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FOR IMMEDIATE RELEASE October 6, 1971

As the prosecution called up its witnesses on the events of the evening of February 10, it became clear that Stanford University's case against English professor Bruce Franklin is far from pat. Once again, university witnesses--including a participant in activities of the campus' right-wing organization, the Free Campus Movement, a university administrator, and an "uncommitted" student--recited a long list of events they said they observed. Once again, the testimony of witnesses was shown, in cross-examination, to be internally inconsistent. And once again, recollections of the university's own witnesses concerning the observed events conflicted with each other.

Most striking, however, has been the continued irrelevance of the witnesses' testimony. The university has managed to find testimony on a long string of events which occurred on January 11 (when war criminal Henry Cabot Lodge was intimidated by hecklers at Dinkelspiel auditorium) and February 10 (when anti-war protestors attempted to end university complicity in the Indo-China war by occupying a computer center in which war research was being conducted, and when, after being routed by police, the protestors attempted to defend their position and show their continued disapproval of the university's involvement in the war and the police occupation of the Stanford campus). The university has also produced tape recordings of speeches by Professor Franklin. But at no time has the university demonstrated any causal connection between Franklin's exercise of his constitutional right of free speech and events which may (or may not) have occurred on the university campus.

Throughout the hearing to date, the defense has argued that prosecution witnesses are biased in their perceptions of events occurring on the Stanford campus. Prof. Franklin pointed out, for example, that Electrical Engineering professor Alan Waterman, a prosecution witness who testified on Monday, depends for his livelihood on Department of Defense contracts. Members of the university's news service, Franklin has maintained, have a dual role of looking for acts of violence or violations of university regulations and of reporting news designed ultimately to serve the university and show it in a good light. Bob Beyers, who admitted being known to the anti-war movement on campus as "Bob Bias," and who said the university administration does not consider his reporting one-sided or unfair, testified extensively against Franklin yesterday and today. Beyers, head of the Stanford news service, said he was speaking in his role "as a citizen."

But the most obvious example of witness bias was revealed today when business school student Peter Brimelow asserted that a "people's war"--a phrase Franklin is alleged to have used in his speech at a rally the evening of February 10--is a "savagely kind of warfare" such as the Vietnamese engage in. Brimelow later confessed that he is not an expert in "people's war," and he could not say whether or not it was characterized by the actions of small, highly mobile rebel bands.

The prosecution expects to rest its case by the end of this week, and it is possible that Professor Franklin will soon begin to present his defense that Stanford University, and not he, is responsible for the most blatant acts of violence and disruption in its complicity with the imperialist war on the peoples of Indo-China.