

Paragraph 15 spells out certain procedures which must be followed in the case of a proposed dismissal. It says very clearly that "the individual shall first be notified (confidentially, if possible) of the charges against him and given an opportunity to reply." First a small point. Before I had received a copy of your letter of February 12th, informing me of my suspension and proposed firing, you released the content of that letter to the press. This would be trivial if it were not for the fact that you have been conducting my trial and convicting me in the press, and that almost every day the Stanford News Service, which you control, issues new statements about the case and sends to every faculty member, including each of the individuals who are to try my case, statements laying out your side of it. In fact the head of the News Service, Bob Beyers, is a prime witness in your case against me in civil court, and there is no distinction between the intent of his affidavit there and the "news" releases he sends to the press and the faculty. This is a good example of what your social class means by freedom of the press: you are free to use it any time for whatever purpose you see fit.

Beyers
to the
press

Far more important, your letter does not tell me what the charges against me are, but leaves them to my imagination, and, more pointedly, to the imagination of all those who have been whipped up by the press, which features daily misquotes, misrepresentations, and editorials so blatant that one appearing shortly before your letter was actually entitled "Wipe Him Out Resolutely" (Palo Alto Times, February 2, 1971). You say that you "have been apprised" of my "course of conduct" since the Lodge speech. Then you assert: "You have on several occasions since then 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, most notably on Wednesday, February 10, 1971." That, according to you, is supposed to be a statement of charges. You do not name the several occasions, you do not specify what kind of interference with the operations of the University I allegedly "urged, incited and led," and you do not name one unlawful act I have allegedly either advocated or committed. The charge that a person has "on several occasions . . . urged, incited and led Stanford students and others to interfere with the operations of the University" could be accurately made against every single member of the faculty who last spring voted for a strike and participated in it. To accuse someone of encouraging others to behave "in an unlawful manner" and of doing so himself without naming the acts makes a mockery of any form of justice. It is precisely the situation Kafka describes in The Trial. It is the essence of arbitrary rule. How does somebody go about defending himself against the charge that he has behaved "in an unlawful manner"? Have I stolen money from Tressider Union? Have I broken a window? Have I given orders to shoot every man, woman, and child in the village of Pine Hill and pile the bodies and pieces of bodies in a ditch? Have I smoked dope or had illicit sexual relationships with undergraduates or other professors, male or female?

Now these are not frivolous questions, for this is just why an individual is supposed to be given an opportunity to hear the exact charges against him before he decides whether to request a hearing before the Advisory Board. The accusation may be of such shameful acts, given existing taboos, that the individual does not want a hearing, even if the accusation was false. For example, I have known of more than one case where a professor was accused by a college president of homosexual acts and voluntarily gave up his job rather than have a hearing, although the charge was false, because of the morbid and hysterical fear and disgust toward homosexuals in this guilt-ridden society. I suspect, guess, and surmise that this is not the kind of "unlawful manner" you will eventually charge me with acting in, but if it is, I request a public hearing before the Advisory Board in order openly to defend my brothers and sisters in Goy liberation against this kind of attack. Another important reason for hearing the charges first lies in the fact that, as Paragraph 15 states,