

STANFORD UNIVERSITY NEWS SERVICE

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EDITORS: In view of the fact that several regular news staff members have been called as prospective witnesses in the Advisory Board hearings, Stanford News Service has employed Leonard Milliman, a retired veteran of 42 years with the Associated Press in San Francisco, to cover testimony in the Franklin case. This is his account of the opening day.

FOR IMMEDIATE RELEASE

STANFORD --

No testimony placing Associate Prof. H. Bruce Franklin near any scenes of campus violence he is accused of precipitating will be admitted at hearings in which the University administration is seeking his dismissal, the faculty Advisory Board ruled Tuesday, Sept. 28, as it opened the unprecedented session.

Professor Franklin, a self-described revolutionary, accused the University of trying to slip in fresh charges in a 45-page "hearing brief" delivered the night before the hearing started, which accused Franklin of participating in violence Feb. 10 after demonstrators ended an occupation of the University's Computation Center.

"We will not deal with any alleged participation of Professor Franklin in this violence," Board Chairman Donald Kennedy, professor of biological sciences, ruled. "Professor Franklin's proximity to those events is not admissible."

Kennedy also set aside the University's "hearing brief," until the seven-member board has a chance to study it and rule on its admissibility.

Original charges accused Professor Franklin of urging occupation of the center during a protest over expansion of the Vietnam war, of urging subsequent confrontation with police, and inciting violence that night. Two persons were shot, 12 arrested, and 10 injured during the Feb. 10 violence.

He also is charged with deliberately contributing to the shouting, chanting demonstration which prevented Henry Cabot Lodge, former ambassador to South Vietnam, from delivering a speech on the United Nations Jan. 11.

Franklin, acting as his own attorney, challenged "very directly what I understand are the prejudices of the Advisory Board."

He singled out two members for specific statements they had made—Prof. Robert McAfee Brown, nationally known religious scholar, for a published protest against the Lodge demonstration, and Prof. Wolfgang Panofsky, director of the Stanford Linear Accelerator Center, because he "attacked those who advocated putting their bodies on the line."

Franklin didn't ask the board to disqualify itself. But he described its members as "philosophical idealists because they cannot afford to realize...where their highly privileged life comes from."

"All members of the Board think communism is a very bad, very dangerous thing," he said.

His criticism of the Board came after a much stronger attack on the University itself, and a detailed explanation of his communist views, taken largely from remarks he had made two years earlier. His point was that the University was objecting to his views now that people are listening and acting on what he said.

William Norris, a Los Angeles attorney and state college trustee who is representing Stanford, emphasized violence in his opening statement to the Board.

Disruption of Lodge's speech "was violence in the sense of disrupting and violating basic academic freedoms," Norris said.

The University opened its testimony on this point near the end of the five and a half hour session with tapes recording the shouting, chanting, clapping and laughter that drowned out Lodge's attempt to speak and a witness, who said of Franklin, that "when the noise subsided he yelled and I thought got things started again."

The witness was Frances Beckwith, a white haired alumna from Menlo Park.

She said she "recognized Mrs. Bruce Franklin" sitting two rows back of her and identified a man two seats over as probably being Professor Franklin because "He was holding a child that looked just like Mrs. Franklin."

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Mrs. Beckwith said she confirmed her initial identification of Franklin later from a photograph at the University.

She testified the man "leaned forward and yelled murderer, murderer, murderer" at Lodge, "said something about napalm," and shouted "what about My Lai?"

Franklin cross-examined her for half an hour and asked her to point him out in photographs of the scene, and then said:

"There are two persons she has misidentified as me. We will demonstrate that further on."

Mrs. Beckwith said she had paid particular attention to what the man she identified as Franklin said, because "Whenever something goes on [on the campus] there is always some official that says these are outsiders." Here, she said, she thought she saw an insider stirring things up.

In his opening statement, Norris said, "Professor Franklin's role in the occupation of the Computation Center, and the events that followed, will be a focal point of the evidence in this hearing. His words and conduct were contributing causes to the occupation. . . . He issued a call to violence during the night and violence occurred."

During his outline of what happened at the Computation Center, Norris said "Professor Franklin personally led the demonstrators in turning around to confront police."

Franklin promptly objected that "This is a fresh charge that is being introduced under the camouflage that it is background to evidence."

Kennedy upheld Franklin, ruling "It is true that it is not part of the University's charges."

Norris protested, "We deem that to be part of the University's original charge."

Kennedy called for a re-reading of the charges. They made no mention of Franklin's physical presence during the violence. And Kennedy ruled out such testimony.

Norris then said the University would prove "the violence that occurred following Professor Franklin's attempt to incite persons at the rally to engage in violence and that his word and conduct contributed to that violence."

The hearing is the first of its kind at Stanford.

President Richard W. Lyman suspended Professor Franklin from his professorial duties with pay, on Feb. 12 and called for his dismissal.

Franklin, who has been on the Stanford faculty since 1961, is a tenured associate professor. Under the University's tenure policy, he can, and did, request a public hearing before the Faculty Advisory Board.

The Board, elected by the faculty, consists of eight members, but one of them is in Europe. The seven conducting the hearing include, in addition to Professors Kennedy, Brown and Panofsky, Profs. Sanford M. Dornbusch, sociology, outgoing chairman of the Faculty Senate; David Mason, chemical engineering; G.L. Bach, economics and business, and David A. Hamburg, psychiatry.

The Board's primary function is to review proposed appointments to tenure on a University-wide basis. This is its first case of this type.

After a detailed hearing, expected to last for weeks, it will make a report and recommendations to President Lyman. He may accept its findings or send them back with stated objections for further consideration.

The tenure policy states that "Only after study of the reconsidered decision of the Advisory Board may the president make a final decision overruling the Advisory Board."

In any event, a professor cannot be dismissed without approval of the Board of Trustees, a body that came under sharp criticism from Franklin as representing financial, oil, electronics and aerospace industries.