

A Bitter Anniversary

By Peter Davies

Three years ago today several hundred students gathered at noon on the campus of Kent State University to protest the invasion of Cambodia and the continued presence of Ohio National Guard troops. Twenty minutes later a fusillade of gunfire left four students dead and nine more wounded, all victims of military ammunition.

Before anyone had a clear picture of exactly what had happened, President Nixon reacted to the massacre by saying that whenever dissent turns to violence it "invites" tragedy. In other words, the kids asked for it. This hasty and ill-advised statement not only set the tone for public condemnation of the students, regardless of the facts, but so politicized the incident that the father of one of the two girls killed by the guardsmen immediately feared obstruction of justice by some members of the Nixon Administration. Today his fears have proven to be well-founded.

In October, 1970, a lengthy Justice Department summary of the F.B.I. investigation raised such a multitude of questions concerning the conduct of a few Ohio guardsmen that it appeared inevitable that a Federal grand jury would have to be convened despite the political sensitivity.

Ten months later, on Aug. 13, 1971, John N. Mitchell, then Attorney General, calmly announced his decision to bury these questions, unanswered.

Although the gunfire, he said, was "unnecessary, unwarranted and inexcusable," there was insufficient evidence to warrant a grand jury investigation. He even went so far as to say he was satisfied "that the Department of Justice has taken every possible action to serve justice." That, perhaps, was the most contemptible remark Mitchell ever made on the Kent State case, and today we have a clearer understanding of how he had the gall to say it.

If John Mitchell can participate in meetings at which plans are discussed and weighed as to the political advantages of burglarizing the Democratic party headquarters at the Watergate, —as it is said he did—and do so as Attorney General of the United States, then anything such a man says is suspect. If Mitchell can so emphatically tell the American people that he had no prior knowledge whatsoever of the Watergate bugging operation, when he knew plenty, then he can just as emphatically fool us on Kent State with his ridiculous claim that there is not enough evidence just to convene a grand jury.

On this third anniversary of the killings at Kent State, there is every reason to believe that the scandal which is now ripping apart the Nixon Administration will enable us at long last to focus public attention on the Justice Department's role in obstructing justice in this issue.

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