

# Lyman Assesses, Defends Franklin Ouster

(President Richard W. Lyman declined to publicly discuss the Franklin case during the period of hearings and deliberations. In his first major interview after the Trustees made Franklin's ouster final, Lyman talked at his home yesterday with Daily Editor-in-chief Fred Marui and Associate Editor Larry Liebert.)

Edited by LARRY LIEBERT

In your statement Saturday, you wrote that some people were supporting Franklin's dismissal "for what seem to me to be the wrong reasons." Were you referring to the editorials across the nation or to letters from alumni?

Virtually all of the editorials I've seen that supported or were thoughtful and did draw the line between prosecution for opinions or advocacy of radical views on the one hand, and prosecution for incitement that would run severe risks of injury to people, on the other.

What I really had reference to was some letters from people who usually don't give any indication of any connections with Stanford at all.

There is fear that this decision will be used as a precedent to stifle dissent, particularly in small midwestern colleges. Are you at all afraid of this?

I don't think you can take a significant action in a field like this, in which there is a great paucity of case record,

have represented on the university campus. And that this country has had too little of it.

But what relation that has with urging people to go and attack parts of the University is another problem.

Chairman Mao says that theory cannot be separated from practice. What about Franklin's contention that his revolutionary theories cannot be accurately taught unless they are also acted upon on campus?

I don't see why, in order to get the full flavor of a given ideology, you need to have a person acting out whatever consequences may come from that ideology.

In an academic setting, if you're going to study Marxism seriously, you're more likely to get a serious reading of it from someone who is not devoting major portions of time and energy to what he imagines to be revolutionary tactics at the moment.

I think all the talk about the "mind-body problem" is really a red herring across the trail. Is he then going to say that we can't study war at a university without going and getting into one? As soon as you go down this rather simple line, linking action with thought, thought somehow gets left out before you've gone very far.

People aren't thinking when they're running in a screaming mob, yelling for somebody's blood. They may be having a kind of experiential education, but there are

are, it was a very remarkable profession of how he views his own role vis-a-vis students.

Franklin's personal views are clearly brought into the decision when the Advisory Board discusses his "pattern of conduct" and whether he can be "rehabilitated."

I think the Advisory Board was extraordinarily courageous in getting into this, as they did where they talk about Franklin's perception of the world. They must have known that that would be seized upon.

I think what they were doing was something they had to do. They had to face up to the question: "Is there anything in the record to give one hope that he has either learned something about the limits of proper behavior or has changed his mind at all about the legitimacy of attacking the institution by any means he can use?"

They didn't see, given the gulf in perceptions, any likelihood at all of that. Now, the dissenters did see some likelihood, but they didn't seem to me to provide any evidence of that.

You're really put in a bind if the argument is that my perception of the world requires that I kick you in the shins every time I meet you. If you finally decide that you don't want to be kicked in the shins every time that you meet somebody, and you take some kind of measures to prevent that, well, then you're attacking perceptions.

The ACLU brief argued that Franklin has the right to go "up to the line" separating advocacy from incitement.

The Advisory Board commented that this makes incitement a way of life: "If you take the position that you are going to see how close you can come."

The whole question is where is the line, really. I don't think any reasonable person would deny the right to go up to the line you are setting. The question is where is it and when is it overstepped.

I think there's a fair amount of intellectual confusion about the benefits of going up to the line of incitement. The romantic picture that people are going to learn a lot more by seeing how close you can come to the line that separates advocacy and incitement, that doesn't hold much water.

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Have you read Chairman Mao?

I can't say I've made any serious study of Chairman Mao. I have read some. I think that tends to be a mine from which people can extract any one they are looking for.

I've read more Marx than Mao. I have in the past read a lot of Marx and Lenin and so on. I don't consider myself very up to date in the latest scholarship, however.

What brought about the Lodge charge, which was unanimously rejected by the Advisory Board? Who first said, "Let's charge Franklin?"

Gee, I really can't remember whether anybody said it to me. I think it was obvious from the first reports that the issue had to be faced.

I think the early reports certainly suggested he was right in the middle of it and doing all of the various actions which were brought out in the charges.

I would like to say that I remember distinctly in several

before the occupation that the controversial Gamut-H project was no longer running on the computer?

Protost Miller knew that the immediately operational people on the program had told him they were not running it anymore. But he had not had categorical assurance from the management of SRI that it would not be run.

I did not know that it wasn't running until the afternoon of the occupation itself. We sent a message over to the occupation that we knew this. They wanted a more categorical statement from me. I honestly felt I was in no position to do that; we had not had that sort of assurance from SRI's top people. If I made ringing declarations about it and then found out the thing quietly started up again, then what kind of accusations of hypocrisy would I have been faced with?

People tend to overlook the Advisory Board's criticism of the Movement for hanging on to the information about Gamut-H until a tactical moment and then suddenly springing it.

Has David Packard sent you his reaction to the dismissal. How about other influential alumni?

I haven't heard anything from him, nothing either orally or by letter. I've been going through the letters of reaction, either congratulations or condemnation—reading them all, but not lingering over them.

There have been some from some alumni whom I know.

People have said, "How can the university judge whether Franklin should be dismissed when administrators say it's too complicated to decide which recruiters should be banned for military involvement?"

I think it would be infinitely more difficult than the Advisory Board hearings to judge the overall record of a major corporation that's involved in a lot of different activities and try to arrive at a moral balance sheet about that corporation. I don't take the view that any involvement whatsoever in weapons manufacture is in and of itself grounds for excluding a corporation.

As rumored, did administrators once before go to the Advisory Board with possible charges against Franklin, only to be told by the Board that the charges wouldn't stick?

There was an episode, I think it was at the time of the attempted sit-in against the CIA recruiter (December, 1968), when the then-Dean of Humanities and Sciences wrote a letter to the Advisory Board which asked them to consider questions of appropriate faculty behavior. I wrote a note saying I supported his inquiry. But it was not an attempt to bring charges against anybody. It was an attempt—as I look back on it, a rather muddled one—to ask the Advisory Board to spell out for the benefit of faculty how they felt about some of the actions of that day.

Was it Franklin whose actions were being considered? Yes. He was holding a class over by the sit-in, and there were some people who thought that was exploiting and manipulating students; to require them to come over, even if most of them were willing to come to the scene of the action.

But nothing came of it because the Advisory Board took the view that, given their role to hold a hearing if asked by a defendant, they didn't want to get into that kind of question unless there was a formal set of charges.

Have other college presidents asked you about the case?

University presidents of my acquaintance have



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without the likelihood of producing results elsewhere, one way or another.

I stick by my statements that if the decision is made, carefully—even if you end up disagreeing with it—I do not see how you can come out with the conclusion that it is a mandate for purges based on radical opinion. In fact, there are a great many safeguards against that in the decision. The decision is likely to prove very helpful to institutions that may not have thought these problems through.

I cannot help questioning the benefit of the sort of self-building prophecy that we are getting from a few faculty and some leaders of the "yehab movement" and so on... where they say this will unless the doom elsewhere. Their own reading of the decision is more likely to encourage people to that than a direct reading of the decision.

It seems to me a little odd to shed crocodile tears over the possible impact in West Potomac State, and at the same time take every opportunity to distort the question.

There is an awful lot of off-the-top-of-the-head responding, starting with the Faculty Political Action Group's amazing statement at Bruce's first press conference, before they could have conceivably read the decision, that it was "outrageous." They could have waited eight hours and read it, at least.

Simply to condemn the decision sweepingly, as Daniel Ellsberg did in Memorial Church, is extremely unlikely to produce any good result in West Potomac State, if that's what you're really worried about.

Do you feel you have any personal responsibility to see that the decision is not distorted at other schools?

I haven't a concrete plan for addressing myself to any particular segment of higher education, but I certainly see a necessity for me to underline with every emphasis at my command the fact that I believe that what I am dealing with and what the Advisory Board is dealing with is behavior and not dissident opinion.

What have your personal feelings been in this case? Are you ever sorry you got into the whole thing?

In one sense, I feel I'm sorry I'm in the whole business of being an academic administrator at a time when that's a very unattractive kind of job in many ways. Nobody enjoys this kind of thing, academic people probably less than almost any other kind of person. Say what you will, you cannot see this kind of affair as simply an easy matter of employer-employee relations and terminating an unsatisfactory employee.

Robert Minge Brown, chairman of the Trustees, used exactly those terms Saturday.

Mr. Brown did. I disagree with him.

There are much more fundamental issues at question than that. The whole spirit and ethic of a faculty is based on a professional view.

Do you have any personal admiration for Franklin?

After the decision, administration lawyer Ray Fisher called him a "very intelligent and remarkable person."

I would very much like to avoid getting into personalities. He certainly has formidable intellectual equipment, and he is and can be at times a very attractive personality.

Franklin maintains he is no longer barred from campus by last year's injunction.

Your lawyers have refused to comment on that.

It's really a lawyer's question. I've told them they must come to grips with it.

Do you find it objectionable that Franklin continues to come on campus?

I never have had any desire to keep what Bruce Franklin thinks about the world from the Stanford student body or the Stanford community. He's saying what he thinks about it in Columbia and so on.

I do not regard his ideas as nearly as dangerous as he regards them. Along with Steve Weisman, with whom I often don't agree, I think Prof. Franklin's version of Marxism is old-fashioned and over-simplified.

I think, furthermore, that sophisticated and perceptive versions of the Marxist view of the world are important to

all sorts of experiential education that I wouldn't want to see reproduced on a university campus.

I've undergone some myself as an enlisted man in the Army. If you're looking for room, there's one—Lieutenant Franklin and Sergeant Lyman.

Isn't the "ivory tower" view of the university disingenuous, considering involvement with Defense Department research and the like?

It's a question of definition, delineation, and degree. I've never maintained that any university or college ever existed outside of the context of its surrounding society. It is arguable that, for better or worse, American universities have become more involved with this society than universities in many other times and places have done.

I'm not arguing that students ought to remove themselves from the world of actions just because they're in the university.

But I don't see why that requires that I admit that a student should be free to attack the university itself and in halt its functioning.

Is Franklin's ouster made meaningless by his continued teaching at Columbia?

We obviously have a system at Stanford that very freely permits people to bring in guest lecturers from anywhere.

Exactly where the line gets drawn between having a guest lecturer 10 percent of the time and 90 percent of the time how you wrestle with these questions is obviously a problem that will take some time to sort out.

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Did you consider bringing criminal charges against Franklin instead of the dismissal charges?

I can't say that I never asked any questions about that. But I can say that we viewed the question largely as an intra-university matter.

What if Franklin succeeds in overturning his dismissal in the civil courts?

I just think that's so extravagantly unlikely, that I find that very hard to answer. I really think there has been so much first-rate legal thinking about this (question) that doesn't see that as a danger and so much third-rate legal thinking that does.

Critics argue that the Advisory Board punished Franklin for speeches which could not be punished in a criminal trial—that he could not say things on campus which he could say on a street in San Francisco.

The Board's opinion tries to draw the distinctions between the state and the university. They're trying to say that the university is different—that in some ways it is more protective and more encouraging of dissident opinion than the society at large, but in some other respects it is more restrictive because it has more limited purposes.

I don't agree that we should limit ourselves to the criminal code, and go that way for all discipline. Such things as the disruptions of class—which we've seen a little of in the last week—are not covered under the law anywhere. Yet it seems to me any serious academic person would regard that as one of the most serious kinds of infringements you can have of the university's way of doing things.

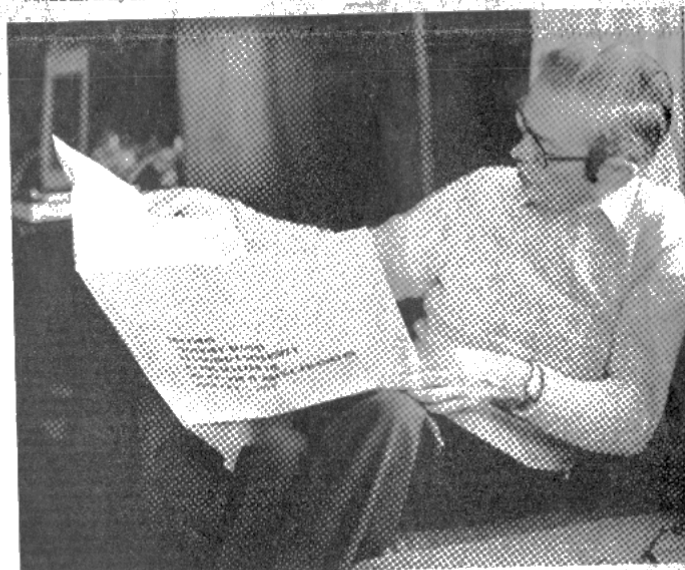
The decision seems to emphasize professors' special duties as leaders of students.

Professor Franklin was quite remarkably eloquent about that in the course of the hearings when he was talking about his role as a professor. He said he wasn't pleased with these facts, but that as a professor he had a very considerable influence.

For a man who likes to tell the rest of us how elitist we

right in the middle of it and doing all of the various actions which were brought out in the charges. I would like to say that I remember distinctly in several

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conversations in those early days, saying we must make every effort we can to ask ourselves, "are we proceeding because it's Bruce Franklin, or would we proceed if it were some professor who had no previous record of agitation or involvement in the Movement?"

What do you think of the comment by ACLU Legal Director Paul Haborik that the University used the Lodge incident as a "clever ploy" to obscure the incitement charges?

That is a dirty trick.

Is there any chance that Franklin would not have been charged for the Feb. 10 speeches if the Lodge incident had not occurred earlier?

I don't think so. Practically nobody can recapture at this point the sense of the campus on Feb. 10, 1971.

The Advisory Board opinion was right that the Administration was confronted with what they called "an agonizing decision" when the Comp Center was had to make. That's because of the well-known context of events elsewhere, where other computation centers have been occupied, and because of the expressed willingness of at least some of the people to undertake destruction of the computer. That would involve the destruction of thousands of man-hours of people's lives.

The crowd at the Comp Center seemed calm to those on the scene.

People's mood in a crowd is very volatile. That is one of the fundamental problems in this whole area: the administrative authorities are always put in a terribly defensive position because they know the volatility and the rapidity with which things can change. They also know the danger of personal injury and the exploitation of any personal injury that takes place.

Why did the administration not inform the public

followed this case with great interest. I think the overwhelming feeling expressed is that they were pleased to see such a serious effort made to define the extent and limits of faculty responsibility. Their impression was that we had gone to very great lengths to provide due process and so on.

What about those who say this whole thing must have something to do with a university that is trying to raise \$250 million?

If I believed that a given faculty member were within his rights in making the assertions he was making, no flood of alumni mail and no amount of distress among the fund-raisers that I could conceive of would move me to action. It wouldn't be worth \$250 million to sell the University's soul.

Of course, the climate of opinion has mattered in fund-raising. The very widespread opinion in the country that universities were simply not facing up to these problems has hurt. That can't help being on one's mind, but for a person who has grown up in the academic line, there is the immediate counter-pressure. You're going to be at least as afraid of allowing yourself to be pressured by extraneous circumstances into doing the wrong thing.

There are reports of professors being dismissed now at some other colleges. What makes this the time for house-cleaning?

One doesn't pick the time. Universities in the last few years developed a new set of problems about the behavior of some of their people. I don't think there's ever been any analogue for it.

Universities must have, and be able to use, institutional mechanisms that can cope with these problems when they are serious. I thought that the University had not shown itself able to cope in the last couple of years (before his term as president).