

Stanford movement

How the FBI 'nailed' H. Bruce Franklin

...by faking letters, using Ed Montgomery as a "cooperative news source" and planting stories in the SF Examiner

By Burton H. Wolfe

To: SAC [Special Agent in Charge],
San Francisco
From: Director, FBI
Subject: Counterintelligence & Special
Operations

[Name blanked out by FBI] is instructed to mail to [James] Burnham [scholar and author on communism], c/o National Review [William Buckley's magazine, which Burnham serves as writer-editor]... an original or readable copy of Franklin's paper on 'Protracted War.' The following typewritten note should accompany the document:

Palo Alto, California
(Date)

Mr. James Burnham:

Your thesis 'The Protracted Conflict' (NR 11/17/70) lamely rationalizes a people's electoral mandate in Chile as Marxist-Leninist protracted warfare. The victory of the proletariat in Chile is an example of the natural evolution of Third World Forces to socialism... [The typewritten note contains several more long sentences BHW].

H. B. Franklin
Stanford University

It is felt this note will stimulate Burnham to read and carefully analyze Franklin's document on 'Protracted War' and very likely cause him to make inquiries and thereafter write [the remainder is illegible but seems to express the FBI's assumption Burnham will write something unfavorable in a national magazine, thus creating difficulties for Franklin].

The excerpted material (left) is taken from a nearly unreadable photocopy of a typical memorandum sent by FBI headquarters in Washington, D.C., to the bureau's San Francisco office during 1968, '69 and '70, when the FBI was trying to discredit former Stanford University professor H. Bruce Franklin and cause him to be fired.

The "typewritten note" purportedly signed by Franklin actually was composed by an FBI agent.

The memo and bogus note comprise one of more than 1,000 pages of documents on Franklin obtained from the FBI by the American Civil Liberties Union's Colorado office under the recently amended Freedom of Information Act. The documents show how the FBI faked letters, created false rumors about Franklin to damage his professional and political reputations,

and planted stories with "cooperative news media" sources and then used them to discredit Franklin after they were published. The major "cooperative news media source" to emerge from the documents is the San Francisco Examiner: more specifically, its now retired Pulitzer Prize winning reporter, Ed Montgomery.

The Colorado ACLU has gathered the documents on Franklin as his partner in a lawsuit. After Franklin was fired from his job at Stanford in 1972 for inciting students to occupy the campus computer center during an anti-Vietnam war demonstration in 1971, he applied for a position at the University of Colorado. The Colorado University Board of Regents refused to hire him on the basis of reports on his conduct at Stanford. Franklin sued the regents, lost in the US District Court at Denver, then appealed to the 10th US Circuit Court of Appeals.

While the suit is pending, Franklin teaches English at Rutgers University in Newark, New Jersey. He has told newspaper reporters he also intends to sue the FBI and the CIA because "documents they have refused to release reveal much worse conduct on their parts."

Documents furnished by the Colorado ACLU to the press show the CIA, the Air Force, the Internal Revenue Service and the SF Examiner aided the FBI in its campaign against Franklin. While the Denver Post, the Rocky Mountain News and other prominent daily newspapers have published stories based on an ACLU press release

about the documents, San Francisco's monopoly newspaper partners, the Chronicle and Examiner, have blacked it out.

According to the ACLU release, on Feb. 19, 1969, the FBI planted a dubious compilation of Franklin's writings with a "cooperative news media source" later identified as the Examiner's Montgomery. "The FBI also requested its news media source to interview Franklin for what the FBI calls 'further details,' but what was in fact an attempt to lend credibility to the FBI's manufactured story," the ACLU release states.

On March 23, 1969, a story headlined "Leftists Lift Lid on Revolutionary Plans," by Ed Montgomery, was published in the Examiner. According to the ACLU, it "followed closely the 'story line' recommended by the FBI."

A second anti-Franklin article by Montgomery, "Militants' Aims Come Into Focus," was published by the Examiner on May 19, 1969. An FBI memo attached to it noted how the bureau was distributing the article in the Palo Alto-Stanford area to discredit Franklin.

Montgomery's articles stated that Franklin was heading the Revolutionary Union, identified by Montgomery as a group of "Marxist-Maoist leaders from within the underground Red Guard, the Students for a Democratic Society, the Resistance, Progressive Labor Party and similar Communist dominated groups." Franklin was identified by Montgomery as "an

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H. Bruce Franklin

"Consideration is being given to discrediting Franklin because of his radical, violent and revolutionary position..."

avowed Marxist-Maoist revolutionary who cofounded the local Red Guard."

Documents obtained by the ACLU show that the FBI began this adverse publicity campaign with a memo from Washington headquarters to San Francisco dated Dec. 31, 1968. It stated:

"Howard Bruce Franklin [several words of identification blanked out] will appear at a forum with other educators in mid-January, 1969. Consideration is being given to discrediting him because of his radical, violent and revolutionary position. It is noted he is presently employed at Stanford University as Professor of English, Palo Alto Branch.

"Through sources available to you, obtain any written or speech material prepared by him or identified with him in which he has advocated revolution and/or violence to illegally change our form of government which could be publically [sic] used to discredit him. This material should reach the Bureau by 1/6/69 and be marked 'Attention [name blanked out by FBI], Internal Security Section.'

"You should use discretion in your inquiries and insure the Bureau is not embarrassed."

A memo sent to "Director, FBI" from "SAC, San Francisco" on Feb. 19, 1969, discussed plans to supply a "cooperative news media source" with the materials dug up on Franklin in response to the memo from Washington dated Dec. 31, 1968. The Special Agent in Charge (SAC) of the SF office noted: "Through a cooperative news media source an article could be prepared questioning the identity of the 'mystery man' [section blanked out] who has lived in China and who is working 'behind the scenes' with Franklin and [section blanked out] could be identified as the 'young friend' [long section of material blanked out]."

"It is interesting to note Franklin indicated his personal knowledge of events in China primarily resulted from his acquaintanceship with a 'close associate' and a 'young friend.'"

The memo went on to suggest "briefing the cooperative news media source...looking towards publication of an article calculated to disrupt the relationship between Franklin and [name blanked out by FBI]."

The FBI then provided the Examiner's Montgomery with around 70 pages of reports on activities and speeches by Franklin. After Montgomery's articles were published in the

Examiner, the FBI reproduced them and sent them to Stanford University's faculty and administrative staff in an effort to get Franklin fired. On May 20, 1969, the SF Special Agent in Charge wrote to the Director of the FBI:

"Referenced Bureau letter proposed that a pamphlet or brochure be prepared reflecting Franklin's position at Stanford University and the subversive activities in which he is involved, which brochure could be anonymously posted to members of the Board of Trustees, selected Alumni, etc.

"Enclosed for the Bureau is a clipping of a newspaper article appearing in the San Francisco Examiner newspaper...which is a followup of his [Montgomery's] first article...which reflected revolutionary activities on the part of Bruce Franklin and other elements [sic]."

"Also enclosed for the Bureau is a copy of a circular made from duplicating Montgomery's article of 3/23/69, which is being distributed in the Palo Alto-Stanford area.

"It is felt that this circular of the 3/23/69 article, together with this new article of 5/19/69, could very well be directed to parents of Stanford students, selected Alumni, Board of Trustees at Stanford, etc., encouraging them to take some positive action against such a person as Franklin who is an educator of their children and insist that Franklin be removed from his position at Stanford."

The memo concluded with a request from the SAC of San Francisco for "authority to prepare additional Xerox copies and commence mailing this material to selected individuals having apparent influence over the Stanford Staff and Faculty, urging them to use this influence to rid Stanford of this menace to the democratic future of their children. It is felt this circulation should begin promptly before this newspaper article becomes stale."

Charles W. Bates, grown famous for his involvement in the Patricia Hearst kidnaping case, was Special Agent in Charge of the FBI's office in SF from July 1967 to April 1970, as he is again after having worked briefly in Chicago and Washington in 1971 and 1972. I phoned him, read him portions of the documents obtained by the ACLU and questioned him about his role in the Franklin affair.

"I have no personal recollection," Bates said. "I don't recall this happening at the time I was here."

I asked him how that could be in view of the fact he was in charge of the office and all the memos sent to Washington were marked "from SAC, San Francisco."

"Everything—thousands of cases a month—that comes through here goes out with the notation 'Special Agent in Charge,'" Bates explained. "I've seen a lot of 'em, but I don't see all of them. In 1969 we had ten thousand cases a month. If it involved something like a shooting or bank robbery or some important case, I'd know about it. But otherwise, I wouldn't even see it. It would be handled by the agent who handled that particular matter."

I then asked Bates if he would try to find out which agent or agents were responsible for the anti-Franklin campaign and why it was generated by the FBI.

"No, I'm not going to make any effort to find out which agent did it," Bates replied. "Our headquarters knows what happened, and if any action is to be taken, they'll do it."

Finally, I asked Bates if he condoned the faking of letters and planting of stories in the Examiner.

"Well, now, as to under what conditions these things happened, I can't discuss that. This was a long time ago and I'm not about to discuss why I drove a Model T Ford at some time in the past. I don't have the knowledge or feel competent to answer any questions about matters which happened years ago and I personally had no knowledge of what was taking place. Also, you understand there is a pending case and under the rules laid down by the Attorney General I'm limited as to what I can say about a matter that is in litigation."

I phoned and wrote Ed Montgomery, too, but his lawyer, Bernard Petrie, advised him not to discuss the Franklin story with me. Petrie explained to me in a phone conversation that he and Montgomery feel the story should not be discussed because it centers on FBI documents that have been made part of a court proceeding. Montgomery did write me a brief letter denying that the FBI planted the Examiner's anti-Franklin stories with him. This is "false," Montgomery wrote.

Maybe it's the term "planted" he objects to. I use it in the sense of the documents that are now part of a court record in Colorado; the FBI decided it would be helpful to have a "cooperative media source" publish anti-Franklin material that could then be photocopied and distributed to influential people. To that end the FBI supplied Montgomery with material on Franklin that showed up in his bylined Examiner story within a month after he got it.

While I have no explanation from Montgomery of why he considers the documented evidence of planted stories to be "false," here is one he offered Pat McGraw, staff writer for the Denver Post, in a telephone interview:

"We had our own infiltrators and didn't rely on the FBI. I don't know what the ACLU is predicating this statement on. There's been a myth grow up about this.

"Most of the information contained in the story came from an interview I did with Franklin in his home. We fell out later, but at the time he gave me an hour interview."

Staff writer McGraw failed to explain in the Post story including this reply that the interview itself was suggested by the FBI. A letter to the SF Special Agent in Charge from the FBI Director, dated Feb. 9, 1969, stated: "you might consider directing your news media source to interview Franklin and/or [name blanked out] for further details. The Bureau will be pleased to entertain any recommendations you may have in this regard."

Montgomery interviewed Franklin within three weeks after he was so "directed" by somebody in the FBI's office.

His stories were exclusive. The FBI did not try to work with any other reporter.

There are other reasons why "there has been a myth grow up about this," as Montgomery puts it. In an April 1976 report of the Senate Select Committee to Study Government Operations, detailing "Intelligence Activities and the Rights of Americans," Montgomery's role in the FBI's infamous CointelPro (Counterintelligence Program) was discussed, but without naming him. The Select Committee's report stated:

"In November 1970, the San Francisco Field Office [of the FBI] notified the Director [of the FBI] that Huey Newton had 'recently rented a luxurious lakeshore apartment in Oakland, California'. The information was given to the San Francisco Examiner, however, in February 1971, and an article [Ed Montgomery's BHW] was published stating that Huey P. Newton, BPP [Black Panther Party] Supreme Commander, had moved into a \$650-a-month apartment overlooking Lake Merritt in Oakland, California, under the assumed name of Don Pom. Headquarters approved anonymously mailing copies of the article to BPP branches and ordered copies of the article for 'divisions with BPP activity for mailing to newspaper editors.'

"The San Francisco office informed FBI headquarters later in February that 'BPP Headquarters was besieged [sic] with inquiries after the printing of the San Francisco Examiner article...'

"...In a February 1971 report on recent CointelPro activity, the San Francisco Division [of the FBI] described the San Francisco Examiner article as one of its 'counterintelligence activities.'"

Montgomery has related a different version of how he got the story on Newton living in the Oakland penthouse (see Bay Guardian 7/23/76). During a pretrial deposition for a \$50 million criminal conspiracy complaint Synanon has brought against the Examiner, Montgomery said he got a tip that enabled him to develop the story on his own.

The end result of the Examiner's connection to FBI CointelPro activities in H. Bruce Franklin's case was that Montgomery's stories on him were used by the FBI to hound him wherever he went. After he was fired by Stanford and sought employment at the University of Colorado, the FBI sent Montgomery's articles to that school's board of regents. Copies of them were "made available to each board member by the board secretary prior to their decision to reject Prof. Franklin's appointment at the University of Colorado," according to the press release on the case distributed by the Colorado ACLU.

The press release that the SF daily newspaper monopoly considered unpublishable concluded with this summary:

"These efforts by the FBI to destroy a man's livelihood and his dignity because his political views differ from those held by key members of the FBI, is despicable and smacks of the worst sort of secret police tactics. It is an affront to the American people to have stories manufactured in the newspapers by a Federal police agency and have members of governing boards of leading institutions unknowingly manipulated by surreptitious campaigns to 'discredit' those the FBI disagrees with. We leave it to the 'non-cooperative media' and the people to demand that the FBI cease tampering with the democratic process and that the FBI be held accountable when it engages in a clandestine campaign to strip a talented man of his livelihood and destroy his professional and private life."