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Special Edition

Lyman Seeks to Fire Franklin; 17 Named on Restraining Order

Friday afternoon, after many students had left the campus for a three-day holiday, Stanford University dealt a sudden double blow to the anti-war movement. Bruce Franklin, professor of English, was suspended indefinitely with pay and the Superior Court of Santa Clara County issued a broad temporary restraining order barring many organized political activities at Stanford.

The TRO was directed against seventeen named defendants, the Venceramos organization and 1,000 "John Does." The defendants named are: KATHERINE BARCLAY, BRADFORD DOWDEN, GERALDINE FOOTE, MICHAEL FOX, BRUCE FRANKLIN, JANE FRANKLIN, ANDREA HOLMAN, MICHAEL HOLMAN, CHRIS KATZENBACH, DON LEE, AARON MANGANIELLO, MERIE RABINE, THERESA RAMIREZ, TED SMITH, JANET WEISS, SHARON WINSLOW, and JEFFREY YUDELMAN. Included in this list are the seven Lodge defendants and two of their counsel: Ted Smith and Bruce Franklin.

The Venceramos organization, of which many of the above-named are members, was specifically named as a defendant. The complaint alleges that it was "through the Central Committee of Venceramos and their affinity groups" that the named defendants combined to carry out the proscribed activities.

The inclusion of the thousand John Does as defendants makes it possible for the University to prosecute any individual whom it considers to have violated the order. That violation consists of having "constructive notice" of the order and engaging in the following: throwing rocks; damaging buildings; committing acts of force against property or person; entering or occupying any building or "space" for the purpose of "disrupting," intentionally obstructing the "free ingress or egress to or from any building," disrupting any university function or approved activity of the Stanford campus, remaining in any building after that building is closed by Stanford authorities, and "joining together, combining or agreeing to do any such acts."

The all-inclusive scope of the TRO outlaws virtually all activity on campus including strikes and other tactics successfully employed by Stanford students in the past.

In addition, the seven non-student defendants will also be required to show cause before the court why they should not be barred from the campus.

In the letter informing Franklin of his suspension, President Lyman said "[you have] urged, incited and led Stanford students and others to interfere with the operations of the University and conduct themselves in an unlawful manner and have yourself so acted." No judicial determination of these accusations concerning Prof. Franklin has yet been made.

When contacted, Franklin expressed no surprise at the events of the day but regarded the injunction as more serious than his own suspension. He pointed out that since the advocacy of a strike fell within the

prohibitions of the injunction, the University is in effect outlawing the activities that were endorsed department by department during the strike last spring. In addition, he said, "the pattern of events has finally exposed Free Speech as a completely phony issue. Lodge does not only have the right to advocate genocidal war but to implement it. He is invited here as an honored guest. Any effective opposition to these policies is treated as criminal."

Despite the repression, Franklin said he agrees with the Black Panther Party analysis that this is the "Year of the Boomerang." "With each blow to the movement, the people's resistance to fascism will be increased and not diminished."

Attack on Computer Center Stops SRI Assault Program

Stanford's complicity with the war is always doubly obvious when we attack its more vital links with the U.S. military. First, both the publication of little known or secret ties and the subsequent disruption bring that complicity to the eyes of a critical community, tired of war. Second, the viciousness of the backlash by police with clubs and trustees with dismissals exposes the importance to the ruling class of maintaining those links one way or another.

Last year 250 police used tear gas and clubs, and several students were suspended for challenging the presence of ROTC on campus. Wednesday afternoon 70 police were used to end the non-violent occupation of the University computation center which has been used by the Stanford Research Institute (SRI) to develop amphibious assault techniques useful in Indochina. Today 1500 marines are poised off the northern coast of South Vietnam readied for such an assault.

Wednesday night an estimated 100 riot police roamed the campus intimidating and beating students.

The protest of Wednesday afternoon and evening forced the withdrawal of SRI's use of the computer. A Victory. But in seeming revenge Slippery Dick Lyman, the trustees' agent, lashed out against the protesters and all those who sympathize with their aims.

Was the SRI program that important? Let's look at that program: The SRI computer program, GAMUT-H is described as an "analysis of helicopter operations." It is a simulation of an amphibious assault designed toward optimum speed and efficiency in the deployment of helicopters carrying vehicles, troops, and artillery.

The work is funded under a continuing contract between SRI's Naval Warfare Research Center and the Defense Department's Office of Naval Research.

Three types of ships and six types of helicopters are used in the simulated assault. The ships are represented in GAMUT-H as LHA, LPD, and LPH, which according to the Navy, designate "general purpose assault ship," "amphibious transport dock," and "amphibious assault ship," respectively.

The helicopters are listed in the program as the HLH, CH46, CH53, UH-1, AH-1, and UH-1H. The first three choppers, known respectively as the Heavy Lift Helicopter, the Chinook, and the Super Jolly Green Giant, are transport helicopters "used to provide combat and combat service support. In this capacity the [helicopter] lifts artillery ammunition, guncrews, supplies, material, and other equipment in support of Army forces in combat."

The UH-1 "Iroquois" is primarily a troop-carrying helicopter while the AH-1 "Cobra" is an attack helicopter, or "gunship," designed for "armed reconnaissance, armed escort, and direct fire support." The Iroquois and the Cobra are spearheading the current invasion of Laos and Cambodia.

Most of these helicopters have been used extensively in Southeast Asia for several years, providing the "vertical mobility" fundamental to counterinsurgency warfare techniques developed for the Pentagon by such think tanks as the Hudson Institute and SRI.

Studies of this kind are clearly of vital importance to the U.S. war effort in Indochina.

While Nixon expands the war into Laos, Richard W. Lyman is helping to defend the rear flank to make sure that newer and better technologies are developed. Five years of constant attack on SRI and on war research at Stanford coupled with the occupation of the computation center forced the termination of one study. But Lyman is not trying to do all he can to forestall immediate and future reoccurrences of these attacks.

Lyman must be stopped. The injunction must be squashed. We must continue to attack the ties that link this university to the slaughter in South East Asia.

News from the Front

As China threatened to enter the war and 1500 marines were moved into positions off the northern coast of South Vietnam, allied forces appear to be losing today on two fronts.

The Pathet Lao, with North Vietnamese support, have overrun the last stronghold of the CIA/Meo mercenary army in the Northern half of Laos, according to ABC-TV news Friday night.

In Southern Laos, CBS-TV news reported that eight more U.S. helicopters were shot down Friday, bringing the total aircraft lost to 26 since the invasion began. (Peking News claims 62 aircraft downed). U.S. pilots told U.S. newsmen that the anti-aircraft fire was the heaviest ever encountered in the decade-long war: they indicated that the "bad Guys" were dug in ten foot underground and were impossible to dislodge. "We are outclassed," they concluded. The monsoon weather with low ceilings that has hampered their supply and support efforts is forecasted to continue.

Communist ground fire has proved equally effective

in stopping the "allied" offensive. A convoy entering Laos along Route 9 from Khe Sanh turned back because of heavy enemy fire. The vital supply link between Khe Sanh and Quang Tri, on Route 9, was also cut when two U.S. convoys were attacked and "left in flames."

1500 U.S. marines are currently stationed off the coast near the demilitarized zone, supposedly to help thwart any North Vietnamese movement across the DMZ to surround Khe Sanh. The marines are also well placed, however, for an offensive operation. President Thieu of South Vietnam reiterated Friday Vice-President Ky's suggestion that Saigon troops may invade North Vietnam to insure the success of the Laos invasion.

Yesterday, the Chinese broadcast a warning that they considered the invasion of Laos a threat to China's security and would give all necessary aid to the Indochinese people's struggle against U.S. imperialism. Pro-U.S. Premier of Laos, Souvanna Phouma, said Friday that the allied invasion of Laos could force the Chinese to invade his country also.

Today In The 'Daily'

This special issue of the Liberated Daily has been printed to explain the political and legal implications of the temporary restraining order obtained yesterday by the university administration.

Efforts to include this material (written by lawyers, law students, and activists) in the Daily broke down last night amidst arguments concerning the differences between "objective news" and substantive analysis.

This publication has been paid for by donations and printed off-campus. Today's Daily, however, is being printed by the University's News and Publications Office. The head of News and Pub is Bob Beyers who, in the best tradition of "objective reporting," wrote one of the affidavits used to obtain the restraining order.

Trustees Use Legal Injunctions To Serve Their Political Needs

"The general damage to the University caused by defendants' continuous course of violent and disruptive conduct is enormous; the damage includes the lost time of faculty and administrators spent in trying to cope with the problem, and damage of the University's name and goodwill."

The use of an injunction by the University is the latest use of legal and quasi-legal machinery to attempt to suppress the Stanford anti-war movement. The University has taken this step because Stanford cannot afford to lose the time of faculty who are doing research for the Indochina War and training the future managers of the corporations for whom that war is being fought; because Stanford cannot afford to lose the time of administrators who manage the land development policies in the industrial park which provides a haven for war-related industries; because Stanford cannot afford to have its name damaged, since that name serves as a veil behind which war research takes place; and because Stanford cannot afford to have its goodwill damaged, since that goodwill is used to bring war-related industries onto Stanford land and war research onto the Stanford campus.

The University administration has tried to use campus judicial machinery to punish persons who are political heretics. By attempting to impose academic penalties (probation, suspension, and expulsion) for non-academic crimes (opposition to the war and those who wage that war) the administration has exposed the inequities in the campus judicial system which was designed to adjudicate academic crimes (e.g., cheating, plagiarism).

In the case of students, the administration first tried to suppress their political activity by trying them before the Stanford Judicial Council (SJC). Where the Legislative and Judicial Charter has prevented the University from convicting students, the administration has attempted to amend the Charter to plug up what it considers to be loopholes. When attempts to amend the Charter have failed, the SJC and the President have unilaterally and illegally amended the Charter by issuing their own rules and regulations. When these illegal rules still did not cover particular cases the SJC Chairman and the President made *ad hoc* rules to cover each new situation.

In the case of faculty, the administration first tried to suppress their political activity by bringing them under the jurisdiction of the SJC. The University then switched

faculty cases to the Advisory Board when it became apparent that the SJC might provide a fairer trial than the Advisory Board. To make sure that the Advisory Board recommended the penalty that Lyman wanted, Lyman told the Advisory Board what that penalty should be. He has now imposed a penalty without a hearing before the Advisory Board.

The administration's attempt to punish political heresy via the University's quasi-legal procedures has failed. Despite the administration's claims that it wants Stanford to govern itself, police have been called onto campus with increasing frequency and at the slightest hint of effective political action on the campus. Attempts to intimidate students and faculty by using members of the Free Campus Movement and employees of the Reprographic Services Department have also failed.

When members of the University community could not stop the anti-war movement, the administration resorted to outside law enforcement organizations. Police have not just cleared occupied buildings of demonstrators. They have placed the campus under a reign of terror. Students have been beaten in dormitories by the San Jose police, without arrests being made; squads of tactical police have patrolled the campus checking student identification cards (Who said your picture was needed only for meals and check-cashing?); other squads of tactical police have been hiding behind bushes, behind buildings, and in darkened areas waiting to harass students. These attempts to stop the anti-war movement have also failed.

Persons who face campus judicial hearings have been singled out, beaten, and arrested by outside police, and now face judicial hearings in the civil courts as well. These double attacks serve two purposes: they are used to intimidate particular individuals by showing them that if they oppose the University's war policies, they will spend a significant part of their immediate future in courts of one type or another; and by publicly trying the same person in two different places at the same time, each trial serves to prejudice the other trial by making it appear that the defendant is an habitual criminal. These attempts to stop the anti-war movement will also fail.

The injunction is intended to make the administration's attempts successful by enabling the University to charge alleged violators with contempt of court and, in effect, place the defendants in a position where they are guilty until proven innocent. But the

defendants are not the ones on trial.

The Stanford anti-war movement is on trial. Not just a few leaders, not just a few of the people most active or visible. What is at stake is the existence of the anti-war movement itself and the immediate question of the movement's demands: (1) U.S. out of Southeast Asia; (2) End Stanford's involvement in the war; (3) Free all political prisoners.

The injunction is a clear case of political repression. The effort to shift the focus of the movement from a political one on campus to a legal one in court is itself a political response to our presence. We must continue to focus on the political aspect; that is, we must continue to focus on the movement's demands and upon concrete acts we can take now to implement those demands.

There will be concern voiced for the constitutionality of the issue. Legal experts will argue about whether the Bill of Rights has been violated. It is not enough to be able to understand the constitutionality of the issue. Political power governs and not the Constitution. When the two conflict, it becomes clear that power dominates.

It is extremely appropriate that the Trustees should use an injunction to try to stop the movement. Historically, injunctions got their first real use by management attempts to keep labor unions from organizing, striking, or gaining bargaining rights. More recently, the civil rights movement in the South was hit with injunctions against sit-ins and other demonstrations. The same craftsmen use the same tools.

We are dealing here with domestic counter-insurgency. For we become insurgents when, as a movement, we threaten the power of the ruling class. The individuals who shut the Computation Center and prevented it from contributing to the war effort were challenging the power of those who rule this University by halting normal governing procedures.

The attack on the Computation Center was not an effort on our part to seize power for ourselves. We hold on the other hand that the cause of some of the greatest disorders in the world today lie in the economic and political interests of the elite of the United States and that the military, economic and political research now conducted in the universities is an integral part of those interests. As an attempt to blind this awareness, the injunction must fail. For it is clear evidence of the use of power to protect the interests of the governing class with power used against our own people when their interests differ from and threaten those of the power elite.

The Injunction

Content

On Friday afternoon, California Superior Court Judge Homer B. Thompson signed a temporary restraining order with the following principal points:
Who is restrained?

The order applies against seventeen named defendants, and against all members of Venceremos ("an unincorporated association"), defendants' "affinity groups," and all persons aiding and abetting defendants or acting in concert with them. The face of the order indicates that it applies against up to one thousand "John Does," whose names may later be specified.

What are they restrained from doing?

All of the above are "enjoined and restrained from doing or causing to be done, directly or indirectly, any of the following acts or things":

(1) Intentionally throwing rocks or objects at

Stanford property, or buildings and persons on campus;

(2) Intentionally damaging (including painting) Stanford property "or by any other means intentionally committing acts of force or violence against" Stanford property or persons on campus;

(3) Entering or occupying any campus building or "other space" either (a) for the purpose and with the effect of disrupting Stanford business, or (b) with knowledge that the conduct is doing so;

(4) Intentionally disrupting or obstructing normal use or access to or from any campus building or "other space," or normal movement of persons on campus or in any Stanford building or facility;

(5) Intentionally disrupting or obstructing any university function or approved activity carried on in open air facilities "or elsewhere" on campus;

(6) Intentionally remaining in any campus building after the building is closed to them by Stanford authorities.

Order to show cause

Judge Thompson also ordered that all "above-named defendants" appear in Department No. 2, North County Building, 270 Grant Street, Palo Alto on February 18 at 9:30 a.m. to show cause why all of the persons against whom the temporary restraining order applies should not be made subject to a more permanent injunction of identical terms, except for two additional activities to be enjoined:

(7) Joining together, combining or agreeing to do any of the acts described in paragraphs 1-6 above; and

(8) For named defendants, from entering or being on campus EXCEPT (a) duly registered students may be on campus; (b) others may be on campus by Lyman's permission or court order for the sole purposes of attending, or gathering evidence relevant to, their disciplinary proceedings on campus; or (c) persons

Effect

The temporary restraining order (T.R.O.) serves notice on the Stanford community that the Board of Trustees, through the President, intends to apply legal sanctions against individuals who threaten their interests. The purpose of the T.R.O. is to smash the campus political movement which is actively opposing Stanford University's complicity in the American Indochinese War. **SUCH COURT ORDERS ARE ONLY EFFECTIVE WHEN PEOPLE ALLOW THEMSELVES TO BE INTIMIDATED.**

A T.R.O. can be enforced either by Stanford through "civil contempt" or by the State through "criminal contempt." In a civil contempt proceeding, the maximum penalty for a violation is 10 days and \$500 (compared to 6 months and \$500 for a misdemeanor). Furthermore, the University bears the financial cost of prosecution: last spring it took four weeks at a cost of approximately \$10,000 to prosecute five alleged offenders under a nearly identical court order.

Nearly all of the acts forbidden by the T.R.O. fall within the prohibitions of California criminal law (e.g., breaking windows is malicious mischief, disrupting a class is disturbing the peace). The remaining acts are so minor that it is doubtful that either Stanford or the State wants to bear the expense of prosecuting people for them. Since the objective effects of the T.R.O. and criminal laws are nearly the same, and we live every day under the criminal law, the force of the T.R.O. lies only in one's subjective reaction to it.

Our conclusions from this analysis are that Stanford, if it proceeds civilly, cannot financially afford to prosecute more than a few selected individuals; and for the community at large, the T.R.O.—whether enforced civilly or criminally—functions through fear or it does not

Guerrilla Research

Help us with guerrilla research. It is vitally necessary to discover the less obvious ways the University is used to help build the American Empire and oppress people at home.

Guerrilla research involves many techniques and can be learned by anyone in or out of the movement. The techniques include: rifling trash cans for documents, copies of letters, etc.; copying materials out of professor's files; listening in on telephone calls; copying keys to locked doors; and so on. All materials and information thus gathered can be sent anonymously to appropriate institutions or to people known to be doing radical research. Zerox copies of anything, including classified government documents, are neither unlawful to possess nor transmit.

Think about it. Sometimes the simplest information