

Oral History Center
The Bancroft Library

University of California
Berkeley, California

Peter Franck

Peter Franck: SLATE, Law, and Politics on the Berkeley Campus

The SLATE Oral History Project

Interviews conducted by
Martin Meeker
in 2017 and 2018

Copyright © 2018 by Peter Franck

Since 1954 the Oral History Center of the Bancroft Library, formerly the Regional Oral History Office, has been interviewing leading participants in or well-placed witnesses to major events in the development of Northern California, the West, and the nation. Oral History is a method of collecting historical information through tape-recorded interviews between a narrator with firsthand knowledge of historically significant events and a well-informed interviewer, with the goal of preserving substantive additions to the historical record. The tape recording is transcribed, lightly edited for continuity and clarity, and reviewed by the interviewee. The corrected manuscript is bound with photographs and illustrative materials and placed in The Bancroft Library at the University of California, Berkeley, and in other research collections for scholarly use. Because it is primary material, oral history is not intended to present the final, verified, or complete narrative of events. It is a spoken account, offered by the interviewee in response to questioning, and as such it is reflective, partisan, deeply involved, and irreplaceable.

This oral history recording and transcript is made available to the public under a Creative Commons Attribution-NonCommercial 4.0 International Public License signed by Peter Franck on September 27, 2018. For more information see: <https://creativecommons.org/licenses/by-nc/4.0/>

The Bancroft Library recommends that this oral history be cited as follows:

Peter Franck, "Peter Franck: SLATE, Law, and Politics on the Berkeley Campus," SLATE Oral History Project, conducted by Martin Meeker in 2017 and 2018, Oral History Center, The Bancroft Library, University of California, Berkeley, 2018.



Peter Franck

Peter Franck attended the University of California Berkeley as an undergraduate between 1953 and 1958, during which time he was one of the founders of the student political organization SLATE. Franck was born in London, England, which was his parents' first stop after leaving Germany following Hitler's ascension to power. The family then moved to Berkeley, California, where Peter attended John Muir Grammar School. After completing high school in Sydney, Australia, he returned to the U.S, earning both a B.A. (Psychology) from the University of California at Berkeley and a J.D. from the Columbia University School of Law. Shortly after opening his law practice in Berkeley, Peter served as a legal advisor to Mario Savio and student members of the Free Speech Movement at UC. As the attorney for the Vietnam Day Committee, he worked to secure the rights of protesters against the Vietnam War. In this oral history, Mr. Franck discusses the following topics: the state of political consciousness on the Berkeley campus in the 1950s; the establishment of SLATE in 1958 and its early influence; later activities of SLATE and the Free Speech Movement; the legacy of SLATE.

Table of Contents—Peter Franck

Interview 1: November 15, 2017

Hour 1: 1

Born in London, England on February 24, 1936 — German Jewish family background — Immigration to the United States in 1940 — Mother studied psychology under Erik Erikson at UC Berkeley — After death of father, moved to Australia with mother and step-father — New Education Foundation; mother’s involvement in education reform in Australia — High school dropout, started as a Freshman at UC Berkeley in 1953 — Mother died of lung cancer — Moment of politicization: execution of the Rosenbergs: “I remember my grandmother looking at me and saying, ‘Is it starting again?’” — Pacifist grandmother, founder of the International Women’s League for Peace and Freedom in Germany during interwar period — Student chapter of ACLU dominated by Norman Thomas Socialists — Students to Combat McCarthyism (STCM) — Initial political focus was on-campus civil liberties — Fair Bear campaign — Stiles Hall YMCA — Photography hobby — Student Civil Liberties Union — Loyalty Oath — SLATE as an American radicalism — Free Speech Movement — Towards an Active Student Community (TASC) — Phil Selznick — Shifting relationship with Clark Kerr — Rule 17

Hour 2: 18

Anti-Greek System sentiment among SLATE members — McCarthyism fading — Greek System versus housing cooperative system as a socioeconomic class division — Columbia Law School — Women’s involvement in SLATE: “they made the coffee.” — 1984 SLATE reunion — Debate around structure of SLATE — “The Seamless Web” — New Left as indigenous American radicalism — American Civil Liberties Union (ACLU) internship — Students for a Democratic Society (SDS) — Lawyer for the Vietnam Day Committee

Interview 2: January 9, 2018

Hour 1: 36

National Student Association Conference in 1958 — SLATE inter-campus coordination — Tom Hayden — *Michigan Daily* — Student contingent of civil liberties protest at 1960 Democratic Convention — VOICE modeled after SLATE — *in loco parentis* — SLATE’s second generation — SLATE successful in “turning the student body’s attention to what was happening in the outside world” — Demonstration against President John F. Kennedy — From liberal to radical — Founding the Peace and Freedom Party — SLATE’s coalition-building mantra: “least significant common denominator” — Movement law — Private firm established in 1963 — Providing legal advice from atop a police car — Port

Huron Statement — Roots of Students for a Democratic Society (SDS) — The role and importance of independent/alternative media

Hour 2:

54

Committee on Democratic Communications within the Lawyer's Guild — Defense of low-power radio stations — President of KPFA in the eighties: "my agenda was to develop these five stations into a stronger network that could be a voice of progressivism for the whole country" — SLATE reunions in 1984, 2000 — Ongoing discussion group of SLATE veterans — Comparing SDS and SLATE — National Treasurer of Lawyer's Guild for four to five years — Radical therapy Berkeley-based movement

Interview 1: November 15, 2017

01-00:00:32

Meeker: Today is Wednesday, November 15, 2017. This is Martin Meeker interviewing Peter Franck for the SLATE Oral History Project. And, this is interview session number one, and we are here at his law offices in Oakland, California. We begin all these interviews the same way, and that's just tell me your name, date and place of birth.

01-00:00:58

Franck: Peter Franck. My date of birth is February 24, 1936. I was born in London, England.

01-00:01:11

Meeker: So, I understand your family was from Germany. How did they end up in London in 1936?

01-00:01:16

Franck: My family were German Jews. They were both smart and rich, and they saw very clearly, very early, what Hitler was about to do to the Jews, so they left Germany, fundamentally in 1934, before I was born. My grandparents—my father's father and mother—left even earlier than that and moved to Switzerland. During the time my parents had lived in England and Switzerland—England to be safe, and Switzerland to be near my father's and grandfather's business, which they were trying to hang onto control of, by hiding their control from the Nazis. My sister and I, who is three years younger than I am, were born in London in good part to give us British nationality because my parents were at that point stateless.

So, the family residence in the period '34, '35 to 1940 was both in London and in Switzerland. Then, about 1940, we came to the United States.

01-00:02:45

Meeker: What kind of work did your family do in Germany?

01-00:02:48

Franck: My grandfather was extremely successful in creating a textile factory which made underwear and swimsuits. One of the great ironies of our family is that, in the twenties, the Jantzen company—which was the major label in the field in this country at the time—wanted to buy my father's factory and brand name, which was Juvena, for \$20 million, but we couldn't have brought the dollars to Europe. So, the only way we could have gotten advantage of that deal was to move to the United States, which my parents—my father turned down.

So, my grandfather started this business. It was extremely successful. He was very, very wealthy. I've seen the house my father grew up in in Chemnitz, Germany. My father's occupation in the prewar years was to try and hang on to the business, and he was very active in helping other German Jews get out.

01-00:04:03

Meeker:

I actually have a question about that period. So, did your parents ever communicate to you what the final straw was, if you will, about how it was that they really did figure out what Hitler's agenda was?

01-00:04:21

Franck:

No. First of all, they were social democrats. They weren't communists, but they weren't conservatives. They would have identified—in terms of German politics of the period—as social democrats. I was four when we came to the United States. What they told me in later years was, that they saw what was coming and they got out. And because they got out early, they got out a large part of their fortune. Not all of it, because they couldn't sell the factory, but they brought a lot of money.

01-00:04:57

Meeker:

Why did the family then move to the United States?

01-00:05:05

Franck:

I don't know for sure. I believe that they thought it would be safer, because it wasn't at all clear that England wouldn't be overrun. I do know—because we've done some research on the ship's manifest and so on—that they actually made an exploratory trip to the United States when my mother was six months pregnant with my sister. They came and they explored, then they went back to England. My sister was born, then we migrated here in the summer of 1939.

01-00:05:45

Meeker:

Where did they settle?

01-00:05:49

Franck:

That's an interesting story, too. My parents were very unusual people, I'll tell you that. They landed in New York. They bought what we would consider an old—it wasn't old then—they bought a huge Packard touring car, and—this is quite remarkable to me, still—it would have been in late 1939, they actually drove across this country in that car. I mean, way before freeways. They visited some relatives along the way. They were trying to figure out where to settle.

We ended up in Beverly Hills. And, we lived in Beverly Hills for a year and then my father wanted to go to graduate school in economics, and my mother wanted to go to graduate school in psychology. So, we moved to Berkeley and they enrolled in those graduate programs at Cal. So, that's how we ended up in Berkeley. So, it was a year in Beverly Hills, then Berkeley.

01-00:06:59

Meeker:

Where in Berkeley did you live?

01-00:07:02

Franck:

There's a story, too. First we moved to Kensington. You know where the Chevron gas station there is?

01-00:07:13

Meeker:

Yes.

01-00:07:15

Franck:

I remember peddling around that gas station as a child on a three wheel tricycle. We rented a nice house with a view of the bay, a plate glass window. The US government forced us to move out of that house, because as German nationals my parents had a view of the bay and they might be reporting ship movements to Hitler! That's not comparable to what they did to the Japanese, but still really ridiculous. So, then we moved to Derby Street, which is really where I grew up; 2910 Derby Street.

01-00:07:50

Meeker:

When you were growing up as a kid, born in London then made your way to the United States, did Berkeley feel like home to you, or did you feel a bit like fish out of water there?

01-00:08:08

Franck:

A little bit of both. Once we got there I sort of felt this is where I was rooted and from. The boys in school were aware of my parents being German, and there was a sense that I wasn't quite part of the crowd, that manifested itself in a number of ways.

01-00:08:39

Meeker:

How was that?

01-00:08:42

Franck:

Well the biggest—I don't know if it was trauma. My mother was always very ambitious for us. And we lived on Derby Street—you know, Derby Street across from what is now called the Kerr Campus, what was then called the school for blind and deaf children. And, we were in the Emerson School District.

My mother knew that John Muir elementary school had a higher academic standard, so she pulled strings because she knew people in the psych department, to get me into the John Muir School, rather than the Emerson School, which was two blocks away from us. And, one of the sort of traumas of my childhood is, I remember one day all the boys in my class—it was a small class—trooped off to form a Cub Scout troop, and I wasn't invited to join. And, I don't know if it's because I was German and it seemed sort of alien, or because I lived out of the district, but that was one of my childhood memories of feeling different. It was a feeling of being different.

01-00:09:49

Meeker:

Did your Jewish heritage have anything to do with it?

01-00:09:52

Franck:

I don't think so. I don't think I experienced any anti-Semitism except a little bit after we moved to Australia. I don't think I ever experienced any anti-Semitism here in California at all. Maybe I was too young to recognize it, but I don't think so. And, they didn't talk about it at home. They did talk a lot about things at home.

01-00:10:17

Meeker:

Did they join a congregation upon arriving at Berkeley?

01-00:10:20

Franck: No. They were devout atheists. It was typical of East German—Jews to be highly assimilated. I have a family tree of the Franck family which goes from about 1700. Several generations back the names are all biblical. The next generation they become German, such as Joseph, Gustav, Fritz, like that. And you could see the assimilation that's going on, and it's known that Jews of that period in that part of Germany particularly, assimilated.

So, while they had no doubt about their Jewish identity, they were highly assimilated and they were not religious.

01-00:11:19

Meeker: What was your friendship group like? Did you have friends kind of across the spectrum? Was it fairly well integrated?

01-00:11:28

Franck: You talking about the Berkeley period now?

01-00:11:29

Meeker: Yeah.

01-00:11:30

Franck: When you say a spectrum, political or religious?

01-00:11:35

Meeker: I guess religious at first, but I know that Berkeley also had some racial diversity, too.

01-00:11:41

Franck: Not much, back then. You know where John Muir School is? It's on Claremont and near Ashby. Back then, certainly, that was a totally lily-white neighborhood. So, my friendship circle was a few kids that I went to school with, and my mother had a best friend who was a social worker, and she had a son who was my age. They lived in north Berkeley, very white also, and he was one of my best friends. I didn't, in my childhood days, have any contact with racial minorities.

01-00:12:19

Meeker: Why did the family move to Australia?

01-00:12:25

Franck: A month before my eleventh birthday, my father died unexpectedly; complications from a combination of a ski accident and appendicitis. This was at Alta Bates, and apparently they mismanaged the blood thinners. That's what we think. So, my father died. My mother must have been quite—I know this from my uncle and from other people—was a very vivacious, unusual and attractive woman.

As soon as they decently could, after my father died, two men by the name of Walter came courting her; one from Australia and one from Holland. So, the dinner table conversation was, do we marry Australia Walter or Dutch Walter,

and she made the wrong choice and married the Australian Walter. This was a man she had known and actually had a little affair with in Europe before they all left. He was Czech, but from just over the border from where they lived. In those days, he couldn't migrate here. He had a jewelry import business in Sydney with his brother, so we moved there because she married him.

01-00:13:37

Meeker: Why do you say it was the wrong decision?

01-00:13:44

Franck: This is personal, but that's okay. First of all, I knew as a twelve, thirteen, fourteen year old, that the marriage wasn't good. You know how a wife in that situation tends to confide in the teenage son, healthy or not. And I knew that. She was pretty much ready to come back. She had not sold our house in Berkeley. She covered her bases. She was getting ready to leave Australia and come back to Berkeley but she got lung cancer, and that killed that.

Twenty years later, I learned that she'd actually sent for Dutch Walter and he'd come to Australia to see her, and I don't know exactly what happened, but something did. I wrote to him when he was elderly and he wrote back and said it was too painful an episode to talk about. I didn't get along with my step-father. I guess no boy gets along with their step-father. But, the marriage didn't really work out. So, my mother died in November of 1952, and—actually, this is an interesting part of the story. You know who Erik Erikson was?

01-00:15:06

Meeker: Psychologist at Berkeley.

01-00:15:08

Franck: Yeah. My mother had been in the psych department. She was in a training psychoanalysis with Erikson and I think they were friends, and Erikson told the family—by that time my mother's mother and my mother's brother lived in Berkeley. Erikson told them that young Peter should come back to Berkeley and finish high school, for socialization purposes. And, I was having horrible fights with my step-father and I was absolutely glad to get out of Sydney, and came back here.

Contrary to Erikson's advice, the family lawyer—there's a whole other story there. I dropped out of Sydney high school—I should back up. When we got to Australia, there was testing and I was admitted to Sydney Boys' High, which was the academically best high school in what we would call the public system in Sydney, and we were bussed from all over Sydney. But, during my mother's final illness, I essentially dropped out. She was dying of lung cancer.

So, it was arranged when I got to Berkeley—I could tell you exactly when that was; it was July, 1952. That is relevant to my politics. I'll tell you in a minute. It was arranged by the family, and I think with the influence of Erikson, that I be admitted to summer school at UC Berkeley. So, I started Berkeley early in June of

'53, and if I got a certain level of grades—B+ or something—then I would be admitted to Cal in the fall, which is what happened. So, I'm a high school dropout. I have no high school degree, but I started Berkeley that summer and then was admitted fully and started as a freshman in the fall of '53.

My mother was in the grad department in psych, which was in the old LSB (Life Sciences Building), I remember as a child her bringing me onto campus when she was going to do I don't know what. So, I knew the campus a little bit as a ten, eleven year old. So, I remember on my first Day of Cal walking through Sather Gate and thinking, "There's twenty-two thousand people on this campus and I don't know a single one of them." That changed pretty quickly, actually.

But, the other thing that affects my politics I believe is this: My mother's mother and my mother's father didn't have the wisdom of my father's parents, and they barely got out of Germany in time, maybe by the skin of their teeth. I returned to Berkeley on June 22, 1953. The Rosenbergs were executed on June 23. I remember my grandmother looking at me and saying, "Is it starting again?" And I think that has influenced my politics some.

Two other things, I think, influenced my politics. My father, even when I was smaller, seven, eight, nine—would read the war news in the newspaper to us at the dinner table every night, most nights. I remember, I must have been nine at the time, maybe ten, asking him, "Daddy, what do they put in the newspapers when there's no war?"

So, I was aware of the war, and I guess our German roots, and I don't know how much I thought about it, but he read us the war news. The family, you know, had relatives over there who they were concerned about. In Australia, my mother got heavily involved in the education reform movement. She had some friends who were teachers and principals of high schools there, and there was NEF; New Education Foundation, I guess, that was trying to modernize the Australian school system which had been modeled on the British model, which is very sort of conservative and straight laced. And, NEF that she was involved with, was trying to modernize the school system. And, one of her best friends was the principal at one of the major high schools there, and they worked a lot on that together.

So, I was aware of that political activity. It wasn't electoral, but it was reform. I don't know if that answers your question. It's a long answer to one question.

01-00:20:08

Meeker:

No, it's interesting insight. Were you aware of your parents having any political interests? Did they try to educate you about meanings of justice or?

01-00:20:24

Franck:

No, I think I picked it up by osmosis. I don't think they preached to me or anything. I mean, I'm sure they told me that Hitler was evil and Nazism was evil, and I was aware of my mother's activity.

I do have one very distinct memory towards the end of my mother's life, I think just before she got ill. In a conversation with her—I must have been fourteen. I know exactly where I was standing at the time in our house. She said to me—and I learned later this is pretty much a Jewish thing—"I believe we all must leave the world a better place than we found it." She articulated that once in those words, and I think I picked up that was sort of her attitude, too. I don't know if that answers your question.

01-00:21:23

Meeker:

You know, in addition to this education reform initiative in Australia, were there any other organized activities that they were involved in?

01-00:21:33

Franck:

This is not quite an answer to your question, but it's maybe responsive. You know about the Loyalty Oath conflict at Berkeley? Those were her friends. She was close to Edward Tolman, she was close to Nevitt Sanford, Eric Erikson, all those people who were involved and refused to sign the loyalty oath. She was in correspondence with them. We were in Australia at the time, but she told me about it. She told me her friends were involved with it and that she—she had been teaching at UC Extension when we left, and she told me that she wouldn't have signed. That doesn't quite answer your question, but it still gives an indication. She didn't preach.

01-00:22:20

Meeker:

But it does speak to the context in which you were raised, I think.

01-00:22:24

Franck:

Yeah. At a certain point in my high school career in Australia, I joined the Boy Scouts. She didn't actually like that. I think there are other reasons, but what she said was that she thought that was too militaristic an outfit.

01-00:22:40

Meeker:

When you returned to the United States, who did you live with?

01-00:22:44

Franck:

I lived with my grandmother and my uncle. They had a small apartment on Channing Way near Sacramento in Berkeley. But, the house that my parents bought on Derby Street, like I say, my mother hadn't sold it when we went to Australia and it was being rented out. So, that rent was terminated, those people were thrown out—I think it was some colonel, actually—and we moved back into that house on Derby Street.

01-00:23:11

Meeker:

You and your grandmother and uncle?

01-00:23:13

Franck:

And my sister. So, basically about the time I started Berkeley, the fall of '53, we moved into that house. So, the household was me, my sister who was three years younger than I am, my grandmother who was keeping house, and my uncle who

was somewhat taking advantage of the situation was also living there. So, that was the household really until I graduated and left for New York.

01-00:23:52

Meeker: Did you feel any pressure to be the man of the house?

01-00:23:56

Franck: No. This is actually very relevant to the story, and I think I knew about it then—my grandmother was a pacifist, she'd helped start the International Women's League for Peace and Freedom in Germany in the interwar period. And, I was aware of that, too. So, I was aware of her politics.

01-00:24:24

Meeker: Was there a particular point that you recall learning the full extent of what's now called the Holocaust?

01-00:24:39

Franck: That's a good question. I knew we had to get out because we were Jews and Jews were being oppressed. And I knew my father helped other people get out. I don't think they told me about the death camps. I think they sort of protected me from that. Tell me your question again; I'm not sure that was quite responsive.

01-00:25:07

Meeker: You were answering it. I mean, the question is, at what point do you discover the full reality of what was happening in World War II?

01-00:25:26

Franck: I'm not sure. In some ways it's always been there. I don't think there was one moment, because as I say, my hunch is, during my childhood when the war was on—well, yeah, I don't think I really understood the depth of it. Right after the war I was aware of the Iron Curtain, the East/West division, because my mother was sending care packages to her husband's former chauffeur in East Germany and people that she knew there who had survived but were having a very tough time in post-war Germany.

01-00:26:18

Meeker: In this period, perhaps in Australia or when you're starting at Berkeley, you know, there must be the fresh memory of Nazism and fascism, and the way the world shakes out is there are two alternatives, or two oppositions to it; liberal democracy in the United States, and state socialism in Russia and Eastern Europe. Did you see it in those terms?

01-00:27:00

Franck: I saw it in more real terms. Friends of my uncle were active with the student chapter of the Civil Liberties Union. I mean, now we're talking about '53, '54, which was the height of McCarthyism. And, it took some guts to be involved even in the student chapter of the ACLU. And, I started going to those meetings. In those days, the student chapter of the ACLU was dominated by Norman Thomas socialists, and there was a competing organization called STCM, Students to Combat McCarthyism, which was dominated by red diaper babies; people who

identified with the Communist Party. I guess that's the way I was a little bit aware of the East/West divide.

To this day I watch the Sunday morning talk shows. I probably watched the first episode of *Meet The Press*. I don't know, that was seventy years ago. I have no idea. But, I watched those shows and I was sort of aware of world affairs. I'm not sure if that quite answers your question.

01-00:28:36

Meeker:

I think it did. I guess the follow-up to that then is, were you starting to develop your own sympathies for what the best way to combat the evil of fascism might be?

01-00:28:56

Franck:

No. I was really developing my sympathies for civil liberties. I was really more focused on the campus and domestic. One of my strongest memories—and this happened the first few months here—was Clark Kerr, who was Chancellor of the campus, addressing us freshmen and saying that it was very—and this is part of what radicalized me and a whole generation, but that's skipping ahead and again, this was McCarthyism, was Clark Kerr saying, "Be engaged. Be engaged in campus affairs, be engaged in world affairs."

It struck me particularly strongly, partly because he looked very much like my father. He was shorter, but aside from that, he looked very much like my father and I was aware of that when I was listening to him. So, my focus was initially on civil liberties on the campus.

The other thing that was an extremely important influence—and this is very important to the whole history of SLATE—was Stiles Hall. I think we talked about that a little bit. There was Rule 17 which meant you could have no political meetings on the campus, and McCarthyism meant that Berkeley is surrounded by religious centers. The only place anywhere on or near the campus you could hold a political meeting—even the student chapter of the ACLU—was Stiles Hall, which had a very proud freedom of speech tradition I think relating back to its founder, Harry Kingman. And so, the student chapter of the ACLU met there, this other sort of competing organization STCM met there as well, and some staff members there started mentoring me.

So, I got involved with Stiles Hall and some sense of social justice. Stiles was involved in campaigns against racial discrimination in student housing, what's called the Fair Bear campaign, and—what else was Stiles doing then? I don't remember. Issues like that.

01-00:31:32

Meeker:

I'm curious about your interest in civil liberties. Why did that happen and what did that mean? Was this kind of a student response to the overall culture of McCarthyism at the time?

01-00:31:54

Franck:

I don't think it was exactly that. It was something to believe in. I was sort of an awkward and very shy kid and had some trauma in the earlier years.

A very interesting thing happened to me on practically my first day of my Cal career, fall semester. My hobby—very devout hobby during all of high school days, particularly when I came back—was photography. Not digital; film. And, I went to a meeting of the Photography Club almost my first week at Cal. They were holding elections, and they needed officers, and one of the officers pointed to me in the audience—maybe I said something. I don't know if I had—and said, "Would you like to be vice president?" It was my first day on the campus. So, after the meeting we went to a gathering of the officers.

So, that organization—I was an extremely shy kid, I didn't really know about dating—I wasn't dating or anything—and so, that experience with the photography club gave me sort of a social arena to be involved in, and then when I went to the Student Civil Liberties Union, it sort of had some of the same function but with more principles.

So, I think I thought that, well, obviously, that civil liberties were very important. And, I think the Hitler thing provided some background to that because obviously there weren't civil liberties in Nazism. It seemed a meaningful thing to be involved in, and that's the best way I can describe it.

01-00:34:03

Meeker:

How would you have defined civil liberties at that time? What was at stake?

01-00:34:14

Franck:

I understand what you're asking. One aspect was the ban on meeting on campus. The larger world of newspapers and whatnot, the Communist Party was outlawed, I knew—and I don't know exactly when this was—some people whose parents were communists who had to go into hiding. So, I was very aware of McCarthyism.

And actually, in Australia, only a few months before I left Australia, there was a popular vote nationwide on the question of whether to outlaw the Communist Party, and that vote lost. And so, there was a pretty sharp—and it's sort of like the frog in the kettle or something. There was a pretty sharp discontinuity between the attitude about free speech and civil liberties in Australia where I'd just come from, and then I got plunked down in the middle of a McCarthyite atmosphere in the United States. That had something to do with it.

01-00:35:40

Meeker:

You know, different people respond to McCarthyism in different ways for different reasons. And so, I'm thinking, clearly, the red diaper babies were raised in an atmosphere where communism was the solution. There was, the Marxist revolution will come and—

01-00:36:02

Franck: But they were also raised in a great atmosphere of fear.

01-00:36:07

Meeker: Well, and then there were also those who might be democratic, civil liberties activists who would say, you know, "I'm not a communist. It's not something I think is the right solution, but liberal democracy thrives on debate."

01-00:36:24

Franck: It was more the people who identified as Norman Thomas type socialists, and they thought social justice would come, not from violent overthrow of the government, but through the ballot box. And that was sort of the divide. And, eighty percent of the people who were active on the campus at that time would have fallen into one of those two camps.

01-00:36:51

Meeker: Where did you situate yourself?

01-00:36:58

Franck: I wasn't a socialist at first. I very clearly thought of myself as a liberal, and the civil liberties, freedom of speech were very important in that the atmosphere—I mean, the other thing that's a little harder to put your hands on, is that there was a real atmosphere of fear on the campus; fear of talking out and so on. The loyalty oath was a real trauma on that campus.

One of my best friend's father—I think chair of the philosophy department, or at least a professor of the philosophy department—knew the loyalty oath was wrong but signed it, and that tore him up the rest of his life. I was aware of that through his son. Those kind of things were going on.

01-00:37:57

Meeker: So, you weren't initially identifying with the Norman Thomas or with the communist group?

01-00:38:05

Franck: No. I was active with the Norman Thomas group because they were the ones who were the leadership of the Student Civil Liberties Union, and they were the ones that my uncle knew and that I got involved with first. And, fairly early on—and I can't pin this to the very first days of my involvement—very early on, all of us started to think that communism wasn't working and socialism wasn't working, and these were both foreign ideologies, and we had to find an American radicalism, and that's the core of SLATE, and TASK before SLATE, really. I know I'm jumping ahead, but that was an important element of thinking for a lot of us.

01-00:38:54

Meeker: What did you think of Adlai Stevenson?

01-00:38:59

Franck: I liked him.

01-00:38:59

Meeker: Did he seem like a potential voice that would give that kind of direction?

01-00:39:07

Franck: Adlai Stevenson ran for president in '52.

01-00:39:10

Meeker: Correct.

01-00:39:11

Franck: I was still in Australia then. I was aware of him. My mother watched American politics quite closely. I was aware of him and my mother said he was a good guy. But, and so my image of him was he was real intellectual, he was one good guy.

01-00:39:33

Meeker: You referred a couple of times to this culture of fear related to the loyalty oath, and just the broader context. Were you aware of any individuals who suffered some sort of retribution or punishment as a result of speaking an unpopular opinion?

01-00:40:03

Franck: You'd think I would be.

01-00:40:06

Meeker: What was the threat?

01-00:40:10

Franck: I can't remember individuals. The threat was, people not wanting to join the student ACLU, for example, for fear of losing scholarships or graduate opportunities and so on, I was a bit insulated because I'd inherited enough money from my parents that got me through school and later got me started with law practice. So, I wasn't economically dependent on my education. So, I was protected a bit from the McCarthyist fears that other people had. I can't, right now, think of any individuals close to me who were motivated by that fear.

I do know there were people who were afraid. I can think of one very good example, actually. One close friend whose parents came from a German military family that was anti-Hitler, and when his father heard that he got involved with the Student Civil Liberties Union, he told him to get away from that; it was too dangerous. And that happened a number of times. I can't remember who else.

Some of the parents told the kids, stay away from even the ACLU, McCarthyism, it'll ruin your career. I remember that happening. I couldn't tell you the names right now, but I remember that happening. Parents being—particularly parents, I think, who'd escaped Europe, very afraid it was gonna happen here again.

01-00:42:11

Meeker: Was there much relationship between your emerging campus activism and what was happening in the classroom for you?

01-00:42:26

Franck: Yes. I'm going to answer your question, but it should be in the story. Then I will answer the question. Edward Strong—you know who he was?

01-00:42:38

Meeker: He was the chancellor during the Free Speech Movement, yeah.

01-00:42:43

Franck: The Free Speech Movement. He was a professor of philosophy. I was really looking forward to taking his class as a freshman, because it was philosophy, and I assumed you go to philosophy class and you talk about ideas. Strong had no interest in that. All he wanted us to remember, what Plato said and what Aristotle said. One of the biggest disappointments was Strong, and not because of the Free Speech Movement, but because of that.

Now, let me come back. What was the last question you asked?

01-00:43:13

Meeker: Well, what was the relationship, if any, between your political consciousness and the classroom?

01-00:43:21

Franck: As we were getting conscious, particularly in the period between TASC [Towards an Active Student Community] and SLATE, Mike Miller and I and some of the others took a course in political organizations from Phil Selznick, who was a professor at the time, and was an expert on the Communist Party, and from Bill Kornhauser, who was an expert on social organizations?

01-00:43:53

Meeker: No.

01-00:43:54

Franck: He died only a few years ago. Both were in sociology. He was an expert on social movements and social organizations. And, we were taking both of those classes at the same time, and we learned a lot from both of them, and we applied those lessons quite consciously to the formation of SLATE. And, Kornhauser continued to act as something of a mentor to us.

I don't know where you want to put this in—but, the other thing that's very important that happened in that period—two thing: Clark Kerr, when he was chancellor—you probably know this—had an open-door policy; once a week or once a month, anybody could drop in and talk to him. And we did that. I developed quite a good relationship with Kerr. And, at a certain point, he asked us to lobby University President Sproul to get rid of the Rule 17: Prohibition of Political Meetings, which we did do successfully. So, that was a good part of the relationship with Kerr.

But, once that was successful and meetings started happening, pressure came from the Oakland Tribune, [Senator] Bill Knowland and others, against holding

meetings on campus. And, Kerr started to crack down on us. And, that's what turned a lot of us from being liberal—especially me because I didn't see myself as a communist or a socialist. That's what turned a lot of us from being liberals to being radicals; because all of a sudden Kerr was violating the principles he'd announced to us because of pressure from Bill Knowland and other establishment groups on the Board of Regents. That had a lot to do with our later politics, and it had a lot to do with the politics of SLATE.

01-00:46:04

Meeker: About what time was that starting to happen? Was that in the TASC era?

01-00:46:17

Franck: Yes, but it was more the SLATE era.

01-00:46:25

Meeker: Okay. Well, why don't we talk a bit about TASC; Toward an Active Student Community, correct?

01-00:46:31

Franck: Right.

01-00:46:33

Meeker: What was it and what was its significance?

01-00:46:38

Franck: Fritjof Thygeson, who I think was then a graduate rep on the Student Council—

01-00:46:46

Meeker: How do you pronounce his first name?

01-00:46:48

Franck: Fritjof, F-R-I-T-J-O-F. He gave us the idea of starting a campus political party, and this was actually when I was doing an internship with the ACLU in Los Angeles, so I wasn't day-to-day involved, but actually, he or somebody else came down to LA to talk to me and said, "Is it all right if we do this?" They wanted approval. I was sort of a BMOC by then. He modeled TASC on the British Socialist Party, and the British Socialist Party elected officials signed an undated resignation, so they were subject to party discipline. That got out and it was so alien to the American consciousness, that TASC lost because of that. So, TASC was one semester, really. One election.

01-00:47:48

Meeker: But Thygeson won a seat during that election, correct?

01-00:47:52

Franck: I believe that he was already—at that time, there were one maybe two graduate student seats on the student government, ASUC governing body. And, I think just the graduate students voted in that election. And, I think he already was on the ASUC as a graduate rep when he made that suggestion.

01-00:48:20

Meeker: Okay. What was the platform, if you will, of TASC?

01-00:48:29

Franck: I don't remember specifically. The general idea of both TASC and SLATE was, get out of the sandbox. This was mid-fifties; bomb testing, apartheid—that students had, and student governments specifically, had a responsibility to take action and take positions on bomb testing in the atmosphere, apartheid, racial segregation in student housing, some other issues. Issues that were up in the world, but those kind of issues, was definitely the platform of TASC and the initial platform of SLATE, if that answers your question.

01-00:49:21

Meeker: Right. So, I mean it's interesting the undated resignation letter. What was the concern or fear that there would be strong debates about what TASC stood for at some point?

01-00:49:44

Franck: No. That device, the undated letters, was how the British Labor Party maintained party discipline. At Berkeley, the notion that elected representatives wouldn't be free to vote their conscience, but can be recalled by the organization, was totally alien and killed TASC.

01-00:50:09

Meeker: But were there particular issues that were so litmus test that kind of mechanism was important to have?

01-00:50:18

Franck: No. He knew how the labor party worked in England and that was sort of his model; that we should do it the same way, which actually I think makes sense, since you're going to have party discipline. But that wasn't tied to any particular issue.

01-00:50:44

Meeker: Can you tell me about meeting all of these individuals? What was the context of meeting Thygeson and Miller and others who were involved at this point?

01-00:50:53

Franck: Stiles Hall.

01-00:50:54

Meeker: Stiles Hall.

01-00:50:58

Franck: Yeah. I actually met Miller for the first—Miller was a little precocious. He was in his sophomore year—he was a year younger than I—and was very active with the co-op. He lived at Cloyne Court. And, he and I ran against each other for the presidency of the student cabinet at Stiles Hall. He's much more charismatic than I am, so he won.

But, that's where we met. On the staff of Stiles Hall there was a guy named Cecil Thomas who had been—he and his wife had been mentors to Martin Luther King—to Coretta Scott King, particularly. And, he introduced us to all this early Civil Rights Movement stuff. I remember Rosa Parks coming to Stiles Hall.

01-00:52:09

Franck:

Rosa Parks coming to Stiles Hall, and his introducing us to her and sitting around the table talking to her. Also, the sort of rival organization, STCM, Students To Combat McCarthyism, met at Stiles Hall also, because they couldn't meet anyplace else. So, we got to know them, but they were sort of rivals.

01-00:52:35

Meeker:

Rivals in what way?

01-00:52:39

Franck:

We thought we had the true message on civil liberties, and they thought they had the true message on civil liberties. And, how it manifested itself, they probably fought for getting a particular speaker, like Bettina Aptheker's father—Herbert Aptheker.

01-00:53:12

Franck:

To speak, and we were more policy oriented; we wanted to get the policy changed to allow political speakers on campus.

01-00:53:29

Meeker:

You mentioned the student cabinet at Stiles Hall. What role did the student cabinet play at Stiles Hall?

01-00:53:39

Franck:

Probably not much, just to make us feel important. There are pictures of it in the *Blue and Gold*. You can actually see me and Mike Miller and other students in the '54/'55 *Blue and Gold*. What role did it play? I don't really know. Like other student government things, we must have been consulted by the management about some decisions. We may have passed resolutions on apartheid and such things. I don't really remember what we did, but it was an important way to come together.

The other thing that was important to me personally, was that it was part of the YMCA, and every winter (between Christmas and New Year's), there was a retreat at Asilomar where students from the YMCAs all over California came together, and I met a lot of people who were important to me at that time.

01-00:55:00

Meeker:

Were YMCAs a fairly progressive organization at that time?

01-00:55:09

Franck:

I don't really know. I mean, Stiles had this very liberal tradition because of Harry Kingman. There was also a very progressive church in Pasadena. The minister was very liberal, probably close to the CP. And, in 1954, under their leadership, we organized a statewide student civil liberties conference, which was quite

important. It was in LA, in Pasadena, and we met some of our counterparts at UCLA at that. So, we started to feel like part of a growing movement, I guess.

01-00:56:09

Meeker:

Also, I know the voting age was twenty-one at this point, but also at this point in time in the mid-fifties, the California state government goes through a pretty important transformation from being Republican dominated and old Democrat, to new Democrat; Pat Brown and Stanley Mosk and those folks. Was this something that you were paying attention to? Did you feel like these new Democrats who were more left were gonna provide a solution to the problems you were identifying?

01-00:56:46

Franck:

Yeah. We had a connection with that.

[Side conversation deleted]

There was a publication called *The Liberal Democrat* put out by one of these outfits that wrote up what you now call Cliff Notes, that students—it was sort of illegitimate from the university's point of view—the students take notes and then they'd write them up and they'd sell them. Tom Winnett ran that place. It was on Bancroft.

01-00:57:42

Meeker:

Oh, like lecture notes?

01-00:57:45

Franck:

Yeah. And they had a magazine called *The Liberal Democrat*. Do you know who Marshall Windmiller was?

01-00:57:57

Meeker:

No.

01-00:57:57

Franck:

He was an important left intellectual. I think he taught at USF, actually—at San Francisco State. The head of this lecture notes outfit and the head of the liberal Democrats, was a guy by the name of Tom Winnett. I'm pretty sure I've got that name right. So, we were sort of friends with them and we were aware of what they were doing to make the Democratic Party not only give it more power, but to make it more liberal. I would not say we were involved in statewide Democratic stuff, but we were aware of that. If that answers your question at all.

01-00:58:51

Meeker:

Were there particular issues that you were interested in being active on?

01-00:59:01

Franck:

Housing discrimination. There was a proposition on the ballot, it was black—you may know the name—there was a black assemblyman from Berkeley, he was very well known?

01-00:59:22
Meeker: Right. He was a pharmacist. That's what I remember about him.

01-00:59:26
Franck: I think you're right.

01-00:59:42
Meeker: Well, there was Rumford.

01-00:59:43
Franck: Yeah, Rumford's who I'm talking about. Was he a pharmacist?

01-00:59:47
Meeker: I think so.

01-00:59:51
Franck: Okay. I think there was an initiative named after him on the state ballot, to outlaw racial discrimination in housing. And, we were aware of that. Rumford was an assemblyman from Berkeley, so I'm sure we supported that. I don't think we played a central role in it, but we were aware of it.

01-01:00:16
Meeker: Should we talk about the fall '57 election?

01-01:00:22
Franck: Whatever you want to do.

01-01:00:22
Meeker: Okay. Well, you know, I want to make sure that we've set the stage for SLATE, and I want to make sure that we've established the various intellectual trajectories, as well as organizational forbearers.

01-01:00:41
Franck: Herbert Mills—you've heard his name?

01-01:00:45
Meeker: Yes, I've heard his name.

01-01:00:47
Franck: He's still living.

01-01:00:47
Meeker: Yeah. We might talk to him.

01-01:01:01
Franck: Mike Miller is best friends with him and it probably would be best to set it up through Mike. [Side conversation deleted.]

We regarded TASC—Herb was a graduate student, come from Ann Arbor. I think he coined the phrase, "Getting out of the sandbox." He didn't say getting out of the sandbox, he really pushed the idea of getting student government to deal with the problems of the world; not just football games. And, there was a strong anti-

Greek system thread throughout us. I think none of us were in fraternities or sororities, regarded them and their rah-rah—looked down on them and their rah-rah football stuff as less worthy.

To get to SLATE: The idea of a campus political party was absolutely discredited by the sort of fiasco of TASC. And I remember this, Mike had been on and off the student government, and I think felt so isolated he couldn't do much, because he was the minority voice. And I think there was one other guy there.

I remember this extremely well. I get a phone call. I'm studying for a midterm in the Kornhauser course on organizations. I get a phone call from Mike. He called me and six or seven other people that night and said, "Let's meet on the steps of Wheeler Hall after the Kornhauser exam, and let's talk about running a group—I don't even know if he used the word SLATE—running a group for student government." We met and we picked a slate of candidates and were thrown off the ballot—you know this history.

01-01:03:54

Meeker: Well, detail it.

01-01:03:56

Franck: Well, we were thrown off the ballot for the sin of running as a group. You were not allowed to put other names on your campaign leaflets. And, thrown off the ballot, and got quite a lot of sympathy from the campus. People were waking up but they weren't so political, but, saw the unfairness of throwing a bunch of people off the ballot on this technicality. So, there was a lot of sympathy for us.

Do you know who Carey McWilliams Jr. was? So, Carey and I wrote a brief to the student judicial committee contesting that, and won, and I guess we got the ballot reinstated either that election or the next election. I think it was the next election. And the *Daily Cal* initially in reporting the story, referred to The Slate, and then the "The" fell off and it became called SLATE. That's how it got the name.

01-01:05:26

Meeker: Yeah, I think so. What we're trying to do here is really get a picture of the context in which SLATE emerged. And, you've talked about your personal contacts, Stiles Hall, these political organizations.

01-01:05:44

Franck: I think the campus was waking up. It was the end of the McCarthy period. The Supreme Court—which had a lot of influence on me because this happened while I was with the ACLU—the Supreme Court handed down a number of civil liberties decisions which essentially, McCarthy got discredited in the Army-McCarthy hearings. So, McCarthyism was fading and I will tell you the students were getting more interested in the area beyond Bancroft Avenue, and we sort of fit into that.

01-01:06:25

Meeker: You know, a lot has been written about this campus life in the 1950s, dominated by the Greek system, and I think in the literature there's been some oblique reference—or sometimes more explicit—to, you know, the Greek system being fairly white-bread, and that those who became active in campus politics, a lot of them were Jewish kids who perhaps would not have been welcomed in the Greek system at that point in time. Do you see there being any validity to those cultural differences?

01-01:07:18

Franck: It didn't touch me. I wasn't aware of it at the time. I would have thought of it at the time—if I had the language for that—as a class difference, rather than an ethnic difference.

01-01:07:33

Meeker: How is that?

01-01:07:34

Franck: Well, the people in the Greek system tended to come from more wealthy families, so they could afford it. Some of us were commuters that didn't actually live on the campus. And this is before most of the dorms were built. There were dorms, but not nearly as many as there are now. All the ones on the section between College and Telegraph and Channing and Ashby hadn't been built yet, at the time we're talking about.

I may have missed something, but I really think it was class system. I do not remember any people wanting to get into a fraternity and being rejected. Now, when we did the Rule 17 project to get it reversed, we did that on the QT, and we solicited some more progressive leaders of the Greek system—particularly some women—that helped convince Sproul. I was never a candidate; I was sort of always the brains behind the scene. Mike Miller and some of the others—Cindy Lembke [Kamler], who you had an interview—campaigns in the dorms and in the Greek system. So, they could tell you more than I can about how they were received.

But, I think it was more a class divide. The Greek system tended to go generation to generation; if father was in. As I said, I did not personally experience any anti-Semitism in Berkeley. I experienced a little bit of it when we moved to Sydney, so I have that contrast. And a little bit of it, when I started law school in New York at Columbia, but I didn't experience it in Berkeley. I was immune to some things. I was living with my grandmother and my uncle, slightly off-campus, and I wasn't economically dependent because we had money. So, some of that may have gone on, but I'm not the best witness to it.

01-01:10:21

Meeker: You had mentioned Cindy Lembke and some progressive women in the Greek system. In these early years in TASC, and the first year or two of SLATE, were there many women involved?

01-01:10:36

Franck: Oh, there's a whole story. Yes, there were, but they made the coffee. I don't know if I told you this, but somebody has to. Very important in the history of SLATE is the 1984 reunion we had. Has this come up?

01-01:11:03

Meeker: You know, I've heard about it, but why don't you—

01-01:11:08

Franck: Well, it was a great reunion. Everybody was sort of at the peak of their careers and it was really nice to see everybody and so on, and the energy was high, but there was a revolt of the women.

Some of the women got in contact with the subservient role that they played in SLATE, and by this time—this is '84—they'd gone through the feminist movement and there was a real rebellion of the women led by a woman named Charlene Reins, who had been married to Fritjof, and by Jackie Goldberg who was later a state senator or state assemblywoman. They suddenly got in touch with their anger for how we had treated them—you know, us not-so-enlightened males at the time—and that they had made the coffee and run the errands and had the menial role, and the men made the decisions, did the talking. That's not something that we men were aware of when it was happening in the SLATE period, and we ran some women candidates, I think to get the women's votes. There were women's dorms. So, that was sort of the role of the women in that early period.

01-01:12:40

Meeker: I think that there was this notion that there would always be a female vice president of the ASUC council, but her job tasks were rather different than what the men's job tasks were. It had more to do with hostessness, right?

01-01:13:02

Franck: Yeah. Or, the position of secretary was often held by a woman. But I was never on the student council, so I was never quite as close to that as some of the people were.

01-01:13:15

Meeker: Regardless of the positions women were slotted, there were women interested in participating in this?

01-01:13:26

Franck: Definitely. Quite a few. If I think about the SLATE general assemblies, which take place at 155 and 145 Dwinelle, I would think—and you should talk to some of the women about this; they'll have a better sense than I do. I would say they weren't all male. I would say at least a third of the people were women, maybe fifty-fifty, even.

01-01:14:01

Meeker: Were there a lot of relationships that were started in this context?

01-01:14:05

Franck: Yes. There was a lot of fucking around, yes.

01-01:14:06

Meeker: [Laughs] I mean, they're college students, so there' s—

01-01:14:10

Franck: Right. Are you asking me whether any of those relationships maintained?

01-01:14:16

Meeker: Yes.

01-01:14:19

Franck: Not so many. Fritjof Thygeson was married to Charlene Reins for five or six years. She's still living and could be interviewed. Mike Miller slept around an awful lot. Hank di Suvero. Has his name come up? He's a good friend. He's in Australia now. He had a long-term relationship with a woman slightly older than himself by the name of Gloria Sparrow, who he dumped when he got admitted to Harvard Law School and went off to Harvard Law School. She basically never got over that. But, until he dumped her she was sort of involved in the whole scene.

Stable relationships, long-term marriages? Not so many. Herb Mills, in the last stage of SLATE, a woman named Rebecca—she became Mills—would have been president of the student body of Oberlin, showed up at Berkeley—this is in the '61, '62 period—and she married Herb Mills. That marriage didn't last—that marriage lasted maybe fifteen to twenty years, but they're still very close.

Herb Mills also went with a woman who became a prominent journalist. Pat Lynden, she's a good friend of mine. Again, that relationship didn't last all that long. It didn't last all that long, but they still—a lot of friendships—it was a peak experience for all of us. So, even though some of the marriages and whatnot didn't last all that long—a few did—the relationships and the friendships did endure. They endure to this day.

01-01:16:51

Meeker: So, even though there are—in addition to the campus meetings, the organizing, sort of the official engagement—there's a social circle built around this?

01-01:17:03

Franck: Oh, there were parties. Oh, yeah. Mike Miller knew how to make a great spaghetti dinner, and we had a lot of evenings where a bunch of us went over to Mike Miller—and I think he was sharing an apartment part of that time with Herb Mills—a lot of us would end up in the evening at their house, and Mike would make a big spaghetti dinner for everybody and we'd sit around and talk. Sometimes it was strategic about SLATE, sometimes it was just students getting together.

01-01:17:33

Meeker: And there were parties, too?

01-01:17:35

Franck:

Yes. I was not so much involved in the parties. I was a very shy kid at the time. Let me think about the parties. Yes, there were parties. Some of the others are gonna have better memories of the parties than I do, but yeah. I mean, it became a very tight group.

01-01:17:57

Meeker:

You know, also a lot has been written about the role of housing, and you were just describing that in terms of the Greek system. I need to look and find out when those high-rise dorms were built, but it also does sound like you were in a somewhat unique position having a house of your own even though you were living with relatives.

01-01:18:25

Franck:

Yeah. Well, a major housing center, I would say most of the kids in SLATE lived in the co-ops, not in the dorms—not in the fraternities. I mean, there was a major divide between the co-ops and the dorms, and the fraternities.

01-01:18:50

Meeker:

What is that divide? Or, what was it?

01-01:18:55

Franck:

Well, it was really a class and a social divide. The co-ops were co-ops. They were somewhat self-run, and as co-ops, they demanded a certain amount of labor from each of the residents as part of the cost. And again, Mike Miller, even before he became president of Stiles Hall was president of Cloyne Court, even his freshman year. That's one of the co-ops. Vic Garlan, he's not on your list of interviews, but Vic Garlan was part of our group, and he's very active in the alumni association, of Oxford Court, or, maybe he's very active in the alumni association or the board of the co-op movement today.

01-01:19:49

Meeker:

Did you spend that much time in the co-ops?

01-01:19:52

Franck:

No. I would say the bulk of the kids in SLATE came from—lived in the co-ops, and the co-ops had their own sort of internal life. And, each co-op was slightly different culturally. And, probably, maybe as much as a third of the students were commuter students. There's one group, I remember, that came from out of the town of Alameda and commuted to the university.

01-01:20:25

Meeker:

Did these housing arrangements map at all onto campus political culture?

01-01:20:33

Franck:

Well yeah. I mean, the co-ops were sort of antagonistic to the Greeks. So, in that sense it did. And, SLATE had almost nobody from the Greek system and lots of people from the co-op system. The co-ops were more working class and the Greeks were more upper class. I don't know if that answers your question?

01-01:20:58

Meeker:

Yeah, it does. I'm just trying to sort of mine for more information and insight into this. You know, I think it's interesting to hear you talk about the class dimension, and I don't think that that's a dimension that's talked about as much in the existing literature. I mean, was that something that was pretty apparent; that when you're a student walking around on campus, you know who the rich kids are and you know who the kids who are struggling, maybe the first in their family, to attend college?

01-01:21:33

Franck:

No, because the admissions standards were pretty rigorous. The working class kids, like Mike Miller graduated from Lowell High. The working class kids generally made it to the better high schools and were bright. I think they may have tended to look down on the football players and the Greeks as maybe not—as a little bit dumber. But, there wasn't the kind of divide you suggest.

01-01:22:16

Meeker:

In SLATE was there any racial diversity?

01-01:22:19

Franck:

I don't know if you could call it diversity. There were two or three blacks. One was Duran Bell who played a significant role, and I think he's an Emeritus professor at Riverside, UC. Either Riverside or Irvine. You know who Thelton Henderson is? The judge?

01-01:22:51

Meeker:

Yeah.

01-01:22:52

Franck:

He was not part of SLATE. Mike Miller and I ran against each other for president of Stiles Hall to succeed Thelton. Thelton had been the president of Stiles Hall, and we were friends with Thelton at the time. But Thelton was never in SLATE; he was one class ahead of us.

And, you know the name John George? John George Hospital up here? He became an assemblyman here in Oakland. He was a student at the time. He was not in SLATE. He was black. He hung out at the—the beer joint on Telegraph? Robbie's. I don't think it's there anymore. Down the street from Blake's.

So, John George was around as a liberal black man. His brother was in the state assembly at the time, so we had some contact with that. Diversity, there were a few blacks. Diversity would be a huge overstatement, but the campus was like that. John George and Thelton Henderson both got to Berkeley on athletic scholarships, came from the South.

01-01:24:12

Meeker:

Were there any Asian students? Japanese or Chinese Americans involved?

01-01:24:19

Franck:

Certainly we didn't have the Asian invasion that Cal has now. There were a couple of women of Asian background. A woman by the name of—I have to

guess these names. One woman became a very prominent architect; Amy Iama. There were a few Asian women involved who were pretty close.

Oh, this one black woman, Debbie Crawford, whose father, Matt Crawford was, I think, on the city council, and a prominent communist. And she was part of our circle—Debbie was part of our circle—the culture, and if you looked at the room, it was white bread; there were just a few minorities, which reflected the campus at the time.

01-01:25:51

Meeker:

Right. You know, the Free Speech Movement, I think most of the leaders other than Savio, were from a Jewish background. Was that similar for SLATE?

01-01:25:59

Franck:

Well, Savio's Italian.

01-01:26:01

Meeker:

Right, except for him.

01-01:26:06

Franck:

I can give you a lot of commentary on the Free Speech Movement, because I was one of the lawyers for Free Speech Movement. That's interesting. Mike Miller is half Jewish, and Hank di Suvero is half Jewish. I didn't know that they were half Jewish until about five years later.

I would say there's a Jewish component—somebody might kill me for saying this—but, I think the Jewish component of SLATE was forty or fifty percent, but—except for in my case—all the others were US born.

01-01:27:11

Meeker:

Was there any commentary on this? I mean, did you speak with any of the other Jewish students and say hey, isn't this interesting that we're overrepresented here?

01-01:27:24

Franck:

No. Maybe in subsequent years, maybe at some of the reunions. I do remember in the elections, we tried to get people from Hillel, the Jewish student center, involved in the elections, and we did not get a lot of support there. I don't think the Jewish question came up hardly at all. And there wasn't much anti-Semitism in housing. Jewishness was not all that relevant in the sense we're talking about.

01-01:28:10

Meeker:

Did you guys ever spend any time talking about the formation of the state of Israel and what was happening in Palestine?

01-01:28:20

Franck:

We would have flown apart if we had. Let me think about that for a second. I mean, it wasn't as clear then as it is now. South Africa was strong on our radar. Israel, Palestine was not. Again, some people may have different memory of it. Let me think if I'm forgetting anything. I think there was almost no discussion of

Israel and Palestine. The BDS [Boycott, Divest, Sanctions] movement came many, many years later and it was not something we were aware of.

01-01:29:14

Meeker: So, let's spend a few minutes talking about February of '58, and when SLATE puts itself forward as a formal organization.

01-01:29:27

Franck: That's very important.

01-01:29:28

Meeker: Yeah. Well, why was that important? What happened?

01-01:29:31

Franck: Factions developed. There were essentially three factions, or two and a half. There was one faction, I would say led by me and Hank di Suvero, who wanted a highly structured organization, fairly traditional in terms of chairs, executive committee, that kind of stuff.

There was another faction, a very important faction, led by Fritjof Thygeson called—and they put out a document, which I don't know if you have it, called "The Seamless Web." You should get it. And, frankly it's a position I would be more sympathetic with now than I was then. It was more egalitarian, and there was a real fight at the February 1958 founding convention of SLATE about which philosophy, what kind of an organization we'd be, and which of these positions would maintain.

The group that put out "The Seamless Web," the idea was for a much more egalitarian organization internally, but it was more than that. There were some principles involved. There's one person around here, Rick White, who was central to that, who you could talk to. Unfortunately, Rick has become an ultra-conservative, but he would still talk to you.

And, there was a third—let me just think about this for a minute—a third position. At the founding convention there were real debates. There were papers leading up to the founding convention debates. At the founding convention there was some compromise reached. My group tended to dominate in terms of the ultimate decisions, but it was a very strong debate for a couple of months.

01-01:32:04

Meeker: And the debate was mostly around structural issues?

01-01:32:09

Franck: Yes. Let me make sure I'm right about this. Yes, it was not about external issues. It wasn't about what position should we take on South Africa, or something like that. I think there was general agreement on those issues. This was purely internal democracy, do you try to replicate—maybe putting words into people's mouths—do you try to replicate the society that you want to build towards in the society you're building founding SLATE?

01-01:32:51

Meeker: What was your position on that?

01-01:32:55

Franck: My position was, we needed a fairly highly structured organization. Nobody used the word then, but you could almost say my position was sort of a Stalinist position; very hierarchical oriented.

01-01:33:15

Meeker: Why did you think that was necessary?

01-01:33:24

Franck: I was task oriented and felt if we're gonna win elections, we had to have a disciplined organization. If I go back and read some stuff, I might have some different ideas, but that's my recollection.

01-01:33:45

Meeker: So, the resulting compromise at the end of this, what did that look like?

01-01:33:51

Franck: Was what?

01-01:33:51

Meeker: What did the resulting compromise at the end of this look like?

01-01:34:20

Franck: I think our position more or less won out. And, we formed a general assembly, which was a meeting of everybody. Those were mostly in 155 or 145 Dwinelle. And that was the highest body, and there was probably a steering committee. You know, you should look through the documents at the Bancroft, because some of this is in there. Quite a bit of it's in there. "The Seamless Web" paper, I know is there. I think our more structuralist position won out, if I remember correctly.

01-01:35:29

Meeker: Well, given that there is documentation of all this, I think in oral history what I'm trying to get at is the significance of this. Why did factions emerge around this? Why did these become issues and were they resolvable in the context?

01-01:35:59

Franck: I was more oriented towards mechanics of the convention and the convention coming off successfully. I was, in a way, the consummate bureaucrat. I disagreed with Fritjof's group. I did help write our position paper. I think I was less invested in the positions than some of the other folks. And you may get more on this from some of the others. This is very tentative—I think the people who were red diaper babies were probably just by tradition and knowledge of how the Communist Party worked, more structurally oriented. With "The Seamless Web," Fritjof and some of the others was a more idealistic sort of softer approach. I'm not sure softer is right. Definitely more idealistic.

01-01:37:43

Meeker: Well, you know, you talk about the CP approach, you talk about the Norman Thomas socialists. Were there any people who were reading Emma Goldman and had more of a philosophical anarchist, or political anarchist, anarcho-syndicalist perspective in all of this? Because it seems like the way that you're describing Fritjof's position was maybe a little bit more in line with that kind of approach.

01-01:38:13

Franck: I don't think so. Certainly by the time of the SLATE convention, almost all of us felt pretty strongly communism was a European ideology, socialism was a European ideology, and we were kind of forming an American ideology. And we started talking about—we started using the phrase *new left*. I'm quite sure about that. And we thought we were creating something different from the old warring left factions.

01-01:38:55

Meeker: So, by the time that SLATE convention happens in '58, you're seeing this as a model for an indigenous American radicalism?

01-01:39:06

Franck: Yes, and much earlier than that. Other thing that's very important—I haven't even mentioned it yet—we saw SLATE as coalition politics, and we came up with the phrase—I think this was Mike Miller originally—“Lowest Significant Denominator.”

There were small sectarian groups on campus; there was the Norman Thomas socialists, there were the Hal Draper socialists. Has Hal Draper's name come up? Some people were very loyal to Hal Draper. There may be a couple of others. The Young People's Socialist League was more the Norman Thomas people I think.

Mike came up with the phrase, "Lowest significant common denominator." It was very important to us; that we wanted a coalition of various groupings, but the word significant was very important. It stood for something significant.

I think I've understated this. SLATE very strongly saw itself as a coalition of what we would, in today's language, call progressive forces. But, we were definitely quite conscious, and before SLATE, trying to eschew the old politics of the old left, different parts of the old left, and saw those as not US in origin, and were trying to create something US. I mean, a little bit similar to the way Hayden viewed *The Port Huron Statement*. In fact, the view, maybe he partly got from us.

01-01:41:33

Meeker: When that came out then, did that feel to you like a good articulation of what you thought an indigenous American radicalism would look like?

01-01:41:43

Franck: Not really. We had sort of a complicated relationship with Hayden and SDS. I don't remember why, but I don't think we particularly identified with that statement.

01-01:41:56

Meeker: If you had written a statement like that around this time, what do you think it would have included?

01-01:42:10

Franck: Well, look to the writings from 1958.

[Side conversation deleted]

We put out two journals; one was a monthly—I don't know if it was monthly, but the idea was monthly—SLATE newsletter, which discussed some of this stuff.

01-01:42:34

Meeker: That the *Cal Reporter*?

01-01:42:36

Franck: Yes. And then there was also—the other one, where we evaluated faculty, was called the SLATE review, I think. No, no. Not the commentary on the catalogue; commentary on the faculty.

01-01:43:04

Meeker: I know what you're talking about. We can write it in.

01-01:43:11

Franck: And some of those documents, again, are in the collection at the Bancroft, physical copies.

01-01:43:17

Meeker: Yeah, I've seen the commentaries on the faculty.

01-01:43:26

Franck: So, back up. What was the last question again?

01-01:43:29

Meeker: Well, I'm trying to get a sense of your recollections of what this new American radicalism entailed, as it was developing.

01-01:43:50

Franck: Less ideological and more issue-oriented. If you look at those writings, I think we talked about the issues we were concerned about. You'll laugh; we may have called it a new left ideology, but I don't think we were as concerned with overriding principles as Marxism would be, let's say. We knew about Marxism and I think we read Marx, but we thought quite strongly that to be successful in this country, we had to have an indigenous ideology or set of issues, something like that. I think that faded after a few years, but SLATE, and a couple years before SLATE, that notion that we're creating something separate from these European based ideologies, an American ideology and set of issues, was very important to us. And, that's all wrapped up in the phrase *new left*. That's what the phrase *new left* means.

01-01:45:17

Meeker: Were there any particular writers or thinkers or theorists that were informing you about this?

01-01:45:31

Franck: I know it's not what you mean, but in some ways Fritjof. Some of us were influenced and aware of Paul Goodman's writings. But that was actually a little bit later.

01-01:45:58

Meeker: Where you reading Marcuse or anything like that?

01-01:46:00

Franck: Not yet.

01-01:46:01

Meeker: What about "The Beats"?

01-01:46:04

Franck: Oh, that's a big area. That's a very big area. You know how Telegraph Avenue once reached all the way to Sather Gate? There was a coffee shop halfway up there. I forget the name of it. But, we would hang out at certain tables and the Beats would hang out at other tables. It was clear who was who. We were pretty straight, and they were—I guess we didn't have the term *hippies* yet, but we would look at them that way. I don't think there was much intellectual cross-fertilization. Now, there's one person—a guy named Pierre Delattre, did that come up at all?

01-01:47:05

Meeker: No.

01-01:47:06

Franck: He was on the faculty of Stiles Hall for a while, and he was a bit of a crossover figure. He opened up a coffee shop in North Beach called "Bread and Roses," and we would sometimes go over there and some of the Beats. I don't recall ever meeting Kerouac or Ginsberg or any of those people at that time. If we're talking up to '58 or so. Later, it may have been different. I don't think they influenced us much.

01-01:47:52

Meeker: Did you have a favorite bookstore that you liked to go to?

01-01:47:55

Franck: Yes. Creed's.

01-01:47:58

Meeker: Creed's. Where was that?

01-01:48:00

Franck: Creed's was just down the street on the same block from that coffee shop, but I can't remember the name of the coffee shop. Used books and various kinds of books, but maybe this was more important to me than the others. One of my

uncle's best friends worked there, and it wasn't a bookshop that was set up for hanging out. It didn't have tables. It was a used bookstore. I think it was more a personal, family relationship on my part than an intellectual center for us as a group.

01-01:49:12

Meeker:

So, let's wrap up this first part of the SLATE story. Next time we'll pick up, I think. So, from the timeline that I'm understanding is that, this meeting happened organizing SLATE in '58, and then as the record shows, it sought to be recognized as a political party. Instead, it was recognized as an official student organization. Was that significant? Did that feel like a win or did that feel like a loss when that happened?

01-01:49:50

Franck:

We, especially Mike Miller, had a pretty friendly relationship with Arley Williams who was the Dean of Men at the time, and I think that was a compromise. They allowed us to function on the campus. They didn't want to call us a political party for some reason, but it allowed us to do more or less what we wanted. My recollection is that was a compromise, face-saving for the university and it didn't impede what we wanted to do.

01-01:50:27

Meeker:

So, it felt enabling?

01-01:50:29

Franck:

Yes.

01-01:50:31

Meeker:

Okay. Do you recall how the rest of that semester played out? Were there SLATE candidates run in that spring in advance of the fall election?

01-01:50:53

Franck:

Yes. Remember we were on the semester system. There might even have been candidates run in February or March for that semester. I mean, we really did think of ourselves as a campus political party, not a general political organization, and we ran slates of candidates in each of the ensuing elections. Now, I graduated in June of '58 and went off to Columbia Law School, but I stayed very closely in touch with people. In fact, a bunch of us from SLATE ended up in New York that fall and stayed together.

01-01:51:50

Meeker:

Tell me about graduation and your decision to go off to law school. And we can wrap up there today.

01-01:51:58

Franck:

Okay. Graduation, I didn't go to because I didn't believe in ceremonies, or something. My decision to go to law school I can be more clear about. I took an internship with the ACLU of Southern California. It was a small chapter of the ACLU. It was run by a man named Eason Monroe. Has that name come across your roster? Eason was a professor in the education department at San Francisco

State. He was a non-signer of the loyalty oath and got fired, but he was an educator. Somehow he got hired by the then small chapter of the ACLU in Los Angeles to run it and he had attended several of the Asilomar workshops and led workshops—I'd gotten to know him. And so, I arranged with him to do a six month internship under him. And, he was a wonderful mentor. I mean, as an educator, he knew how to mentor a fairly bright young student.

So, he started me off with filing cards and so on (pre-computers). But that was the period—the ACLU had some really great lawyers then; Al Wirren and I can't remember the other names, who were lawyers in some of the Supreme Court cases that the Warren court was using really to end McCarthyism.

So, they won a case invalidating some loyalty oaths, they won a case invalidating the outlawing of the communist party, they won—during that six months, a bunch of cases came down from the Supreme Court that were very strong pro civil liberties, and I developed relationships—I got to know some of the lawyers. I don't know if I was sending them papers, but doing a little bit of research, but I got to know some of the lawyers.

My major was psychology at that time, and I got the idea that lawyers seem to be able to change the world more than psychologists, and that's really when I made the decision to go to law school.

01-01:54:39

Meeker:

And so, when you applied did you declare that you wanted to pursue public interest law, or it was—

01-01:54:48

Franck:

I don't think the term public interest law had even been developed then. Let me think about that. One thing that helped me get into Columbia was a brief that Carey McWilliams and I wrote to get SLATE back on the agenda, and put that in as part of my application. I don't think that I particularly emphasized that interest in my application as to the law schools. Have you heard the name Frank Newman? Did I mention that to you before?

01-01:55:35

Meeker:

Who is that?

01-01:55:37

Franck:

Frank Newman was then a young law professor at Boalt. He later became a California Supreme Court justice, appointed by Brown. Was one of the ones that left under pressure, and then he was the head of Boalt for quite a while. I'd gotten to know him in the context of some civil liberties work. I asked him what law school I should go to. He said, "Don't worry about the law school. Pick the city you want to be in."

So, but I don't think my applications to law schools particularly had any of a social content. I used the brief Carey and I had written in my application and

probably talked about the activism, but it was still the tail end of McCarthyism; I don't think I pushed my politics in that. I had some very good experiences with some very important civil rights cases while I was in law school, but that's another story.

01-01:56:36

Meeker: So you took Newman's advice to focus on the city that you wanted to be in?

01-01:56:40

Franck: Yeah, yeah.

01-01:56:41

Meeker: Were there professors at Columbia that you had an interest in working with?

01-01:56:44

Franck: That I knew about before I went there, no. Once there, I found Jack Weinstein, a young professor who later became a very prominent federal judge who ran a clinical program called "Legal Survey," mostly to hide its politics. And, he set me up first with Roger Baldwin, who was a founder of the ACLU, at the time emeritus but was working on things. So, I got know Roger Baldwin and help him on a project.

And then he set me up with Martin Luther King's lawyers, who were fighting the case—which to this day is known as New York Times versus Sullivan King and the New York Times were sued for libel by Bull O'Connor for a full page ad that attacked him for attacking demonstrators with police dogs. And so, I was assigned to work with King's lawyers on that case, and that case is still the leading case on defamation of public figures today. That was a whole experience I could tell you about, but it's got nothing to do with Cal or SLATE.

So, there were some good professors there, yes, and a somewhat professional atmosphere.

01-01:58:24

Meeker: Did you find, when you were in New York, that there was a similar shift amongst students, or in this case law students, a new interest in having social impact?

01-01:58:44

Franck: Not among law students. Among other students. I got to know some young—I don't know if this is really where you want to go with this. I got to know some young students, particularly a guy named Al Haber, who were in the student chapter of the League for Industrial Democracy; SLID. And, they had the crazy idea of starting a national organization. And, that was actually the origins of SDS. So, I was in touch with those people.

In the law school, except for this experience with this one professor, I wouldn't say I had a lot of very progressive experiences. I was in touch with the SLATE people and the SLATE people were starting to go to the South and join the Freedom Rides.

I remember a couple of phone calls from a couple of the SLATE women who wanted advice about whether they should go on the Freedom Rides, and when the HUAC [House Un-American Activities Committee] May 1, 1960 major demonstration happened, my phone rang and I was sort of the eastern outpost of that for a while. But, it didn't show up much in the law student class. The law student class was fairly straight. The one thing I noticed is, that the women in law school class tended to be the ones who dropped out the most, because law school—the first year of law school in those years was pretty tough.

01-02:00:30

Meeker: Was it a three year program?

01-02:00:32

Franck: Yeah.

01-02:00:34

Meeker: Well, why don't we stop there today? And, we'll pick up, and I do want to get more of your thoughts on the developments at SLATE and the communications you continued to have while you were in New York. So, the election of [David] Armor to the ASUC president role. You had just referred to the HUAC protests at City Hall. I'd like to get your thoughts on that. And then, your return to Berkeley. You came back when, so '61? Sixty-two?

01-02:01:11

Franck: Sixty-one.

01-02:01:13

Meeker: Sixty-one.

01-02:01:16

Franck: I was doing graduate work in the law school at the time, so I was somewhat involved with SLATE during those periods. Not as heavily, but I had some contact.

01-02:01:24

Meeker: What do you mean, graduate work? At Berkeley? At Boalt?

01-02:01:29

Franck: Yes.

01-02:01:31

Meeker: So you were doing?

01-02:01:36

Franck: I was doing graduate work on the question of the Constitutional rights of college students. And, my faculty advisor told me that was an unimportant topic, and that was Michael Ira Heyman who later became Chancellor.

01-02:01:50

Meeker: I'm sorry, you ended up finishing at Berkeley? Did you transfer from Columbia?

- 01-02:01:57
Franck: No.
- 01-02:01:58
Meeker: So you got the degree in Columbia. Why were you working with Heyman?
- 01-02:02:01
Franck: I entered the graduate law program at Boalt.
- 01-02:02:12
Meeker: So, did you get your JD at Columbia?
- 01-02:02:16
Franck: Yeah.
- 01-02:02:17
Meeker: Okay. And then you came and you were getting a PhD in law? Was that the idea?
- 01-02:02:21
Franck: Well, it was a master's program, which I didn't actually finish, but it was a master's program at Boalt.
- 01-02:02:27
Meeker: So, it was like a post-grad—
- 01-02:02:29
Franck: Yeah, post law school.
- 01-02:02:31
Meeker: Post law school education. Okay. I didn't know that.
- 01-02:02:34
Franck: Yeah. I had a very interesting seminar on Chinese law from a professor who I think is at Harvard now, that I was doing this work on the Constitutional rights of students, because the university was still asserting the *in loco parentis* doctrine. I don't know if I can find anything that I wrote during that time. But anyway, that was the area I was working in.
- 01-02:03:05
Meeker: We'll cover that obviously, and then also your work around the Free Speech Movement.
- 01-02:03:13
Franck: Yeah, so then I opened my own law office in 1963 in Berkeley. That was during the Free Speech Movement. I was a lawyer for the Vietnam Day Committee, I was involved in a lot of the stuff that was going on then at the time.

Interview 2: January 9, 2018

02-00:00:08

Meeker: This is Martin Meeker interviewing Peter Franck. Today is January 9, 2018. This is the SLATE Oral History Project, and this is interview session, number two. We are here in Peter's offices in Oakland, California.

So last time we wrapped up talking a bit about your time at Columbia Law School, and I want to go back to that period of time. In fact, let's go back to the summer after your graduation in 1958. And, I know that you went to the National Student Association Conference that summer. I'd like you to take us back there, tell us about why you went to this conference and what it was, and then the degree to which you were telling other students about what was transpiring at Berkeley, particularly *vis a vis* SLATE.

02-00:01:13

Franck: I think I and Bill Petrocelli, who is still around, (owns a book store in Marin), with us on the student council at the time, we drove there together. I was on my way to Columbia. We had a consciousness of some student movement starting, and we wanted to meet people. We knew there was a national student association, a national organization. We didn't know it was a CIA front at the time, but we learned that later.

So we talked to other students, some about what we'd done in SLATE, some about what we could do together. There were students from the University of Chicago there, I remember particularly. And a student magazine that partly came out of SLATE and this whole movement called, *New University of Thought*—that I think you might have talked to Herb Mills about—was discussed a lot there. And so we were wanting to know what other students were doing, and what students as a group could do nationally. And we reported our experiences. I can't give you any more detail than that.

02-00:02:35

Meeker: Back at Berkeley there was the critique of, most ASUC reps were engaged in what you criticized as sandbox politics, right? The students attending the NSA conference, were they also like that, or were they more like you who were involved in SLATE; interested in broader issues?

02-00:03:12

Franck: They were interested in broader issues. They may have been a little more—I don't remember much talk there at all about football, sports, and so on. I think they may have been concerned with issues of tuition and scholarship. I think they were also concerned with some of the international issues. So it was, culturally so to speak, closer to us than the Greek society of Berkeley, which is football, baseball and sports mostly oriented.

02-00:03:43

Meeker: Were there conversations about the struggle to awaken the student body around politics and issues of broader concern?

02-00:04:00

Franck: I think there must have been. I think we reported what we had done at Berkeley in SLATE, and we'd been awakening students. I don't think there was a general discussion as your question implies.

02-00:04:23

Meeker: How long was this conference, roughly?

02-00:04:26

Franck: Four days or so.

02-00:04:27

Meeker: Where was it?

02-00:04:28

Franck: Ohio.

02-00:04:31

Meeker: At Ohio State?

02-00:04:31

Franck: I think so. One of the major campuses in Ohio, almost certainly Ohio State.

02-00:04:38

Meeker: Was there any follow-up afterwards? Were there other students who heard what you had to say, and contacted you and said, "Hey, we want to start something like this at our college?"

02-00:04:55

Franck: That did start happening, but I don't think it started happening out of the NSA conference.

02-00:04:59

Meeker: When did that start happening?

02-00:05:05

Franck: It started happening when UCLA students heard about what we'd done at Berkeley. I think some of them came up and we knew some—I knew some of them from earlier, in the 1954 civil liberties conference, and I think the students at UCLA did start a campus political party, and they sort of modeled it on SLATE, and SLATE even set up the position of "inter-campus coordinator", somebody to coordinate with other campuses and let them know what we were doing. I think we talked about this last time. The clearest indication of that was when Tom Hayden showed up, and he showed up specifically because he wanted to know what we'd done and how we'd done it.

02-00:05:54

Meeker: He came to Berkeley from Michigan?

02-00:05:56

Franck: Yeah. He had been appointed editor of the *Michigan Daily*. I think he may have still been a sophomore, or something. He had been appointed editor of the *Michigan Daily*. I think he hitchhiked. Anyway, he turned up at Berkeley and got in touch with the SLATE leadership, who were all living together. It was summer, so I was back from law school. Summer of 1960. He ended up staying in the house on Hillegass that we were all living in, and talking to us, and learning about what we'd done.

02-00:06:35

Meeker: Did he seem like a pretty impressive man?

02-00:06:38

Franck: No.

02-00:06:39

Meeker: No? [laughter] What did you think about him when you met him that summer?

02-00:06:45

Franck: I liked him. He liked to sunbathe in his undershorts. Did I tell you last time the story about the first time I met him?

02-00:06:55

Meeker: I don't think so.

02-00:06:59

Franck: I told you last time, my work with the lawyers for Martin Luther King. And because of that, I was asked to organize the student part of the civil liberties protest at the 1960 Democratic Party Convention, which was in Los Angeles. And a parade of cars from Berkeley, Berkeley students, came down the day before the demonstration and were staying at the house of one of the lawyers. There were a lot of extra rooms, so I sort of allocated people where they could sleep. And there was one pimply faced guy who I didn't know—I had no idea who he was—so I gave him a mattress someplace on the floor, and that was Hayden. That was actually the first time I met him, but I got to know him much better over the summer.

02-00:07:45

Meeker: You had conversations about politics. About what issues you were most interested in? If you recall?

02-00:08:01

Franck: I don't recall those kind of conversations. They may well have happened. I think we talked more about what we did, how we ran elections, how we started the campus political party. Because he went back to Michigan after that summer and started a campus political party called VOICE, modeled on SLATE. He asked me to come on my way back to Columbia and talk to the people who were setting up VOICE, and explain what we'd been doing with SLATE.

So that was sort of the influence. Our talks were not ideological, they were more organizational and how do you wake up a campus.

02-00:08:47

Meeker:

Do you recall what you might have said to him at that point in time? Were you starting to develop maybe a set way of talking about this?

02-00:09:00

Franck:

No. We thought—and I certainly did—the issues were fairly clear cut. Bomb testing in the atmosphere had to stop, apartheid in South Africa had to come to an end, discrimination in housing on the campus had to stop. So we talked about those single issues. We didn't talk ideologically, we talked about issues and what could be done. We talked some about student rights, the fact that students had the right to organize and assert themselves. I don't know if it was specifically with Tom, but at that period—once we got active—the university invoked the doctrine of *in loco parentis*.

02-00:09:59

Franck:

This was the official policy of the university—that they were *in loco parentis*—which is Latin for “in the position of parents”, and that they had the same rights and the same authority over us that our parents did. And we challenged that doctrine and it sort of fell away. And I think I probably did talk to Tom about that.

02-00:10:23

Meeker:

This time where you were splitting your time between Berkeley and New York, how were you keeping in touch with what was happening in Berkeley?

02-00:10:36

Franck:

That old means of communication called the telephone. I was on the phone fairly frequently with people from SLATE. Mike Miller, I, and Hank DiSuvero were considered the founders and leaders of SLATE, and the three of us left to go east at the same time. And the people of SLATE felt the vacuum, and for a while they would call us up and say, “Hey, what do we do about this? What do we do about that?” They would ask our advice about situations. So we talked to them fairly frequently by phone.

02-00:11:18

Meeker:

Who was this next generation?

02-00:11:20

Franck:

Ken Cloke. I think [Michael] Tigar was that next generation. Michael Myerson, who we're in touch with, if you want to talk to him. He comes out here every summer—no, he comes out here every winter to get away from New York. He's in town now. Irene Heinstein. Wendel Brunner, who later became an important doctor. Charlene Thygeson. She'd already been involved a little bit because she was married to Fritjof, but she was more leader of the second SLATE generation.

02-00:12:17

Meeker: Were there any substantive differences between your founding generation and those that came after you? In their agenda, in their goals, in their ways about doing things?

02-00:12:32

Franck: I don't think so. You would really have to do some research to prove this. I think there were more Red Diaper Babies in the first generation than in the second generation. Well, Terence Hallinan was in the second wave; his brother Patrick Hallinan was part of our first generation leadership.

[side conversation deleted]

And I'd have to think about who else was in the second wave. If I looked at a list I could tell you. We do have some lists. They're obviously a little bit younger.

02-00:13:28

Meeker: Do you recall when you were engaging with them what kind of questions they were asking? What they felt like they needed to know?

02-00:13:46

Franck: I think they asked questions about the university, about the administration. What was the motive of Clark Kerr? What was Alex Sherriffs doing? Could we trust him? They were asking, Could they trust him? It wasn't SLATE particularly, but as the Civil Rights Movement started, I remember getting quite a few calls while I was in New York from people asking me if I thought they should go to the South, where the sit-ins were happening.

02-00:14:23

Meeker: How interesting.

02-00:14:26

Franck: I can't be more specific than that.

02-00:14:27

Meeker: What would you have told them about that in response to the sit-ins question?

02-00:14:34

Franck: They should go. I hope I would have said yes. There's probably a certain amount of risk because things are volatile, but it's really important to support.

02-00:14:46

Meeker: What do you think was important for them to know about Clark Kerr?

02-00:14:50

Franck: That's sort of hard to sort out from what I thought about Clark Kerr from what I said about him.

02-00:15:13

Meeker: Would that have been different?

02-00:15:16

Franck: I might have been more diplomatic. At that time, I had still had an ambivalent relationship with him. He had supported us a lot, and had Rule 17 changed. And he had a good open-door policy. He was accessible. I probably would have said, "Look, if you have a concern, once a week there's an open-door thing. You can go and talk to him. Just take advantage of that." I don't think I saw him at that point as an enemy. We were more concerned with the Dean of Students who supported throwing SLATE off the ballot, and that kind of thing. He was sort of a senior figure.

02-00:16:14

Meeker: Is that Sherriffs?

02-00:16:16

Franck: No, that wasn't Sherriffs. Sherriffs was an assistant to Kerr, and assistant chancellor. He had his office up in Sproul Hall. Dean Arley Williams.

[side conversation deleted]

02-00:16:54

Meeker: Yeah. It's not there. As you're paying attention to the events unfolding in Berkeley, the '58-'59 school year, the '59-'60 school year, what are you thinking? Are you thinking that SLATE is really making progress? That what you had helped give birth to is starting to mature? Or were you more pessimistic?

02-00:17:24

Franck: Neither. I thought it was going along and going along quite well. We'd started something good, a really peak experience for us to start it. I was glad to see that it was continuing, and thought it was important. Nothing terribly striking about that.

02-00:17:52

Meeker: Did it seem like then that they could be pushing things harder? That you'd like to see more progress happening?

02-00:18:01

Franck: No, I wouldn't say that. At that point they hadn't yet elected a student body president and I thought they should, but I was glad it was continuing. It was something of a community for me. I was very glad to come back summers between law school and see that it was continuing. I don't know if we talked about this. It's a slight diversion. After I graduated in '61, I drove back across the country and I stopped at Cornell and several other universities along the way, to tell them what we'd been doing in SLATE and to encourage them to start campus political parties and serve the student movement.

02-00:19:01

Meeker: Who did you meet with in those universities?

02-00:19:07

Franck: Other students, obviously. Nobody whose name I can remember at that time.

02-00:19:13

Meeker: Were they receptive?

02-00:19:15

Franck: Yes. Everybody thinks that the Bay Area is so great—and it is—but, what really happens is that waves start here. And SLATE was the beginning of a wave of awakening. Here we were, the first part of the wave, and we gave some inspiration and some examples. And the 1960 HUAC [House Un-American Activities Committee] thing, which SLATE played a huge role in, gave huge impetus to the student movement. Did that answer your question?

02-00:19:55

Meeker: I think so. Let's walk through this. And so, you come back in the summer of '59, and I guess right before that—that May—Dave Armor had been elected Student Body President. Really less than a year after you left campus, SLATE does achieve this level of success. What did you think of his election?

02-00:20:27

Franck: I thought it was good. I liked him. I thought it was good that somebody from the engineering school was elected, because that was sort of the other side of the campus. I don't even know if he'd taken a seat yet then. Things were good. I would say that particular summer, my involvement was more social within the SLATE group than anything else.

02-00:20:59

Meeker: Who were you living with? Who was the group?

02-00:21:02

Franck: In the summer of 1960, Hayden turned up, it was Tigar, Aryay Kalaki, David Rynin. This came up before. He was the editor of the *SLATE Review* or whatever the magazine was called. He was, in my opinion, the smartest of all of us. And, unfortunately later, he developed some psychosis. I don't know if we talked about this, but an important background to all of this is the loyalty oath controversy of the fifties. Rynin's father was very important to that. Rynin's father was a professor of philosophy in the Philosophy Department. He was important to that. Other people were important. That controversy was over by the time we got there, but we were very aware of it. It developed deep splits in the campus and Clark Kerr really owed his chancellorship to that. So we were aware of it. You were asking me who were the other leaders? As I said before, Rynin's father never got over the fact that he signed the loyalty oath.

02-00:22:52

Meeker: No, I'm curious about the summer of '60.

02-00:22:54

Franck: Oh, who was staying at the house. There was somebody else. Ken Kitch. He's around. He's something of a film artist. He hasn't been political. It wasn't that big a house. I think that was the group.

02-00:23:17

Meeker: Okay. That summer of '60 has a pretty auspicious kickoff, like you had mentioned. Not only was there the HUAC protests that happened in May—

02-00:23:27

Franck: Which had already happened, yeah.

02-00:23:29

Meeker: But just a couple weeks before that was the Caryl Chessman execution, all coming in a pretty quick period of time. Was there a sense among everyone that there was a quickening? That something was happening?

02-00:23:54

Franck: I wouldn't put it that way. A lot of us—Mike Miller and I, and others—were politically somewhat active at Stiles Hall before SLATE. When SLATE started, it was what I always refer to as a peak experience. It was very intense. Everything we touched was more successful than the last. That's not an experience you have in life a lot. So we felt that we were riding a wave that started and was very important, and by the summer of '60 we were still on that high, so to speak. Calling it a high is not quite right. We felt we were riding an historical wave and we were part of an historical process. And the summer of 1960, it seemed very natural to us.

Mike probably told you. One night, when we were all studying for an exam by Kornhauser, Mike called us up and said, let's meet in front of Wheeler Hall tomorrow after the exam and talk about running at slate of candidates. It was a very modest beginning. And that became big. So we felt that we were doing something very important and that it was continuing. That's the best way I can answer your question.

02-00:25:26

Meeker: You said that SLATE was having success after success. In hindsight, what were those successes?

02-00:25:35

Franck: The success was waking the campus up. Politicizing the campus. You heard Herb Mills; he talked about that a lot. He's a little older. He had a phrase for it. But the success was turning the student body's attention to what was happening in the outside world, and away from football, beer, and fraternities. That still went on, but that had been sort of the exclusive focus of the campus. And what we had done was succeeded in getting the campus to look outward and be involved outward.

02-00:26:25

Meeker: Do you recall any examples of younger classmen and women coming up to you and saying, "God, I never thought about the world like this before?"

02-00:26:39

Franck: No, I don't. I'm sure it happened. It probably happened. The way the process went was, first we were thrown off the ballot and there was some indignation

about that. Some of the Young Republicans on this ASUC weren't great about that. Then there'd be a demonstration at Sproul Hall, and somebody going to school or whatnot would stop to listen and get interested and get involved. And people would come to the SLATE general assemblies out of curiosity—what was this all about—and liked what they heard and got more involved. It grew that way more than ideologically.

And there were coffee table discussions at the terrace, and at Blake's, and at Robbie's, where people hung out in the evening. But it was more that people gradually got involved. The kind of conversation you're talking about may well have happened. I think it would be more likely to have happened a little bit later, but I don't recall that kind of conversation specifically.

02-00:27:57

Meeker:

What do you think about what was going on in the broader political context? You had mentioned the protest at the Democratic Convention in LA, right, in 1960?

02-00:28:08

Franck:

Yeah.

02-00:28:11

Meeker:

Were you supportive of JFK's candidacy?

02-00:28:16

Franck:

No.

02-00:28:17

Meeker:

You weren't?

02-00:28:19

Franck:

JFK appeared at the Greek Theater, when was it? The previous summer, sometime before he was a candidate. And we mounted a very large demonstration against him in front of the I House on Piedmont. I think it was already clear that he was supporting the war in Vietnam, which wasn't very big at the time, but was significant. But that was an important demonstration, a really organized demonstration, against JFK.

02-00:29:10

Meeker:

Where were you politically then?

02-00:29:23

Franck:

I started out liberal. Started out being interested in civil liberties. Became more and more radical as the university started to crack down on us, and as we realized that they were doing that partly under pressure from people who were on the board of regents, like [Senator] Knowland, who were important in big business around here.

So we realized that the university wasn't so much an island by itself, and that made us look at the broader spectrum, and the role of big business and so on. I

would say, certainly by the time I graduated, I don't know what I did call myself, but I would have called myself a radical, not a liberal.

02-00:30:16

Meeker: So that would mean that you wouldn't be interested in supporting a major party candidate?

02-00:30:22

Franck: That's right. That's right. It was a few years later—not very many—that I was involved in founding the Peace and Freedom Party, which was a third party, because we didn't like the major parties.

02-00:30:37

Meeker: How old were you in 1960? Were you old enough to vote then?

02-00:30:41

Franck: Yes, I was born in '36.

02-00:30:45

Meeker: Okay. Do you recall voting?

02-00:30:49

Franck: Yes. Well, I don't recall voting, but I'm sure I voted. And, there were some write-in candidacies. I doubt that I voted for JFK. Martin Luther King and the Southern Christian Leadership Conference, organized that civil rights demonstration in front of the Democratic Convention in LA in 1960 because there was no good civil rights plank in the platform. And so we were not supportive of JFK at that point.

02-00:31:29

Meeker: So, civil rights was really—it was one of the litmus test issues for you?

02-00:31:35

Franck: Oh, absolutely. Yeah. In the arena of electoral politics particularly, it was very important. Discrimination in student housing, and apartheid, and bomb testing, I think were the biggest issues in our minds. We were very much issue-oriented. There were people in SLATE—and maybe you picked this up from others—who were in the Young Socialist League and had those alliances. I was not in any of those groups.

02-00:32:10

Meeker: What did you think of that sort of left factionalism that was there? Miller was talking about, there were a group called the Thatcherites, there were the sort of Norman Thomas socialists. I don't know if there was an anarchist group or not.

02-00:32:29

Franck: There wasn't an anarchist group. There were the Normal Thomas socialists, who were the first group that I had gotten acquainted with, because they were friends with my uncle. There were the Red Diaper Babies, who were the children of the Communist Party people.

So there was the Student Civil Liberties Union, which was basically a front for Norman Thomas socialists. And there was another group, anti-McCarthy group, which was led by Red Diaper Babies. The groups somewhat competed, but—and Mike Miller talks about this more than I do—SLATE managed to meld all those groups into working together with this mantra: least significant common denominator. So it was a successful coalition among those groups, and I didn't get particularly involved in the fights between them.

02-00:33:48

Meeker: You didn't feel tempted to hitch your wagon to one of these other?

02-00:33:55

Franck: No. Later on I was unsuccessfully recruited, but no.

02-00:34:07

Meeker: Okay. You had mentioned SLATE being banned. I think one of those efforts happens in mid-'61. When did you return from New York? Was it about that time? I know that you graduated.

02-00:34:24

Franck: Yeah. I graduated in June '61, drove across the country, so I must have been here by July.

02-00:34:34

Meeker: In grad school, in law school, did you know what kind of law you were interested in pursuing, and how did that all play out?

02-00:34:45

Franck: Yes. I went to law school because I saw—when I did my internship with the ACLU, I met some of the great lawyers of the period who were winning civil liberties victories in the Supreme Court. And I felt lawyers could really make a difference, and that's why I decided to go to law school. Was that your question?

02-00:35:07

Meeker: Yeah, sure. But when you were in law school, are you starting to specialize in something? Do you know what kind of law you want to practice?

02-00:35:17

Franck: Yes, what we would call movement law. I felt that activism needed lawyers to keep the movement in the streets, to protect them from police. So I went to law school with the intention of being one of the lawyers for this developing, left progressive movement.

02-00:35:47

Meeker: What were the issues that were essential for you to know in being a good attorney for the movement?

02-00:35:54

Franck: Nothing they taught me in law school. [laughter] That's not quite true, but criminal law, just how to get people out of jail when they were in jail for demonstration. How to get bail, how to handle cases. I did some other kinds of law as my bread and butter. I learned federal legal procedure. Getting injunctions for the Vietnam Day Committee. So, civil law and the basic criminal law, so I sort of had to learn as I went along.

02-00:36:44

Meeker: Was First Amendment law key to this as well?

02-00:36:51

Franck: That's a good question. Yes, although I wouldn't have talked about it as First Amendment law. I talked about it—and this was my field of study in graduate law school—Constitutional rights of college students, and free speech, First Amendment, was the basis of that. And took a lot of classes at Columbia and soon learned Constitutional law.

02-00:37:24

Meeker: When you come back to Berkeley, I think that you established your own practice around '63, is that right?

02-00:37:29

Franck: Yes.

02-00:37:31

Meeker: What did you do during those first couple of years? I guess you went back and took more classes at Boalt, right?

02-00:37:37

Franck: Yes.

02-00:37:39

Meeker: Tell me a bit about that experience.

02-00:37:42

Franck: Well, I was in the graduate program at Boalt for master's degree in law, they would have called it then. I remember one class—had nothing to do what we've been talking about—in Chinese law, which was a really fascinating field, at the time—was the professor who taught that and ended up teaching the same subject at Harvard. And as I think I told you last time, I started writing a thesis on the Constitutional rights of college students. And my faculty adviser was Michael Heyman, said it was an unimportant topic. And this was a few months before the free speech movement erupted, and as you know, he became later chancellor of the campus. So those were the areas I was working in.

02-00:38:45

Meeker: Do you recall what he said? Did he provide a reason for why this was not an important area of law?

02-00:38:51

Franck: No. It was almost an offhand comment. He was my faculty adviser, so he was talking to me in that role. And I told him what I wanted to work on, and he said he didn't think it was an important topic. We didn't really pursue it beyond that.

02-00:39:12

Meeker: Did you finish that master's degree?

02-00:39:16

Franck: No. Sixty-three came and I decided to open my own law office on Telegraph Avenue.

02-00:39:25

Meeker: Was the goal of that degree so you could teach law? Was that what you wanted to get out of it?

02-00:39:31

Franck: I wanted to go further in studying Constitutional law and the doctrines of Constitutional law. I wanted to get more in contact with the legal community of my generation in the Bay Area. Columbia was great in a lot of ways, drew from all over the country, so I was probably getting to know the professors, and I'd particularly gotten to know Professor Newman—you know who I'm talking about?

02-00:40:09

Meeker: Was it Frank Newman?

02-00:40:10

Franck: Yes. Frank Newman, we had gotten to know Frank Newman during the SLATE period, when he was a Constitutional law scholar and we'd gone and gotten advice from him. And I saw what a law professor—I didn't have an ambition to become a law professor but knowing him, I got a feel for the law and what you could do with the law, and how the law was, to some extent, an instrument or a tool of power. And I wanted to study with him, which I did do, and I wasn't quite ready to jump out into the real world. I think that's part of it.

02-00:40:56

Meeker: Tell me about establishing your own firm.

02-00:41:00

Franck: Fortunately, my parents were long gone by then and fortunately I'd inherited some money. So, I rented space in an upstairs building that's no longer there on Telegraph and Russell and opened up my own office in July of that year. I'd gotten to know Al Bendich. Do you know who he is?

02-00:41:30

Meeker: From the ACLU in Northern California?

02-00:41:33

Franck: Yeah. When I was a student president of the Student Chapter of the ACLU, I was a student rep sitting on the board of the ACLU in San Francisco. I'd gotten to

know Al Bendich in that context. He was, at the time I opened my office, teaching part-time in the speech department, and I made a deal with him that I'd give him free office space if he would mentor me some. So I rented the whole side of one of these old two-story converted buildings, and he had the back office. And I had a mimeograph machine which I made available to SLATE and other groups to use. The suite next to mine on the same floor—I rented the whole floor. The suite next to mine was a dentist, and then the *Berkeley Barb* moved in, and I actually rented that space. So I was the *Berkeley Barb's* first landlord. They were in the same building.

02-00:42:38

Meeker: They were operating out of one room, huh?

02-00:42:39

Franck: No, they had several rooms. It was one of these—the old two-story buildings, there were rooms in the back, sort of train style. I thought when I opened my office, that I'd have plenty of time for political activity and organizational activity, but I was busy from the very beginning. Because I was well-known from my previous activity, people started coming to me with all kinds of cases. I remember one in particular, a young man who had been busted for pot, whose parents were absolutely—this was 1963—whose parents were absolutely terrified about the fact that he was convicted. And I went to court and made a fourth amendment argument and the judge—and won actually, what I think happened is, the judge saw it was my first case and let me win the case.

And so, I was doing a mish-mash of those kinds of cases, as well as I was part of the legal committee for the Free Speech Movement, then representing Mario Savio individually a little bit later on, and then started moving to doing draft cases.

02-00:44:01

Meeker: Let's talk about the Free Speech Movement. When in '63 did you start your firm?

02-00:44:13

Franck: July.

02-00:44:14

Meeker: July. So, this is a year before Free Speech Movement emerges.

02-00:44:19

Franck: Right.

02-00:44:20

Meeker: Do you see the writing on the wall? Did it seem to you like something had to give?

02-00:44:33

Franck: No, in this sense: unlike the way history treats the Free Speech Movement, and the way the Free Speech Movement veterans treat the Free Speech Movement, it

was part of this growing wave. There were some free speech issues on the campus about six months before, and it was a natural thing that students wanted to support the Civil Rights Movement and demonstrations on campus would get bigger, and that the university would react. So, history portrays it as a shocking moment in time. I saw it then as a natural development of an upward curve of activism.

02-00:45:21

Meeker:

So, you just see it continuing to build up? You didn't feel like there was like a match, or like a straw that's breaking the camel's back at this point?

02-00:45:39

Franck:

No. No, I didn't. There were some free speech issues on the campus—small free speech issues on the campus—before the FSM. No. Like I say, I saw it as a natural development, an upwards progression of activism on the campus.

02-00:46:03

Meeker:

And some people who were involved in SLATE also become directly involved in the Free Speech Movement. So there's a direct personal connection, too.

02-00:46:14

Franck:

Exactly. It was campus activism, and if you'd been active, if you'd been South, or if you'd been active at all, and then the university arrested, Jack Weinberg. And then, you wanted to protect him, and you wanted to be part of the protest of that.

02-00:46:40

Meeker:

Did you go on campus? Did you witness that?

02-00:46:43

Franck:

Yes. I did more than witness it. I went on campus and witnessed it, and you know the story of the police cars and speaker's platform? Well, one day I was there observing, and Mario was on the police car and saw me and asked me to come up and give the crowd legal advice about what their rights were if the police came. So I spoke to the crowd, giving them legal advice about what their rights were. And that was a very powerful moment for me because, I was on top of the police car, I was looking around, and seeing the massed power of 5,000 people all on one side. And aside from that day, I was there in and out other days. The very next day, after I spoke on top of the police car, I happened to be in the Berkeley District Attorney's office and the Berkeley district attorney dropped the fact that he knew how much money I was getting from my trust fund every month. That's not the only evidence I have of surveillance in my career.

And the morning of the arrests, I was representing a student who was trying to start a bus service between the campus and the airport, I think, and couldn't get a license from the PUC. So I was scheduled to represent him before the PUC in San Francisco. So, four in the morning people started pounding on my door and saying they're arresting people. Come down and do something. I said, I'm sorry, I've got to be at this hearing in San Francisco. So I got there later in the day, but that was my involvement in that.

02-00:48:38

Meeker: Were you representing any of those who were arrested?

02-00:48:42

Franck: We had a lawyers committee. We had a lawyers committee that was a group of liberal lawyers. I was part of that, probably one of the youngest of that. I got some people out of jail that night, because I have a plaque that I keep in my bathroom at home, on the back of which is, "From a grateful client." It's got his name. I don't know what happened to that guy. So initially I didn't have an individual client, but I was involved with helping people get out of jail, and deal with the whole situation. Then I was part of the lawyers' group that advised the defendants in connection with the trial.

02-00:49:29

Meeker: That fall there's another presidential election. After Kennedy's assassination, Johnson runs in '64. Were you opposed to him as well?

02-00:49:45

Franck: Yes, because I think by then we'd started Peace and Freedom, and I remember being at a Lawyer's Guild convention—not in the Bay Area. I don't know who I was with—and we heard that Johnson had resigned. So, that must have been after that election.

02-00:50:10

Meeker: Or, he would have said that he wasn't going to seek a term.

02-00:50:13

Franck: No, that was it. He didn't resign. That was it. We heard he wasn't going to run for reelection, and we jumped for joy. We saw that as a huge victory. So yes, we were opposed to Johnson, because of his support of the war. His betrayal of the Mississippi Freedom Democratic Party, we didn't know much about at that time, but we were definitely not supporting Johnson for the Democrats. There was an organization—I don't know if this has come up—in Berkeley called *Liberal Democrat*.

02-00:50:46

Meeker: There's a publication, right?

02-00:50:48

Franck: Yeah, there's a publication—yeah. And, there was a little democratic club that was run by the guy who had an office on Bancroft who sold Cliff Notes. They didn't call them Cliff Notes in those days. And we knew of them as a pretty liberal democratic club, and we were somewhat close to them and friendly with them, maybe even a little bit mentored with them, but I know we didn't identify with the Democratic—I didn't identify with the Democratic Party as a whole.

02-00:51:29

Meeker: Tell me about the Peace and Freedom Party. How did that get established? What was your goal in that?

02-00:51:40

Franck: Our goal was, we couldn't support the Republicans. We couldn't support the Democrats. We needed to have some good people in public office, there were some people who wanted to run, but it was a broad-based thing. The founding convention of the Peace and Freedom Party, which was in auditorium in Richmond, had probably two or three thousand people in it, and it was a statewide organization. We felt it important to have a third party reflecting our politics. I changed my view about that afterwards. After the election, I came to the view that the state was too big, the country was too big, for you to build a movement—some of the people involved with Peace and Freedom saw a political party as a way of building a movement, breaking out of just being students, and building a broader movement.

After the very poor showing of the Peace and Freedom Party, I came to the conclusion that elections are not a context in which you can build a movement because they're too focused on the candidates. The elections can register a gain when a movement has grown to a certain point, but electoral politics is not the way to get change in the country. But a lot of work went into the Peace and Freedom Party. We had a lot of meetings and a lot of work to get done, a lot of work to get people on the ballot, and so on.

02-00:53:34

Meeker: Do you recall if you applied any lessons learned from SLATE to your work helping establish the Peace and Freedom Party?

02-00:53:46

Franck: I think not very consciously, but we saw the Peace and Freedom Party as a coalition. We were working with the Black Panthers, they were part of starting it. We saw it as a broad coalition, and something that was—we saw it, I think, to some extent as, All right, we did this on the campus, now let's do it nationally. So, learned the lessons that way.

02-00:54:18

Meeker: Did that key phrase apply to the Peace and Freedom Party? The least significant common denominator?

02-00:54:27

Franck: No. It might have applied but I don't think we ever used it. I don't recall using it in any of the Peace and Freedom Party work.

02-00:54:37

Meeker: The way that Mike Miller talks about SLATE is, this least significant common denominator, but also that SLATE was not ideological. Rather, it was focused on the cluster of issues that there was consensus around being important issues. Looking back on it, did it seem like that was the right path for SLATE? What did you think of that approach?

02-00:55:20

Franck: I thought, and I think a lot of us thought, that was the only approach. We were the beginning of the new left. We started, I think at some point, talking about ourselves that way. This goes back to an earlier question. We were very conscious of the ideological and political fights between the communists and the socialists, particularly. And we took the view that these were European ideologies and they didn't fit the American scene, and we weren't going to get involved with that. We were going to do something new. It took its form later, the *Port Huron Statement*, but that was the attitude, so that we welcome their being involved, but we didn't see ourselves as one more socialist tradition, or something like that.

02-00:56:13

Meeker: When you first read the *Port Huron Statement*, what did you think of it?

02-00:56:28

Franck: I don't think I was very impressed. I'm supposed to talk to Tom's son about this stuff on Monday. I don't know if I'll tell him that. I thought it was a good mish-mash of issues, but I wasn't terribly impressed.

02-00:56:52

Meeker: If you had written it yourself, how would you have done it differently, do you think?

02-00:57:01

Franck: Probably not as grandiosely. Another way of saying, more modestly. That was a next stage, and I'd have to go back and read it now, but I think it was a little bit more ideological than we were, and I don't recall thinking that was bad, but—so I thought it was a good thing. One didn't know when it came out that it was going to be considered later as such an historical document. As I think I told you last time, I was involved in some earlier discussions about the beginnings of SDS with Alan Haber and those people in New York.

02-00:57:50

Meeker: No, you didn't mention that. So, why don't you tell me about that?

02-00:57:52

Franck: Oh. That's important, not in terms of SLATE but in terms of history. When I was in law school in New York, I met people in radical circles. This guy by the name of Alan Haber, who's still living and still active in Michigan but was then a student in New York, who was active in the student division of the League for Industrial Democracies—called SLID; Student League for Industrial Democracy. I thought Alan was crazy. He talked about how we should develop a national student movement.

He was from Michigan, he went back to Michigan, met Tom, and SDS came out of all that. But, the real root of SDS is Alan Haber talking about the Student League for Industrial Democracy. In its very earliest days, even at the Port Huron point, it was still legally the youth division of the League for Industrial Democracy. At about that time, it decided to become a separate organization.

02-00:59:02

Meeker: Interesting. I'm curious, you said that you started to use the term "new left." Do you recall about when you maybe were starting to use that?

02-00:59:13

Franck: That's a good and important question.

02-00:59:18

Meeker: Was it before or after Free Speech Movement?

02-00:59:23

Franck: Before. Well before. I don't know. I think it was before SLATE, but it was well before the Free Speech Movement. And this is a side point. Did we talk last time about the internal divisions in SLATE and the founding convention? That's a very important part of the history for you to have.

02-00:59:52

Meeker: Sure. Some, particularly about the administrative organization of it, right?

02-00:59:59

Franck: Well, it was more the structure.

02-01:00:02

Meeker: The structure. Yeah, we did talk about that And that's also something that Mike Miller has gone into in some depth.

02-01:00:11

Franck: Yeah. And that was a very important experience, because there were two clear factions in the organization, Mike and I were sort of in neither, and trying to bridge both. So, I think that was our first experience with sort of ideological division.

02-01:00:37

Meeker: And what did that teach you?

02-01:00:45

Franck: What did that teach me? I was inclined and still do to the more hierarchical form of organization, and I think it taught me some skills, because I chaired part one of the founding convention meetings, it showed me some skills in trying to bring two competing factions together, trying to get some compromise or getting people to get along with each other.

02-01:01:17

Meeker: At this time when you start to describe the work that you're doing as new left, how would you have defined the new left if somebody asked you? What does this new left mean?

02-01:01:34

Franck: Young activists who are not involved in the Communist Party, or the Socialist Party, or the Democratic Party, but who were issue-oriented and who, after the very early stages, wanted to see fundamental structural change in the country. A

dramatic way of putting it would be to say they wanted to see a revolution. We used that terminology sort of later in the period, but people saw the issues were connected, and there had to be some very major structural changes, in some ways the power of big business held down or eliminated, for there to be real change. So we went from isolated issues and in silos, to seeing how it all fit together and that something big had to change for there to be a just and fair society.

02-01:02:40

Meeker: So according to that definition, would SLATE have been a new left organization?

02-01:02:44

Franck: Oh, yes. Without question.

02-01:02:47

Meeker: You had mentioned revolution as a form of change. Did your ideas evolve on that through the course of say, the 1960s? Beginning with SLATE and moving on? Were you becoming more comfortable with the more extreme kind of pronounced change?

02-01:03:15

Franck: Hard questions. I would say that I personally have never resolved it completely in my mind. I may have been, in the early days, sympathetic to the idea of violent overthrow of the government, but I never much liked the idea. I didn't like the idea of the chaos and all the death and destruction that would come. It never became completely clear to me how change was going to happen, and I got into a doubly privileged position. As a lawyer I could serve the people who were trying to change society without choosing which route. If somebody from the Socialist Party got arrested, I would defend them. If somebody from Communist Party got arrested, I would defend them. Being a lawyer, I had the privilege of not having to decide whether I agreed with this sect, or that sect.

And then a little later after I graduated, the issue I became most interested in was media, alternative media particularly, but media in general. And that gave me the same privilege. I knew that the media had to change drastically, that we couldn't change society until the media reflected a much more balanced and fair picture of what went on—which, I don't think the media does even today.

So a lot of my energy went into alternative media, independent media. And again, sort of almost any media, I would help legally if I could and I didn't have to choose whether it was the *Barb* or the—what was the other paper at the time? The *Barb* got competition from another paper called—The Tribe. And then there was an upspringing of independent media organizations.

02-01:05:36

Meeker: It's also interesting, because your interest in the media, if I was to interpret it, to me it harkens back and has a close relationship to your interest in civil liberties and First Amendment issues of freedom of expression and political communication. Or is that off?

02-01:06:00

Franck:

It's little bit off. My interest in the media was very clear. I remember—the civil rights demonstrations, at the San Francisco hotels and so on—going to those demonstrations and then reading about them in the newspaper the next day, or on TV, and saying to myself, what demonstration did that person go to? Seeing how badly it was distorted, played down, the violence played up, how poorly it was reported. And that dichotomy is what got me really interested in the media.

The First Amendment of course is an important tool to having independent media, but my sequence was, “We’ve got to change society into a much more just society, and we’ve got to have the support of the population to do that. And if the population is being misled, misinformed, and even bad values being spread by the media, that kind of social change will never happen.” So that was my analysis, and of course, the First Amendment is an important tool of that.

02-01:07:18

Meeker:

Well, tell me about some of that legal work that you did. I think I’d like to spend a few minutes on that. I know that we don’t have tons of time today, but I’d like to get your sense from your experience working because I know that you did some pioneering work I think around low wave radio stations and those kinds of issues. So how did you plug in? How did you try to make a difference there?

02-01:07:46

Franck:

I was very active from the beginning in the Lawyer’s Guild, which was the home for left-wing progressive lawyers. I got bored at the Lawyer’s Guild conventions because they were always talking about the same issues; defense of demonstrators and some other things. And I felt that the Guild should get involved with media, and I started a committee called the Committee on Democratic Communications. And we held a symposium on some First Amendment issues, and as it related to international law, which is a whole other topic I could go into.

Then we got a call from a professor at Sangamon State university, a state university in lower Illinois. That friend of his was in trouble with the FCC. And this was an unemployed, blind, black man who had been broadcasting with a one-watt transmitter he’d gotten from Canada, from a catalogue, to his housing project in Springfield, Illinois. And so the call from the professor says, “My friend’s in trouble with the FCC. Can The Lawyers Guild help him?” And our committee got involved with defending him, started thinking about the ban on low power—at that time, you couldn’t even apply for a broadcast license if you weren’t going to broadcast with 5000 watts or more. And we developed the argument that this ban on cheap, low powered radio, was unconstitutional under the First Amendment. I could go on and on with the story. Ultimately, it wasn’t his case, it was another case.

Then we got involved with free radio at Berkeley, and we won a court victory on those arguments here in San Francisco, and my committee, we coordinated legal

defense of other unlicensed broadcasters who were springing up across the country. And, one of the biggest shocks of my life—and this is way away from SLATE, but not really in a sense. All over the country we were fighting the bastards at the FCC who were trying to shut down these little radio stations. And I got a call from the assistant to the chairman of the FCC saying, “Well, we’re thinking about this and we’re thinking about maybe drawing up some regulations to legalize it, and we’d like your advice about it”—not me personally, but the committee. And we participated in drawing up the regulations that legalized low power FM. And once those regulations were adopted, switched from defending people against being shut down, to helping people who wanted to set up low power stations work their way through the rather complicated FCC regulations that you have to apply for a license. That’s how I got involved with that.

And of course I was involved with Pacifica Radio for a long time. Still am.

02-01:10:57

Meeker: KPFA here in Berkeley?

02-01:10:59

Franck: Yeah.

02-01:11:01

Meeker: Or the network?

02-01:11:02

Franck: The network. I think I told you this, I was president of Pacifica in the eighties. I’d been on the board, the late seventies and eighties.

02-01:11:09

Meeker: How did you end up as president of Pacific Network?

02-01:11:23

Franck: How do I explain that? I was elected. The president was, at that time, the CEO, and was elected by the board. And I’d been doing a lot of behind the scenes stuff. And I thought well, I should be a little bit more out front and I thought about this—and I ran for the position of president. There were some issues with the past president and he chose not to run. He didn’t even show up at the meeting where I was elected. Gave me a chance to try to have some influence on pulling the network together as a more cohesive entity.

02-01:12:02

Meeker: So what was your agenda then, while you were president?

02-01:12:08

Franck: I knew then that the signal to—because Pacifica stations were some of the first ones on the FM band, they were licensed at much higher power than most FM stations. KPFA is fifty-nine thousand watts, KPFA in Los Angeles is 100 thousand watts. The signal reached twenty percent of the population of the United States. Now, they weren’t all listening. That was the problem. So, my agenda was

to develop these five stations into a stronger network that could be a voice of progressivism for the whole country.

02-01:12:50

Meeker: Was the Pacifica Network, you know, right now it is quite progressive. It's very left oriented. Was it like that during the sixties and seventies?

02-01:13:02

Franck: Much more so.

02-01:13:03

Meeker: More so?

02-01:13:03

Franck: Yeah, much more so. Quite a lot of people who were active in the movement—you ever hear of Philip Muldari's show on Sunday mornings? A lot of people who were active in various movements—the women's movement, the gay movement and so on—got involved with their local station and developed radio programs in their area.

So, Pacifica—the New York station was famous for sending Chris Koch, the first American reporter to go to North Vietnam during the war, for that. KPFA was famous for—and this is probably 1957—having a round table in the studio of people talking about and smoking pot. It was a pioneering network. It did a lot of that kind of stuff. It is, in my view, far more mainstream—it's still more progressive than the *New York Times*, but it was more outstandingly radical back in that period than it is now.

02-01:14:26

Meeker: How were you, in your work, trying to promote this approach of Pacifica radio?

02-01:14:33

Franck: When I was first on the board and was president, the five Pacific stations—Pacifica grew accidentally. People donated to the stations—I won't go into all the details. It was essentially five separate operations taking place under a single corporate umbrella, and my effort was to make it more of a real, national, progressive network, and make the structure tighter and more effective. One of the stations almost lost its license to raise money because it wasn't keeping its books properly.

So, my aim was to strengthen the voice of the network and increase the audience. We had an advisory group here at KPFA—you know who Ron Dellums was?

02-01:15:32

Meeker: Yes, he was in Congress.

02-01:15:33

Franck: Ron Dellums came to one of those meetings, and he said something that influenced me a lot. This was before I was president. "You guys," meaning

KPFA, “need to decide whether you’re the newsletter of the left or the newspaper of the left. Whether you’re a house organ, or whether you’re reaching out to the people.” And I felt very strongly that we should be the newspaper of the left. And there was a lot of people active in one movement or another talking more to their peers than talking out.

02-01:16:06

Meeker:

Were you experiencing any difficulty in the 1980s when you have a leadership role at Pacifica, sort of parsing out the definition of what is left at that point in time? In the 1960s there’s a very clear fight against the war, a fight for civil rights. By the seventies and eighties you start to have, it seems, some fragmentation, particularly with a lot of identity-based movements. Are you witnessing that? Are you having any difficulty deciding really what fits within Pacifica’s purview, or not?

02-01:16:49

Franck:

No. I would say, I would have then been in support of anything that was—I’m going to say, I thought all movements were important. Gay movement is important, the women’s movement is important, and it’s important that they have a voice.

The main fight I was involved with, and then lost, was to make sure that Pacifica stayed independent, as listener sponsored radio, and stayed independent, of public radio. NPR was seen as a very different thing. Even within what we now call the public broadcasting sphere, it was a very unique radio network and needed to keep its radical perspective and not get drawn into the world of public broadcasting.

02-01:18:02

Meeker:

What were the difficulties that might come with being drawn into public broadcasting?

02-01:18:13

Franck:

The Corporation for Public Broadcasting had a project called the Healthy Station Project, and they wanted to have the broadcasting sound more professional, be a bit more moderate, be more appealing to upper middle-class liberals and were oriented towards broadcasters being highly trained professionals. The other view is that the station should be a place from the streets, so to speak. Active, street-level movements should have a voice directly on the air.

02-01:19:05

Meeker:

And the latter is what you were endorsing?

02-01:19:07

Franck:

Yeah.

02-01:19:09

Meeker:

Also in the 1980s, this is when you have your first SLATE reunion, right?

02-01:19:17

Franck: Yes. The first SLATE reunion was in 1984.

02-01:19:22

Meeker: What brought that about? How did that happen?

02-01:19:25

Franck: I thought that was a good idea.

02-01:19:27

Meeker: Okay, so it's coming from you in large part, it sounds like?

02-01:19:30

Franck: Yes. I took the initiative. I don't know exactly why. I presented the idea to other SLATE people around here. People really liked the idea and we formed a committee, and it took us six or eight months to put it together. We compared mailing lists, we found where people were, and it was—particularly the first night. I remember very well the first night's party, was a real high for all of us.

There was a film that appeared about that period called—*The Way We Were*. And it portrayed sixties radicals as middle class, middle of the road people by the 80s. And the first night of the 1984 SLATE reunion, it was absolutely clear that that was a misportrayal. That in one way or another, almost everybody had, in their careers, found a way of expressing the politics that had drawn them to SLATE, and were still very political in lots of different ways. There was a great deal of unity around that. Maybe we'd done something worthwhile.

02-01:21:05

Meeker: Can you give me some examples of that? We've talked about your work in student's rights and communications, media.

02-01:21:17

Franck: A lot of people had become professors and taught in a progressive kind of way. Mike Tigar came out of that, a very important legal career. Ken Cloke came out of that. David Armor did become a conservative, but he was the exception to the rule.

02-01:21:48

Meeker: There were a few other high-profile conservatives who started in the left who became conservative.

02-01:21:57

Franck: Very few. David Horowitz, his book *Student*—have you looked at it?

02-01:22:04

Meeker: I've scanned it in the past.

02-01:22:08

Franck: Basically it's about SLATE and it's got everything wrong. I couldn't get past the first six pages he had so many facts wrong. Since then, I've had a policy of never

reading anything where I have first-hand knowledge, because it's always wrong. Anyway, so repeat your question?

02-01:22:30

Meeker:

You had mentioned David Armor becoming conservative. I was curious, is that something that you saw happen to a number of individuals?

02-01:22:44

Franck:

A very small number of individuals. Rick White is a very close friend of Armor's, lives up in Marin, still friends, became really conservative.

02-01:22:59

Meeker:

Is there any internal logic to that particular trajectory, do you think?

02-01:23:16

Franck:

I don't know if there is. Some people—and I think Rick is one of them. I would not say this of Armor. Rick is an iconoclast and likes to come out with shockingly conservative views. A lot of people, in their later lives, were more moderate politically than they were when they were very young. But, a small minority of them became very conservative.

Most people, if I had a list I could describe them to you, taught liberally, taught in nurseryschools, Blue Fairyland was organized in Berkeley, and things like that. They found ways of expressing their politics as their lives went along.

02-01:24:20

Meeker:

What was it like meeting in '84? That's the heart of the Reagan era. Were people enthusiastic, or was there a bit of depression about what's happened to our country?

02-01:24:40

Franck:

Actually, the '84 reunion is actually a very important part of the story of SLATE. Has this come up for you?

02-01:24:52

Meeker:

No. Well, I know there was kind of the women's revolt. Is this what you're coming at?

02-01:25:00

Franck:

Yeah. That, we should talk about. The feeling coming together was a very high and enthusiastic feeling, and we had some good panels and discussions. It was not a feeling of being beleaguered by the Reagan election and so on. It was positive, and of course it was old friends reuniting.

But, what happened with the women's revolt—I don't know what the right word is, but I do remember when it started. At that time, women had gone through the women's movement and felt stronger and were having successful careers. We had some lectures and smaller discussions, and I was in one of those. A number of those found themselves falling into their old SLATE passive, defer to the men

role, and realized suddenly that they were doing that, and got very angry about it. And the anger about being in that subordinate role and being the ones to—like my secretary—bring the coffee, run the mimeograph machine—erupted.

And we'd had a final general assembly in the Dwinelle 155, the larger room, and some of the women started talking about this. Jackie Goldberg was one. And suddenly, what had been a final gathering of a reunion, became a SLATE general assembly meeting, became a real meeting. And a lot of feeling that they had been sitting on for all those years came out. Some of the men—I count myself as one—accepted it and heard it and knew that we didn't know as much in 1958 as we knew now. Others felt more defensive about it and weren't so comfortable with it.

But, it was a very important event in the overall history of SLATE. I think it was very important to everybody, but certainly to the women who participated in it.

02-01:27:35

Meeker: Were you surprised that this had come up, or did it seem like it was overdue?

02-01:27:40

Franck: I had no idea. I understood what was happening when I saw it happening, but it was only 1984. It wasn't now, and I was totally unaware that us men had been dominating things and pushing women aside.

02-01:28:02

Meeker: Well, we're in quite a moment right now, too.

02-01:28:06

Franck: Yeah, a similar kind of thing. Not quite the same issue. There was a lot of sleeping around in SLATE. I don't think there was any sexual abuse. Maybe some men using some of their prestige to get women, but it wasn't anything like what's going on now.

02-01:28:28

Meeker: This reunion, was there a pretty strong social dimension, too? Were there old flames being rekindled, was there any of that kind of stuff going on?

02-01:28:41

Franck: People were reconnecting who'd been close and had drifted apart. Mike would have a better sense of this than I do, I think. I don't think there was a lot of sleeping around and recoupling. People were remarried and had stable relationships and had kids and so on, but there was a certainly a strong rebonding that went on.

02-01:29:13

Meeker: And that then continued on, right? I believe there was a second reunion?

02-01:29:19

Franck: There have been several. That was the biggest. It was at least 200 people. That was '84. Then we had a reunion in 2000 down in Redwood City and, that

intersects with the Pacifica story because Bill Lockyer, who was the Attorney General, was in SLATE and he was at that reunion.

02-01:29:49

Meeker: How interesting.

02-01:29:50

Franck: I knew he was going to be at the reunion, and we were trying to get him to authorize a lawsuit to take Pacifica back from forces that were trying to capture it. And by taking him aside at that reunion, I was able to convince him to let us do that. So, but that was small. Our friendships were renewed. Then in 2000, out of that reunion, a discussion group of SLATE veterans who live in the Bay Area, twelve or fourteen of us, started meeting, kept political discussions, every month. And we still do. That's continued. And that's because we're all interested in how we view the current world, but it's also been a way of maintaining those old friendships.

02-01:30:45

Meeker: In these meetings, is SLATE discussed very often? Is it brought up as a touchstone?

02-01:30:49

Franck: Yes.

02-01:30:52

Meeker: How is it talked about?

02-01:30:59

Franck: If they'd done it the way SLATE did it, we'd all be in much better shape. [laughter] In some ways that was said. I think it was talked about, if various groups would build the kind of coalitions that we built—least significant common denominator—and put aside things that divide us that are not important, and stay together where we can be at fundamentals.

02-01:31:55

Meeker: You were talking about the discussion group and the degree to which SLATE is brought up in this.

02-01:32:09

Franck: It comes up fairly often. God, how does it come up? We're meeting on the twenty-first. I might ask them that question and bring you the answer. I think it mostly came up in that, we learned how to successfully work in coalition, and we're not single issue oriented. And groups now may have success within their silo, but they're not being broadly successful because they haven't learned that coalition way of working. I think that's the way it came up.

Then there was one more gathering—Fritjof Thygeson was one of the key people in SLATE, and he died five or six years ago, and we held a memorial for him at Stiles Hall. Stiles Hall is always where we met when we met off campus. Maybe 100 people came to that who'd been part of Fritjof's life, and mostly had been

touched by SLATE in one way or the other. And we have a couple of email lists that we still have some discussions on.

02-01:33:50

Meeker: What's being talked about right now?

02-01:33:58

Franck: The lists aren't very active. The discussion group has had several interesting sessions about Greece, the failure of so-called progressives in Greece. Mike Myerson is very close to [Bill] de Blasio, so he talks some about New York politics. We're talking next week about how political activity tends to bring out, if not the worst in people, bad traits in people, and how to deal with that. We talk quite a bit about community organizing. Mike brings up very often Saul Alinsky's idea about how to organize things. We talk a lot about the importance of organizing from the bottom up instead of the top down.

We're divided—and I'm talking about this one group now—on electoral politics. But there are people in the group who, in the Obama years, were very strongly for Obama and very strongly for electoral politics, who are now disillusioned with electoral politics. So, it's a range of issues.

02-01:35:32

Meeker: Do people do preparation and study in advance of these conversations?

02-01:35:36

Franck: Yes. Some more than others. Somebody has a responsibility of coming up with some readings, distributed by email—and coming up with some questions—and we generally distribute the readings or links to the readings, and somebody comes up with a list of questions we go through.

02-01:36:03

Meeker: How similar is this kind of discussion group that you continue to have now, from the kinds of discussions you maybe were having in the fifties, in the early SLATE era?

02-01:36:21

Franck: I think the difference would be that we understand the interconnectedness of everything. In the actual SLATE era, we would have talked about how to get the university to enforce a no discrimination in the housing policy, or how to get the ASUC to endorse a boycott South Africa policy. Now, there's a bit of a divide in the group. Only a few of us are still active in some kind of political stuff. Most people regard themselves as retired.

When Occupy was happening, we talked a lot about the strengths and weaknesses of Occupy. More of the group feels like observers than actors, which is now how I feel. I try to push people into getting involved. And people did go to the Occupy rallies and so on, but you know, we're in our very late seventies and eighties, and

so, we're more observers. And it's also right that the younger generation take the lead in a lot of this stuff.

02-01:37:50

Meeker: Do you ever wish that your voices, your knowledge, was listened to?

02-01:38:00

Franck: Everybody does. Yes, we do. And the group as a whole—and I don't share this as much as some—tends to be critical of how people are doing things now. And, Aryay—you are going to interview Aryay? He did agree?

02-01:38:29

Meeker: Yeah, I will.

02-01:38:30

Franck: He felt for a long time, I'm not sure he feels this strongly now, that we should pass on our experience to the younger generation. And people did feel that, and everybody wants the younger generation to learn. I don't think we quite understand the younger generation. The culture is different.

02-01:39:09

Meeker: Do you see the younger generation as different from you as you were from the old left?

02-01:39:19

Franck: I personally, I don't think this would be unanimous, I personally see them as more different. The style of organizing, the style of work, style of meetings even, is more different. If you look at pictures of FSM, everyone was dressed very neatly in suit and tie. Look at pictures taken seven or eight years later, they look very different. There's that kind of a difference. So, I think it is quite different. And of course, we tend to think ours is the right way, but I'm not sure about that.

02-01:40:05

Meeker: You've mentioned about SLATE being one of, if not the beginning, of the new left in the United States. I like to ask counter-factual sometimes. So, I'm curious. If SLATE never had happened, you went to UCLA, and Miller went to Harvard, or something like that, and you guys never met, do you think that the new left would have emerged in the same way?

02-01:40:45

Franck: Yes. Well, I don't know about—I think it definitely would have emerged. I would love us to take credit for it all, but I think it would have emerged. What did emerge in a somewhat different way, it's a little hard to put my finger on it, but the style of SDS was very different from the style of SLATE. Those of us in SLATE think they would have been more successful if they had done it our way. But, we were the beginning of a wave and I can't claim we created it. I think we did a pretty good job, but it would have happened. Because McCarthyism was fading, because people—that movement was not even primarily self-interest—but

people were being drafted, and did not want to go to war, and kill or be killed, and things were affecting people.

02-01:41:51

Meeker:

I think off-tape we have talked a little bit about what the new left would have looked like if it, like you said, took more from SLATE and less from SDS. Can you flesh that out a little bit?

02-01:42:14

Franck:

I think it would have been less centralized. I think SDS became too centralized and too bureaucratic. I think it might have involved people in a more grassroots way, as sort of a general statement. I don't know if I can say. Another part I'm trying to get, but—put the question another way. There's something else there.

02-01:43:15

Meeker:

Let's say SLATE became not just the beginning of student politics at Berkeley, but SLATE became kind of a national headquarters for the student movement. What impact do you think it would have had? How do you think things would have been different?

02-01:43:48

Franck:

I think it would have been more decentralized, and more grassrootsy, and more varied. I think more localized, different issues would have come up in different places. You haven't asked it, but the biggest question is, SDS splintered into the Weatherman and the other because they hit a ceiling. That's my view. There was no more they could go. Some of the leaders in SLATE—and I particularly think about Herb Mills, and there are others.

This is actually a big difference. That's what I was trying to get at. SLATE knew it had to reach out to other parts of the population; workers, non-students, certainly faculty. SLATE knew, and I guess that's what Peace and Freedom was partly about. SLATE knew it had to reach out beyond the campus. I don't know if SDS ever knew that. When they splintered, yes, they went to work in factories, some of them, and so on. But that was really post-SDS.

And, I think SLATE understood that better, and it'd be nice to rewrite history. And when they hit the ceiling, and SDS hit a ceiling; it got to a point where they could do no more, and that's when things sort of splintered. If we had hit that ceiling, we might have found more ways of spreading out laterally and continuing to be effective, and not be forced into the extremes of building bombs in basements, and the Weatherman thing and so on.

02-01:45:45

Meeker:

Interesting. Looking back on it, SLATE lasted from—well, it was formally established in '58, had run their first slate of candidates in '57, I guess to being dissolved in about '66. Is that right?

02-01:46:08

Franck:

Yeah, it was quite consciously dissolved at a particular meeting.

02-01:46:10

Meeker: Were you around then?

02-01:46:12

Franck: Well, I was around, but on the periphery. That's when I was practicing. Wendell Brunner, who is around—used to be the Health Director of Contra Costa County—chaired that meeting and SLATE decided to dissolve itself, I wasn't involved in it. He says, because it was becoming a battleground for factions and not an organization in itself. I've heard him say that that meeting was in 1966.

02-01:46:48

Meeker: So, for that nine years or so, the lifespan of SLATE, do you look back upon it as a successful organization in the sense that it achieved what you hoped it would at its inception?

02-01:47:05

Franck: No, I think it achieved much more than we hoped. So yes, it was a successful organization. We wanted to turn the campus on, turn the campus outward. And we did. So, I think, yeah in that way, it was extremely successful.

02-01:47:29

Meeker: Do you see this as kind of a unique organization in how successful it was amongst similar organizations of the era?

02-01:47:43

Franck: The era? Yeah, I think I do. Other successful organizations in the era were focused on one issue or another. That's a weakness of the left, in part. There are a couple now—National Coalition, Answer is one, and United for Peace and Justice is the other—they fight with each other and they're not broad-based, and we were quite vertical in the sense there were leaders—Mike, myself and others—and followers.

One of the people I was going to suggest to you to interview if Aryay dropped out, was a woman by the name of Julie Morris, who started out as just a rank and file person and on the fringe of some of the meetings and ended up running for ASUC. Mike Miller persuaded her to run for student body office at one point, and she says that changed her life. So, it was a more vertical organization in that way.

02-01:49:17

Meeker: Is there an end date to the new left? How would you periodize that? If SLATE's kind of the beginning of it, is there an end date?

02-01:49:33

Franck: I'm tempted to think Kent State. And I don't remember exactly the—Kent State and when SDS split into Weatherman and—what's the name of the other faction? Worker Student Alliance?

[Side conversation deleted.]

02-01:50:10

Franck:

I think that would be the end of the new left. Right about that time, quite a few people—especially the people that didn't go into Weather Underground, started joining Maoist sects. There was the October League, and there was a number of organizations like that which were Marxist, and they tried to modernize the Marxist theory, but they were definitely ideological. And I would not call them new left.

02-01:50:52

Meeker:

So that roughly ten, twelve-year period of the new left, how successful was it, do you think?

02-01:51:05

Franck:

We set out to make society better. If you look around, we were a total failure. I'm being facetious, slightly. But I'm not being entirely facetious. We really thought we could help make society better. And for reasons beyond our control, things are a whole lot worse now in terms of climate, and not to even say anything about Trump. But your question is, how would I evaluate it?

02-01:51:40

Meeker:

Yeah.

02-01:51:44

Franck:

I do evaluate it very positively because it brought people into social activism in a healthy way, and it opened a lot of people's eyes to power structures, and it also taught people who thought they were just rank and file students, that they could play a role, be a candidate, whatever. I think a lot of people felt empowered and took more active roles afterwards.

I think probably, if you could do statistics on average income over the lifetime of people of SLATE, it's probably less than ordinary graduates of Berkeley. I had this argument with a friend of mine—it's more satisfying to have done all the stuff that I've done than to be rich, which I'm not.

So, it had a positive impact. No question it had a very positive impact on people. Even this one little group that still meets, keeping those friendships going. I had a call two weeks ago from somebody who was in SLATE who was defending—who I defended on a pot charge, I think successfully, and he was trying to get it expunged. That's why he called me. He didn't know that the SLATE people were still together and that there was a SLATE email list, so now I've put him on the email list. And he was very excited to learn that we were still together and in touch with each other. So, there's a positive in that sense.

02-01:53:38

Meeker:

Coming to you from UC Berkeley, a couple questions about how you might communicate certain things to say, an undergrad at Berkeley today. Let's say a freshman had never heard of SLATE before, how would you describe it to her? A

second semester freshman at Berkeley, what does she need to know about SLATE?

02-01:54:09

Franck: That actually came up a few years ago. I'm not quite answering your question, but I will. Some students came across the SLATE Supplement.

02-01:54:25

Meeker: Oh, yeah. Well, it was the catalog, right?

02-01:54:28

Franck: No, it wasn't called the catalog. It was the SLATE supplement. And, they wanted to know more about what SLATE had been. All they knew about was the supplement. How would I communicate it to them? Be aware of what's going on in the world. Do as much as you can about it. That's sort of my philosophy. If you can't totally change things, know that you've tried. Beyond that, I would say, any campus needs a place where people of different political views but definitely progressive ones, can come together and exchange views and find ways of acting on them. Hopefully they learn that there's a lot of satisfaction in acting on your beliefs.

02-01:55:40

Meeker: Do you think undergrads at Berkeley should be taught about SLATE today?

02-01:55:44

Franck: Of course I do.

02-01:55:45

Meeker: Why?

02-01:55:50

Franck: Because it's a model. I see kids with their laptops sitting for hours on end at the FSM café, and wish they knew more about what the FSM had actually been. It was empowering, and it's important to be aware of what's going on in the world. I have a fifty-five-year-old nephew whose got a ten-year old kid, and they watch sports, and they barely know what's going on in the world.

I think people have to be engaged. And being active, doing something, in the sense of SLATE, running for student office, in 1960 carrying picket signs and so on, when you're doing something, first you have a chance of success, you have a chance of meeting other people who feel the same way, and—take climate change. It's going to be very hard to stop it, but if you do what you can, you feel more comfortable about it because you've done what you could.

I'll tell the story in a slightly different way. I've had periods when I was involved in something, and periods when I was not. Like, I was national treasurer of the Lawyer's Guild for four or five years, and very active with the Lawyer's Guild for about twenty. I'm still, somewhat. Then I had a quiet period, then I got involved with Pacifica. And in the quiet period when I'm not involved in much, I sort of

get depressed about the state of the world. When I'm active, I feel I'm doing as much as I can, and if it's not enough, I can't help it. It's therapeutic in that sense. And actually—this is a suggestion—you guys should probably study the radical therapy movement at some point. Have you come across that?

02-01:58:17

Meeker: Is this like Esalen and that kind of thing?

02-01:58:19

Franck: It's somewhat related to Esalen, but it was a Berkeley based movement of people interested in psychology and psychotherapy from a radical point of view, and felt it important—there is literature, they produced a bunch of books. But it was very Berkeley based. They felt that therapy works if people understand that their problems are not just their fault. That they're in a society that doesn't pay them enough wages, or whatever. So, SLATE, I think, filled that role for a lot of people.

02-01:59:01

Meeker: Well, in the way that you've talked about it up until now, in the conversation groups, the discussion groups you have, it sounds like it provided a model that you continue to go back to throughout your life.

02-01:59:21

Franck: Yeah. It provides a model, and I think the colleges use a certain—it was a peak experience for all of us, and a very important experience for all of us. So, we do go back to it. Both to what we did then, and to the people we connected with then. Yeah.

02-01:59:41

Meeker: Actually I think that might be a good spot to wrap up, unless you have any final thoughts you'd like to add. That seems to be pretty articulate.

02-01:59:49

Franck: I've expressed more thoughts than I thought I had.

02-01:59:51

Meeker: Okay. Well, thank you, very much. This is great. I think that we've covered a lot of terrain today and I think that you've really helped flush out the good argument for why this needs to be remembered and why there's still vitality within the idea.

02-02:00:13

Franck: Well, you've sort of answered. Do you have any other impression from everything I've said?

02-02:00:18

Meeker: I'm starting to form things. And I've got to say that's one of my favorite things about doing interviews, is that, I'll start on a project and I might have questions but maybe don't have a lot of ideas yet. And it's in the process of conducting the interviews that I start to develop some ideas, and then I'll bring those ideas back into the interviews and kind of begin to test them. Which is why I like to do

bigger projects with more interviews, because then there's more time to sort of refine and hone those ideas and try to develop it into something.

My biggest struggle with this project, to be honest—and I'd like your comment on that—is that, the movements of the sixties and in particular something like FSM and to a lesser extent SLATE, but still, these are things that are relatively well remembered, at least amongst the participants, and so the participants tend to—they've talked about it a lot.

And so, when you talk about something a lot you develop a specific narrative of talking about it. And it's challenging for me to interview people and get something other than that story that's been told a million times.

02-02:01:45

Franck:

So, you're getting a memory of a memory rather than the original thing.

02-02:01:50

Meeker:

It's a meta narrative, yeah. And so, the challenge for me is to make sure that that accepted memory is on the table. I kind of like, see it as this sort of globe on the table, right? Where, that's the world, but you kind of want to walk around and say, well, tell me about Antarctica. The side that maybe is not so obvious, that people know is there but isn't talked about so much.

So, that's what I'm struggling to do. It's harder to do in the context of shorter interviews, but I want to acknowledge the story, the truth that exists, but then also try to see if I can get any new or parts of the story that were heretofore not included in an overall narrative.

02-02:02:46

Franck:

I wish Bill Kornhauser was still alive. A professor that influenced a lot of us, who watched SLATE. Who is the guy—starts with H. If you could find some of the people, professors—they're mostly older than us so mostly not living—who observed SLATE but weren't part of it, but were sympathetic to it, you might get some of that. I don't know. I can't think who. If I can think of anybody like that, I'll let you know. There ought to be just a few.

02-02:03:48

Meeker:

There's some impressions here and there in the oral history record.

02-02:03:55

Franck:

So, you have some of the stuff.

02-02:03:56

Meeker:

There's more about FSM, I think.

02-02:03:57

Franck:

Yeah. Yeah.

02-02:03:59

Meeker: There's some interesting stuff out there, and I appreciate what Aryay was saying about interviewing people who were maybe involved, but they were not the founders, for instance.

02-02:04:17

Franck: Or not the leaders.

02-02:04:18

Meeker: Not the leaders, yeah.

02-02:04:19

Franck: Well, that's why Julianne Morris, if you want somebody else, she would be a good one to talk to because she tells that story of having been just a rank and file member who never would have dreamt of running for ASUC office until Mike talked her into it, and it changed her life in a lot of ways.

02-02:04:38

Meeker: Yeah. Hopefully I'll have the opportunity to expand this a little bit and then we can interview her and some others as well. Well, thank you.

[End of Interview]