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Yale Law Report



Allard Lowenstein

The following is a transcript of Charles Kuralt's commentary on Allard Lowenstein '54 which was originally broadcast on *Sunday Morning* on March 23, 1980, over the CBS Television Network. Copyright © 1980 CBS Inc. All Rights Reserved.

What follows is partly fact and partly opinion. I won't bother to tell you which is which—you can judge that for yourself. I was thinking about that demonstration in Washington yesterday against the idea of draft registration. I come from a generation that never would have demonstrated. Never did. We were called the "silent generation." One who wasn't silent, even in those days, was a rumped, bespectacled law student named Al Lowenstein.

Al Lowenstein, when I first knew him, was gadfly to the campus of the University of North Carolina. I don't know where he got his sense of justice, but he had a bad case of it. He just couldn't leave things alone. He never stopped being a gadfly to students on campuses across the country—until he was shot and killed a few days ago in his law office. He was—to use an old-fashioned expression—a patriot; that is, he cared for his country above everything else. I wish you could have known him.

Al believed what Jefferson, the agriculturist, would have believed if he had lived to see this complex, technological society of ours. He believed that even in a complex, technological society one man or one woman can make all the difference. Al Lowenstein never settled into the comfortable life of a New York lawyer. He was always too busy organizing for civil rights in Mississippi, discovering decent political candidates and putting together campaigns for them. And talking—talking on the campuses, persuading the silent generation and the student generations that followed to jump right into the midst of the raucous give-and-take of the democratic process. Al Lowenstein had no use for silence. He knew that is how societies decay—silently.

If you seek his epitaph, as they say, look around. A number of political campaigns this year—the Reagan and Kennedy campaigns especially—have relied heavily on students. The Anderson campaign really could not have existed without the involvement of students. The committed young are the main force behind the conservation impulse in America right now—trying to save wild rivers, prevent the killing of whales,

prevent nuclear disaster. You don't have to agree with any of this to find it hopeful. Students aren't silent anymore. They're talking all the time, marching even. Al Lowenstein would have loved that march yesterday against the draft. He would have disagreed with it, by the way. My memory is that he happened not to believe in draft evasion or avoidance. The Constitution says citizens have the right to petition the government. It doesn't say they have to be right.

Anyway, in a week so full of discouraging news, I thought you might find it encouraging to consider that apparently this generation isn't going

to be a silent generation. More young men and women than before seem to care about their country, seem to have the idea that it can become more just and humane, and seem willing to work at it.

Al Lowenstein did more than anybody else to start this, but it doesn't matter so much who started it. What matters is that democracy cannot work in silence. So, when you hear a clamor among the young, it means that from somewhere they have caught the oldest, best idea of America. Gives you hope the thing might last.
