGNEW

M. L. STEIN

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Three of the awards handed out by the National Academy of Television Arts and Sciences at the June 7 "Emmy" night ceremonies had little significance for most viewers, but for the broadcast industry they were of special importance. They went to the news presidents of the three major networks "for their leadership against forces which strike at journalism's duty to preserve the free flow of information." The citation was aimed directly at Spiro Agnew, whose repeated attacks against television news programming that he finds objectionable have created a climate of gloom which the awards only partially dispelled. As an NBC news writer defined the mood, "Nobody's scared but everybody's worried."

The worry has produced responses ranging from the belligerent "We're not knuckling under to Administration pressure" to an almost frenzied effort to play the news so

squarely down the middle that no one in the White House could possibly accuse any broadcaster of bias. Even so, critics chide the networks for having given too much time to the Nixon viewpoint since the Vice President delivered his media blasts.

The first of these came on November 13 in Des Moines, Ia., before the Midwest Republican Committee and millions of startled television viewers. Agnew lashed out at what he termed the "tiny and closed fraternity of privileged men" responsible for gathering, editing and interpreting the news for the TV networks. He complained that Nixon's November 3 Vietnam speech was followed by "instant analysis and querulous criticism" from television commentators, a charge that was denied by network officials who noted that advance copies of the talk had been distributed two hours before, allowing plenty of time for consideration.

But what most dismayed the industry was Agnew's ominous reminder that broadcasting is "enjoying a monopoly sanctioned and licensed by government." He then questioned whether the First Amendment freedom accorded the print media should also apply to television.