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Lyman Suspends Franklin; Court Enjoins Disrupters

By MARGIE WOLF

President Richard Lyman summarily suspended associate English professor H. Bruce Franklin yesterday for his "important role" in Wednesday's "tragic events," and asked for Franklin's permanent dismissal.

The radical professor, with sixteen named individuals and up to 1000 "John Does," has also been enjoined by a Superior Court temporary restraining order from committing destructive or disruptive acts on campus.

Venceremos, a radical group active on campus, was enjoined as an organization. Franklin and two other defendants are on the Venceremos Central Committee.

A hearing to show cause why the order should not be enforced is scheduled for Thursday morning at 9:30. Non-students have been ordered to show cause at that time why they should not be barred from campus effective following the hearing.

Acting under the University tenure policy, Lyman informed Franklin, "Because of the important role which you played in the tragic events of Wednesday, February 10, I am suspending you immediately... as I regard your continuance in your regular duties to constitute a threat of immediate harm to others."

On that day radicals occupied the Computation Center and two persons were shot by an unknown assailant while standing with members of the conservative Free Campus Movement.

Dismissal Proposed

Franklin is suspended with pay—the maximum penalty Lyman can invoke on his own initiative. The President will propose to the all-faculty Advisory Board that Franklin be permanently dismissed.

In a letter to Franklin, Lyman asserted that since January 11, the date of the Henry Cabot Lodge speech disruption, "You have on several occasions... urged, incited, and led Stanford students and others to interfere with operations of the University and conduct themselves in an unlawful manner, and have yourself so acted, most notably on Wednesday, February 10.

"In my judgment, this conduct represents a gross impairment of the performance of your appropriate functions within the University community. I will therefore add these charges to the charges to be preferred arising from your conduct during the Lodge incident and propose that you be dismissed from your position on the Stanford faculty."

When contacted last night, Franklin laughed and stated, "This is the decade of the boomerang. The reactionaries are picking up rocks and dropping them on their own feet. They are acting like ostriches." He added, "When there's oppression there's resistance."

In a complaint filed in the California Superior Court,

attorneys for the Board of Trustees alleged that since mid-January the 17 defendants have "incited, counseled, advised and urged" those present at rallies to do such acts as throwing rocks at windows and occupying buildings."

Students named in the order include Bradley Dowden, Don Lee, Merle Rabine, Theresa Ramirez, Ted Smith, Sharon Winslow. Students suspended pending the outcome of Stanford Judicial Council hearings and named in the order include Geraldine Foote, Michael Holman, and Janet Weiss.

Non-students named include Jane Franklin, Katherine Barkley, Michael Fox, Andrea Holman, Chris Katzenbach, Aaron Manganiello, and Jeffrey Youdelman.

Unless defendants prove otherwise at the Thursday hearing, the temporary restraining order now in effect will become a preliminary injunction. Those named may then take the matter

to full court proceedings. The University's complaint states that if the matter comes to trial, the University will seek recovery for more than \$5000 worth of physical damage to the campus.

When contacted last night, those named in the order stated the University was trying to intimidate the radical movement, and claimed that Stanford was acting because it recognized a powerful threat.

* * * *

Special Presidential assistant John Schwartz announced last night that one person has been charged before the Stanford Judicial Council for actions occurring Sunday night when a number of University windows were broken. Schwartz said more charges stemming from the week's disruptions would possibly be brought.

Suspension Lift Asked

Following Tuesday's SJC hearing, Chairman Howard Williams with the concurrence of the Council recommended to President Lyman that the contempt suspensions of Gerry Foote, Michael Holman, Janet Weiss, and Jeffrey Youdelman be lifted. President Lyman has not acted on the recommendation.

The suspensions were invoked to last the duration of the trial. Chairman Williams cited the four for contempt of the chair on Jan. 29. President Lyman took no action against Associate Professor Bruce Franklin whom Williams also cited for contempt.

Order Is First Legal Step

By LANG ATWOOD

Stanford University yesterday obtained a temporary restraining order (TRO) in California Superior Court enjoining Professor H. Bruce Franklin, 16 other named individuals, Vencereinos and up to 1000 "John Does" from committing destructive or disruptive acts at the University.

The University is also seeking a preliminary injunction against the defendants, which if granted at a hearing Thursday would bar all non-students named in the TRO or served with a "John Doe" from the campus. It would also extend the clauses of the TRO.

A San Francisco law firm representing the Board of Trustees filed affidavits and a legal argument with the court that contained evidence that "great and irreparable" injury would result if a restraining order was not granted.

Judge Homer B. Thompson agreed with the University attorneys and issued the TRO ex parte meaning that the persons named were not present and were not able to present opposing arguments. They have been ordered to appear at the Thursday hearing, at which time they will be able to argue against the University's request for a preliminary injunction.

James Sienna, legal adviser to President Lyman, said last night that the affidavits filed in support of Stanford's request consisted mostly of testimony of people who had seen rock throwing or other violent incidents.

Any person who has been served with the TRO and violates it is subject to immediate arrest and imprisonment for contravening the court's order. (See text of TRO below for provisions.)

In addition to the named persons and organizations there are 1000 "John Does" that can be served. This legal device, unique to California, allows anyone except the plaintiff, Stanford University, to serve anyone with a copy of the order. This

Order Blasted

By RALPH KOSTANT

Radicals charged yesterday that the temporary restraining order issued yesterday against them was the act of a frightened institution.

"The University is clearly frightened," commented Geraldine Foote, "and not just because it is faced with a threat of material damage." The sophomore, currently under suspension pending the result of SJC hearings on the Lodge incident, said the University fears exposure of its involvement in the Indochina War.

The list of those enjoined repeatedly drew comment from the radicals. Bradley Dowden noted that some of those named had merely attended a few rallies and protested peacefully.

Dowden also echoes a second common theme—that the injunctions are an act of political repression. "This is an action by the administrative elite of the University to nip in the bud the rising protest over the Laos invasion," he said.

In a statement to the Daily, the New Left Project commented, "President Lyman has seized upon the unfortunate Wednesday night shooting on campus by an unknown assailant to make direct attacks upon Stanford political activists.

President Lyman could not be reached for comment on the injunction.

Assistant Professor John D. Wirth, who signed a letter sent to Lyman on Thursday which urged an inquiry into Bruce Franklin's role in the campus disorders of Feb. 10, applauded the decision to suspend Franklin.

"Many of us were disturbed by what we considered reckless behavior," he explained. "There has to be a limit on such activities. I think what President Lyman has done is to set that limit. This action has cleared the air a bit. In that regard,

makes it binding upon the person served.

The "John Does" could be served in the event of future disturbances or before to stop the activities prohibited by the order.

The preliminary injunction that the University is seeking at the Thursday hearing includes all of the provisions of the TRO and two additional clauses. The first would forbid joining together or agreeing to do any of the acts described in the TRO.

The second would prohibit named defendants from being on the campus. This clause would not apply to registered students or stop non-students from entering the campus to gather evidence relevant to proceedings against them. Non-students living on campus could go to or from their home.

The University is also seeking recovery of physical damages in excess of \$5000 if the injunction were made permanent.

A temporary injunction obtained by the University in May, 1969, which is similar to the one obtained yesterday is still in effect according to Sienna.

He explained that a new injunction was sought in order to prohibit additional acts and to insure that people not named in the earlier injunction were served.

Acts Prohibited By Restraining Order:

(1) Intentionally throwing rocks or other objects at buildings on the principal academic campus of Stanford University or other property of Stanford University or at persons on the principal academic campus of Stanford University.

(2) Boarding up, painting, nailing, bricking, burning, smashing, "trashing" or in any other way intentionally damaging any buildings or other property of Stanford University, or by any other means intentionally committing acts of force or violence against property of Stanford University or any person on the principal academic campus of Stanford University.

(3) Entering or occupying any building on the principal academic campus of Stanford University or any classroom, office or other space therein either (a) for the purpose and with the effect of disrupting classes, meetings, research activities or the conduct of the business of Stanford University or (b) with the knowledge that such conduct is disrupting classes, meetings, research activities or the conduct of the business of Stanford University.

(4) Intentionally obstructing or disrupting (by sit-in, or massing, or milling-in or any other physical acts) the normal use of or the free ingress or egress to or from any building on the principal academic campus of Stanford University, or the normal use of or free ingress or egress to or from any classroom, laboratory, auditorium, library or office or other space therein or the doorways, halls, covered walks or porticoes, basements or roofs thereof, or the normal movement of any person about the Stanford University campus or in any Stanford University building or facility.

(5) Intentionally disrupting or obstructing any university function or approved activity of or business of Stanford University carried on in open air structures or stadiums or elsewhere on the grounds of the principal academic campus of Stanford University (specifically including the grounds surrounding the official residence of the President of Stanford University).

(6) Intentionally remaining in any building on the principal academic campus of Stanford University after the building is closed to them, or to others including them, by authorities of Stanford University.

SPECIAL ISSUE

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