

In the Matter Of H. Bruce Franklin

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By KENNETH LAMOTT

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H. BRUCE FRANKLIN is not only a scholarly authority on Herman Melville but also a member of the central committee of an armed revolutionary organization called Venceremos, a militant who keeps a shotgun handy to the front door of his house, and an unrepentant Marxist-Leninist-Maoist. He is, furthermore, rumored to have committed various politically inspired acts of violence, to have trained Mexican-Americans in guerrilla warfare in the hills above Palo Alto and to have supplied the Black Panthers with explosives. (He has denied these latter allegations, and no proof has been forthcoming from his accusers.)

Just about a year ago, Richard W. Lyman, the president of Stanford University, where Franklin had been teaching as a tenured associate professor of English, set in motion a process that he hoped would lead to Franklin's dismissal for "substantial and in manifest neglect of duty." Early this month, a faculty hearing board brought in both the expected verdict of guilty and the unexpected recommendation that Franklin be fired immediately on three counts of having

incited "disruptive" behavior on the campus.

The Franklin case was sure to have repercussions throughout the academic world, for it was not only the first firing of a tenured professor in Stanford's history, but also the only such dismissal at a major university since the Joe McCarthy era. (As we shall see, however, tenured teachers are not infrequently fired from jobs at less prominent institutions.)

When I first came down to Stanford, about two months ago, to look into the Franklin case, I discovered a common opinion among faculty people that the case was really *sui generis*, something unto itself that had little connection with broader considerations of tenure either at Stanford or elsewhere. As one professor of law told me, "I don't see any reason why somebody who acts in a disruptive and disloyal way toward his employer can't be fired by the employer just as in private industry." He went on to argue, in effect, that Bruce Franklin was simply a bad fellow who had to be got rid of and that his case had little to do with legitimate issues of academic freedom.

BUT the Franklin case cannot stand by itself. First, it would seem to spell hard times ahead for young, radical, activist professors elsewhere, even though they may have tenure. Second, it can hardly be considered apart from the broader questions of tenure that are very much alive at colleges and universities throughout the country, as they are at Stanford. The issue is less inflammatory than it was 20 years ago because the current pressure on classic ideas of tenure comes not from neo-McCarthyites but from sober administrative types, often scholars themselves (which is the case at Stanford), who must cope with the practical consequences of the tenure system. These consequences often are—from the administrator's viewpoint at any rate—truly difficult and troublesome, even though they are seldom highlighted by such dramatics as in the Franklin case.

At Stanford, 72 per cent of the faculty in arts and sciences is tenured, which is perhaps the highest percentage at any major university. As President Lyman recently pointed out to an alumni group, this leaves little maneuvering room in the hiring and promotion of young faculty people. "There is sharp worry among our current junior faculty," Lyman told the alumni, "who can see the handwriting on the wall, and who do not see how we can avoid extruding many of them from the university when the six-year probationary period for tenure is up. There is understandable concern among the senior faculty, who do not want to preside over a massacre of the innocents, but do not want to promote so many to tenure that there is no room in the lower decks of the ark for fresh young minds. I cannot tell you how we are going to square this circle. . . ." (It must also be noted that the situation at Stanford is made more painful by the fact that the university is currently suffering from a severe financial bind.)

Given this real concern over a genuinely difficult issue, not only at Stanford but elsewhere, it is, however, a curious phenomenon that when an actual tenure case comes to the surface, as it did with Bruce Franklin, the professor whose job is under attack is rarely accused of unprofessional behavior growing out of such deficiencies as galloping paranoia, plagiarism, a weakness for female students, alcoholism or even

A Glossary of Tenure

tenure, *n.* [OF. *tenure*; fr. *tenir*, to hold.] 1. Act or right of holding, as property, esp. real estate. . . . 3. Manner, condition, or term, of holding, in general; as . . . permanent tenure of teachers. . . .

—ADAPTED FROM WEBSTER'S NEW INTERNATIONAL DICTIONARY II.

For American colleges and universities, a more useful definition of "tenure" is that provided by Richard H. Peairs, director of the Western regional office in San Francisco of the American Association of University Professors:

"The practice of permanent . . . appointments for teachers in higher education during which their service at a particular institution may be terminated only

for (1) adequate cause demonstrated in a hearing before an appropriately selected faculty committee, (2) retirement for age, or (3) under the extraordinary circumstances of a bona fide financial exigency. . . ."

Achieving tenure is usually a matter of about five years. The purpose of tenure, of course, is to ensure the holder's academic freedom.—K.L.