

FOR INFORMATION CONTACT: Jeff Littleboy

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STANFORD - Final arguments on the preliminary injunction sought by Stanford to bar certain named individuals from entering or being on campus were heard in an all-day session of Santa Clara County Superior Court Judge Richard Rhodes Friday, March 5.

In his summation, Associate Prof. H. Bruce Franklin, who has been suspended with pay from his professorial duties since Feb. 12, said the University used "looking glass logic" in its analysis of "people's war."

"We define the people's war as a highly revolutionary people," he said, holding a little red book of quotations from Chairman Mao. "We fight our way. You fight yours. We divide our forces to serve the masses, and we concentrate our forces to meet the enemy."

Denying responsibility for the shootings and beatings which occurred on campus Feb. 10, he said: "Roving rebel bands we don't believe is a successful tactic. We would not do anything destructive to the movement. That type of 'people's war' would be the single most destructive act to our movement."

Continuing, he said: "We are engaged in a war with the (power) structure, right here in this court, yet we find an exceptional degree of fairness which we did not expect. But this is only fairness within your structure. The court is still being used to suppress the movement."

"Stanford University is still the main political, social, and economic power in the area. For a judge to go against this would be dangerous for his career. But we believe our analysis will be confirmed: Bourgeois justice will be violated where the interests of the ruling class are concerned...."

"Banishment from Stanford doesn't mean all that much to us. We as revolutionaries know it (the revolution) will go on, whether we go to jail or die."

Professor Franklin said "There was less damage done at the computer center (when occupied Feb. 10) than at the average Saturday night fraternity party... We teach those who occupy buildings to be well disciplined, to do no damage to the building."

Concerning the confrontation with police which occurred outside the center, ending with four arrests, he said: "It was not an illegal assembly... we were just standing around looking at the occupation army (i.e., the police). What I am actually charged with is informing people of their rights and giving the fascists every chance they wanted to take."

University attorney David Heilbron argued that "this is not a free speech case--- this is a case to limit forceful and destructive acts." Pointing out that these have grown "more violent and more dangerous," he asked rhetorically, "How many more beatings do we have to have? What is the magic number?"

The University has a right to teach students and protect its physical plant, he added. In seeking to preserve order, it has tried "a gentle tack" and found that doesn't work. "Stanford is not a public place," he added. "We are asking for much less protection than the law affords to public universities."

Countering defense claims that damage to the University was "miniscule," Heilbron said the defendants had disrupted the Henry Cabot Lodge talk, Stanford Judicial Council hearings, wrongfully entered the Computation Center, assaulted campus police, and stoned buildings and windows. While the University would be willing to see a proposed ban from campus not apply to certain named defendants---including Jane Franklin, Katherine Barklay, Ted Smith, and Sharon Winslow---he said others "most appropriately covered" include Bruce Franklin, Michael Fox, Chris Katzenbach, Aaron Manganiello, and Janet Weiss. 3/5/71