



CSU
College of Law Library

Cleveland State Law Review

Volume 22
Issue 1 *Symposium: Kent State 1970 - Legal
Background and Implications*

Article

1973

Symposium Introduction

Ramsey Clark

Follow this and additional works at: <https://engagedscholarship.csuohio.edu/clevstlrev>

How does access to this work benefit you? Let us know!

Recommended Citation

Ramsey Clark, *Symposium Introduction*, 22 Clev. St. L. Rev. 1 (1973)
available at <https://engagedscholarship.csuohio.edu/clevstlrev/vol22/iss1/4>

This Article is brought to you for free and open access by the Journals at EngagedScholarship@CSU. It has been accepted for inclusion in Cleveland State Law Review by an authorized editor of EngagedScholarship@CSU. For more information, please contact library.es@csuohio.edu.

CLEVELAND STATE LAW REVIEW

Volume 22

Winter 1973

Number 1

Symposium Introduction

*Ramsey Clark**

THERE IS A CLEAR, COMMON THREAD among such seemingly unrelated phenomena as the firebombing of Dresden in 1945, our military expedition in Indochina, the deaths of prisoners and guards at Attica and San Quentin, our celebration of guns, the shooting of students at South Carolina State and Southern University, and the deaths of four young Americans at Kent State University. The thread is more than the presence of violence. It is more than the unquestionable excessiveness and lawlessness of the violence used. It is the acceptance of violence by the people.

More than most, the deaths of four young lives at Kent State show how we justify, perhaps desire, violence. One fine sunny day in May of 1970 we turned our violence on our own white, middle class, college students. Many Americans believe we were outraged as a nation by what happened that day. Many Americans were outraged, but, at best, an honest analysis reveals our emotions were mixed. For with all the expressed outrage following the killing of those beautiful, young people, how did our systems of justice and government respond? The Portage County Grand Jury wanting in elemental human sensitivity, defying truth and ignoring constitutional rights to a fair trial unprejudiced by pretrial publicity, issued a scathing denunciation of students and university administration that was full of anger and hatred. Not the men who steadied their deadly rifles, took careful aim and hurled steel jacketed bullets at defenseless youngsters, but students were indicted for their roles on that fatal day. Some indicted were those who tried hardest to prevent violence. Perhaps non-violence has become the most serious crime in America. The federal government, for all its posturing about law and order, failed to enforce federal law, abandoning any pretense of moral leadership. It never convened a Federal Grand Jury to review the facts to know the truth about events that torment millions of Americans.

* B.A., University of Texas; M.A., J.D., University of Chicago; Former Attorney General of the United States.

The lesson is clear: do not fool around with the peace and dignity of our system of justice or you may be shot with high-powered army rifles and indicted if you survive.

Violence is a strong emotion. It does not make nice distinctions. It replies with gunfire even to the plea, "Don't Shoot, We Are Your Children" when its fury is unleashed. Only a renunciation of violence will avoid future Kent States. America continues to exact the power of violence, ignoring its inhumanity, its purpose as death and injury to others. Only a reverence for life offers the chance to renounce violence. Violence evidences the dehumanization of our lives. A new humanism, conceding our common humanity, concerned for all people, committed to their happiness and fulfillment, will glorify life.

We can never allow ourselves to be content with the present account of the Kent State killings. We must have the courage to seek the truth. We must continue the search and thoroughly understand the legal and moral issues arising out of this national tragedy. However painful it is to recall, we will condemn ourselves to its repetition if we do not insist on facing this sickness in our character. We should be grateful, therefore, that almost three years after the incident we are given this chance to join the *Cleveland State Law Review* and its symposiasts in analyzing what happened and what it means.

EDITOR'S NOTE:

This issue contains the following materials included in the Kent State Symposium:

<i>The Legal Background and Aftermath of the Kent State Tragedy</i>	3
<i>Kent State — Justice and Morality</i>	26
<i>Sovereign Immunity — An Argument Pro</i>	48
<i>Sovereign Immunity — An Argument Con</i>	55
<i>American Grand Jury — Investigatory and Indictment Powers</i>	136
A SELECTIVE CHECK LIST OF BOOKS AND ARTICLES CONCERNING KENT STATE UNIVERSITY, MAY 4, 1970	222