Strange Lessons For The Young At Kent State

Kent State University is the modern buildings and green sloping lawns a pleasant contrast to the down-at-the-heels town. Here the campus revolt against the Cambodian invasion began last May, forcing Nixon to withdraw. Here a new national battle has begun with a special Ohio Grand Jury report which, as expected, absolved the National Guard and the Ohio authorities for the killing of four students and the wounding of nine others in that anti-war confrontation. The Grand Jury instead indicted 25 persons linked with the demonstration.

Kent State University in its catalogue describes itself as "a dynamic institution of growing eminence." The grand jury pictures Kent State as a hotbed of radicalism, anarchy and permissiveness. Some of the faculty, if the grand jury is to be believed, even "devote their entire class periods" to urging their students "openly to oppose" the government "to the point where one student who dared to defend the American flag was ridiculed by the professor before his classmates." The description in the grand jury report will be disappointed. This is a campus where you meet activists who never heard of the Nation or read the New Republic. They are not, as the grand jury assumed, "radical." A substantial portion still are. One girl activist described her dormitory mates to me as chiefly interested in the weekly "happy hour" each Friday afternoon when the town's dingy beer joints charge ten cents less per glass.

Kent State is neither that dynamic nor that radical. It draws 85% of its student body from Ohio's high schools without admission tests. Ohio's expenditures per capita on education are among the lowest in the nation and not much above Mississippi's. The cultural level is low. One young newspaper correspondent who has spent much of his time on the campus "rapping" with students since last May told me he had never met a Kent State student excited about a book. One faculty member described the student body as "the insurance salesmen of tomorrow."

Any outside agitator drawn to Kent State by the glowing description in the grand jury report will be disappointed. This is a campus where you meet activists who never heard of the Nation or read the New Republic. And they think themselves avant garde because they read Time and Newsweek. "Most students," said the Scranton commission report of the period before the May events, "were either conservative or apolitical." A substantial portion still are. One girl activist described her dormitory mates to me as chiefly interested in the weekly "happy hour" each Friday afternoon when the town's dingy beer joints charge ten cents less per glass. The judge from despairsing comment, the chief menace on campus is not radicalism but indifference.

A more realistic and charitable view is that the war, the campus shootings and the one-sided grand jury report have succeeded in radicalizing a very substantial portion of the student body on one of the most politically backward campuses in the country. The surprise is not that there is still apathy and indifference. The surprise is that there is so much militancy, such
much questioning, on a campus which draws its student body from the typical small towns of a typical Midwestern state, from middle grade students with middle grade records too poor to enable them to enter universities of more fame and quality. The students who have been running the protest meetings and writing the angry editorials in the Kent Stater, the campus newspaper, are average Americans, neither geniuses nor freaks. The editor of the Kent Stater, the militant student daily, is a Public Relations major. One of the leading activists is in the business school, and when I asked him what course he particularly moved him, he told me he had been "turned on" by his professor of marketing!

I spoke with as many students as I could in a two-day visit. By the time I left I had a real feeling of respect and affection for the youngsters I had met and I understood how rewarding they could seem to their best teachers. I had the privilege of talking with a sociology class run by Professor Thomas S. Lough, the only faculty member so far indicted by the grand jury, a man I had known when he worked for the Arms Control and Disarmament Agency in Washington. He is popular with the students because he is in sympathy with the best of them. Among those in the class were veterans of the Vietnam war radicalized by their experience and frustrated by their parents' unwillingness to listen to them.

A Non-Violent Leader Indicted

Perhaps the most provoking passage in the grand jury report was its conclusion that "all the conditions that led to the May tragedy still exist," that an "apathetic university community" has allowed "a vocal minority to seize control of the campus" and that this will continue until such time as the faculty and the students "take a strong stand against the radical element bent on violence." This "radical element bent on violence" is a figment of the Grand Jury's imagination. The day the Grand Jury report came down the Yippies held a meeting of protest. The keynote as enunciated by Jerry Persky, their leader, was "let's make Kent State into a school of peace." Non-violence is the common theme of campus organizations. The school year opened this fall with a "Think Week" organized around workshops devoted to non-violent protest. Craig Morgan, an ROTC cadet, was elected student president last June on a platform of non-violence with the slogan, "Power to the Peaceful," emphasizing political change through the ballot box and lobbying. His reward is an indictment under a statute tailor-made for repression. This statute provides a $1,000 fine or one year in jail or both for "second degree rioting." This is defined as participating with four or more other persons in "tumultuous conduct" with intent to do "a lawful act with unlawful force." Until a bill of particulars is made public no one knows just what Morgan is accused of having done. But the grand jury couldn't have made a more inflammatory gesture than indicting the one student leader who has done most to organize the campus against violence.

It is important to build a national movement on and off the campuses to see that those indicted are not railroaded to prison by the same crass political processes which created this one-sided special grand jury, and to demand that a Federal grand jury be convened to deal with the May 4 shootings. No country in a time of growing crisis ever saw a sillier, more meretricious campaign than Nixon and the Republicans are running against sin, smut and students. The Ohio special grand jury fits the political strategy of Ohio's Governor Rhodes and of Nixon. Even Agnew (as so many people have forgotten) on the David Frost show in Los Angeles last May 7, three days after the shooting, said of the Ohio National Guard, "I don't condone their action," and called it murder "but not first degree."

The grand jury report flies in the face of the Scranton County Commission report, of the FBI findings on which it was in large part based, and of the earlier 8-page special report into the tragedy which John S. Knight's Akron, Ohio, Beacon-Journal published last May 24 and for which it richly deserves a Pulitzer Prize. The FBI reports confirmed the Beacon-Journal findings. A memorandum based on the FBI findings and signed by Jerry Leonard, chief of the civil rights division at Justice, listed the names, ranks and addresses of six National Guardsmen and suggested that they could be criminally prosecuted under Ohio law.

Fabrication By National Guardsmen

Now a new revelation underscores the need for Federal grand jury action. On Oct. 23 the Beacon-Journal, to its credit, was the first paper in the country to call attention to a speech Senator Young of Ohio had made in the Senate 10 days earlier but which had gone unreported. Young is the only Senator who has spoken up in defense of the students. Theirs — like so many other unpopular causes — will lose a courageous champion when he retires because of age (he is 81) at the end of this year. Reading from a Justice Department summary of the FBI findings, Young quoted this sensational passage to the Senate —

Most of the National Guardsmen who did fire their weapons do not specifically claim that they fired because their lives were in danger. Rather, they generally state in their narrative that they fired after they heard others fire. WE HAVE REASON TO BELIEVE THAT THE CLAIM BY THE NATIONAL GUARD THAT THEIR LIVES WERE ENDANGERED BY THE STUDENTS WAS FABRICATED SUBSEQUENT TO THE EVENT. (Emphasis added.)

Senator Young, reading from the same Justice Department summary, added that "One guardsman admitted that his life was not in danger and that he fired indiscriminately into the crowd" and "further stated that the guardsmen had gotten together after the shooting and decided to fabricate the story that they were in danger of serious bodily harm or death from the students."

Senator Young also told the Senate that day —

One hundred FBI agents reported that of the four students killed and nine seriously wounded by National Guardsmen's bullets not one participated in any disorder and of the May 4 shootings. He disclosed the spirit in which the grand jury was directed when he said the National Guard "should have shot all the troublemakers." With a judicious remark like that, who needs outside agitators to cause trouble on campus? The inflammatory reverberations on campus were intensified by the news that the State Board of Regents had named Ford to sit as "referee" at Kent State to try campus cases under the newly enacted and savagely repressive Ohio law "to control campus disorders, and to provide for the immediate suspension or dismissal of students and faculty, under certain circumstances."

Ford promises to be the biggest time-bomb ever planted on any college campus.

The first effect of Ford's vigilante-type statement was to lead a respected conservative member of the faculty, Glenn W.
Frank, a Professor of Geology, to issue a blistering attack on Ford. Professor Frank also challenged Common Pleas Judge Edwin Jones to arrest him for contempt. Judge Jones has matched Prosecutor Ford in giving the campus peculiar lessons in Americanism. Judge Ford presided over the special grand jury and when he released its findings he did so with an order forbidding any witness before it to comment in any way on the jury’s public presentment. Normally grand jury proceedings are secret but it is not normal for a Judge to forbid comment on a grand jury presentment, especially when it is as highly controversial and damaging as this one. In effect Judge Jones took it on himself to suspend First Amendment rights. He made himself ridiculous as well as dictatorial when he majestically amended the gag rule to allow Kent State President White (who was severely criticized in it) to “comment in general” on the grand jury report but to “refrain from any critical comment!” This allowed the grand jury to defame Dr. White while denying him, under pain of sentence for contempt, the right to defend himself and the University by answering its criticism. This is constitutional government, as taught the youngsters in the State of Ohio!

Deliberate And Deserved Contempt

Professor Frank, as a witness before the grand jury, is subject to Judge Jones’s order but Prosecutor Ford’s bloodthirsty comment was too much for him. On October 25 he issued a statement in which he said he had spent 17 years “teaching college students geology, a lust for life, and a respect for our laws and system. I speak now,” he went on, “in contempt of court, in contempt of the naive and stupid conclusions of the Special Grand Jury, specifically as to their reasons for the May 4 disturbances, in contempt of Judge Jones for the gag rules placed on President White and in personal contempt for lawyer Ford for his lack of understanding after 68 years of what I believe is a wasted life.”

Professor Frank said, “There is no middle way any more. Ford is a trouble maker. It is my feeling that the Republican party must smash the student uprising in order to stay in power. Ford has made his statement in order to convince people who do not know the facts that he is a law and order man and will crack down on anyone who disagrees with the system he represents.”

“I am a law and order man,” Professor Frank continued. “I think anyone guilty of riot charges should be prosecuted. I was between the ROTC building and the rioting individuals on May 2 and I know that some people deserve to be prosecuted. However,” he went on, “this should not allow a judge, a jury or a prosecutor to make what I consider to be a farce out of justice for their own gain or to gain favor with the voters. Freedom of speech is bigger than Judge Jones. I defy Judge Jones to arrest me for contempt of court because I cannot see a system I believe in and respect subverted by this man.”

Professor Frank ended by recounting, “I was told by a young black student that we did have a great system but that man corrupts it. I agree with this student and I understand better now what he meant. I cannot live with a conscience that permits people to say they ‘should have shot all trouble-makers.’ I am hoping something will happen. I love Kent State and I love the students in it. I can’t see this happening.” We urge every campus in the country to circulate and support this brave challenge.