

The Washington Post

AN INDEPENDENT NEWSPAPER

The Kent State Indictments *Post/2/74*

The actions of some students were violent and criminal and those of some others were dangerous, reckless and irresponsible. The indiscriminate firing of rifles into a crowd of students and the deaths that followed were unnecessary, unwarranted, and inexcusable.

THE QUOTATION comes from the October, 1970, Special Report on the Kent State Tragedy by the President's Commission on Campus Unrest—the so-called Scranton Commission. Like Friday's news that seven former members of the Ohio National Guard and one present member had been indicted by a federal grand jury in connection with the Kent State killings, the lines from the Scranton Commission report haul one back abruptly to another day and time, to a particular national agony known as Vietnam. It was a war—an experience, really—that was unique in its reach and in its capacity to produce victims. The village dead and the battlefield dead were its victims. So are American Vietnam veterans whose needs the government has been so indifferent about meeting. So, in a sense, were the four Kent State students who were shot to death in a campus uprising that followed the American action in Cambodia in the spring of 1970. And so, we would insist, are the eight young Guardsmen who have now been indicted in connection with the Kent State killings.

The political and judicial aftermath of that brutal episode was hardly more reassuring than the episode itself. The serious compassionate and judicious work of the Scranton Commission was disavowed and put down by the administration that had authorized it—put down, in fact, in the form of an attack on the Commission's integrity by none other than Spiro T. Agnew. An FBI report casting serious doubt on the Ohio National Guard version of what happened was not even provided to

an Ohio State grand jury, which, in any event seemed ill-disposed to wrestle with the facts of the case at all. And despite the conclusion of former Attorney General John Mitchell that the Guardsmen had acted recklessly, he made a judgment—that was not wholly without supporting legal argument—that federal jurisdiction did not extend to the particular crimes of which the Guardsmen had been accused. So until the case was in effect reopened by former Attorney General Richardson a few months ago, it seemed as though no final formal accounting would ever be made.

It is a source of some satisfaction that this is no longer true, that the judicial process will be permitted to resolve those questions that should have been put to it long ago. But we doubt that anyone can take particular pleasure in the plight of those eight young men who have been indicted. Whatever the trial may bring out and whatever the trial jurors may decide, certain truths will remain immutable. One is that four students were killed and cannot be brought back to life. Another is that the harassed and ill-prepared Guardsmen involved in their slaying were themselves victims and casualties of an ugly circumstance which they had done little to create. If they are guilty as charged, presumably they will pay—and that is the way it should be. But this hardly seems a time for self-righteousness, let alone for vindictiveness or rejoicing. Arthur Krause, the father of one of the students killed at Kent State put it well, upon learning of the indictments the other day. "There is no happiness in this matter," he said.