

Deans  
Hayes

petition to court  
3/1/71

I believe myself to be an interested party in this attempt by the Stanford University Trustees to transform the temporary Restraining Order into an injunction.

I am a trustee of Stanford University. I was elected by alumni of the university in the spring of 1970; my membership was formalized at the September, 1970, meeting of the Board. The alumni election, the first of its kind at Stanford, was an attempt to diversify the board, and to make it more responsive to the varied constituencies of the university. Because of these special circumstances surrounding my membership on the Board, I feel ~~it is~~ a special responsibility to speak forthrightly on issues crucial to the university.

I first learned that a Temporary Restraining Order had been issued, and a Temporary Injunction had been sought, through an article in the Stanford Daily. I had not at any time been consulted about the desirability of such an action. Had I been, I would have remarked that I believed this to be a profoundly unwise course for the university to follow.

My opposition to the injunction stems both from the specific terms of the document and from the way this action fits into ~~an~~ an unfortunate national pattern. I believe that portions of the proposed injunction are couched in terms which are dangerously vague or overbroad.

And I believe that the various hard-line actions being undertaken by duly-constituted authorities around the country, including the infiltration of campus groups by all manner of intelligence personnel, the cancerous growth of unchecked data banks on unknowing individuals, and the repressive rhetoric issuing from our national administration, our state administration, and from campus administrations alike, constitute a far greater threat to the integrity of the university than do the evils they are supposedly holding in check.

Although I do not question the motives of all who engage in attempts to regain campus stability,xx I think the clear result of devices such as the proposed injunction will be to stifle critical inquiry and the free demonstration of opinion on campus at a point in time when society is in most serious need of an active conscience.

I am not appearing here in support of random violence against property, or in support of any kind of violence against individuals. My contention, rather, is that the merits of an injunction as an instrument of campus law are far outweighed by its faults. What profit it a university if it saves its windows and loses its soul?

I believe that the introduction of this injunction into Stanford University will have intimidating consequences far beyond its announced goals. I fear that all forms of protest which depart from "business as usual" -- including forms of protest which have in past years come to be accepted as appropriate responses to matters of conscience -- will now be in contempt of court.

I regret the legal banishment of an organization from campus -- regardless of the conditions under which its members would be willing to enter. As a Trustee I believe that faculty members should be free to invite such guests as they may wish to address their classes. I believe that student groups and employee groups should be free to invite such speakers on campus as they desire. I do not believe that membership in any organization constitutes grounds for refusal of employment, except as the employee is demonstrably not performing the task for which he was hired. And I certainly do not consider it any of my business whom resident faculty members entertain in their homes.

My final point is perhaps most important. Campus disorders around the world (as the President's Commission on Campus Unrest aptly pointed out) are linked to other <sup>world-wide</sup> disorders throughout the world in which the American government has participated, and to which university research has also contributed. An injunction, rather than contributing toward the solution of any of these "root" problems, may well stifle constructive efforts to analyze and call public attention to them.